

Tuesday, January 23, 2024
City Council Meeting - Hybrid (In-Person & Electronic)

7:00 P.M.

#2131 Regular City Council Meeting - Hybrid (In-Person & Electronic)

In-Person at College Place City Hall, 625 S College Avenue, College Place Washington

Meeting may be viewed at: Live Stream on City of College Place, Washington YouTube at https://www.youtube.com/channel/UCbx3qrqzLDL_05NusReSI-g/featured

Zoom Attendee Link: <https://us06web.zoom.us/j/88223423912>

Or you may call this number to listen: 1-669-900-9128 ID# 882 2342 3912 Phone controls: *6 - toggle mute/un-mute and *9 - raise hand

1. Opening Items.

Subject :	1.01 Call To Order
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	1. Opening Items.
Access :	Public
Type :	Procedural

Public Content

Mayor Hernández will call the meeting to order.

Subject :	1.02 AB 24014 - Oath of Office - Paul Jessup - Council Position 1 and Monica Boyle - Council Position 7
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	1. Opening Items.
Access :	Public
Type :	Procedural

Public Content

I, _____, do solemnly swear that I am a Citizen of the United States and of the State of Washington; that I will support the Constitution of the United States and the Constitution and Laws of the State of Washington, and all local ordinances; and that I will faithfully and impartially discharge the duties of the office of City Councilor for the City of College Place according to the law and the best of my ability.

File Attachments

[Oath_of_Office_Jessup_2024-1-23.pdf \(543 KB\)](#)

[Oath_of_Office_Boyle_2024-1-23.pdf \(578 KB\)](#)

Subject : 1.03 Roll Call

Meeting : Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)

Category : 1. Opening Items.

Access : Public

Type : Procedural

Public Content

Mayor [Norma L. Hernández](#)

[Paul T. Jessup,](#)

[Michael Cleveland,](#)

[Tito Espinoza Jr.,](#)

Council Members [Loren Peterson,](#)

[Melodie Williams,](#)

[Heather Schermann,](#)

[Monica Boyle](#)

Administrator, Mike Rizzitiello;

City Attorney, Rea Culwell

Finance Director, Brian Carleton;

Public Works Director, Robert McAndrews;

Staff [Police Chief, Troy Tomaras;](#)

[Fire Chief, David Winter;](#)

[Community Development Director, Jon Rickard;](#)

[HR Manager, Shawn Doering;](#)

[City Clerk, Sherri St. Clair](#)

Subject : 1.04 Pledge of Allegiance

Meeting : Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)

Category : 1. Opening Items.
Access : Public
Type : Procedural

Public Content

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Subject : 1.05 Public Comment -
Meeting : Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category : 1. Opening Items.
Access : Public
Type : Information

Public Content

Council meetings are primarily structured to permit Council Members to arrive at the decisions necessary to govern the City.

Meeting Protocol for Public Comment:

When submitting public comments, include the following information regardless of the manner you are using: (Note that there are deadlines for written comments to be included in the meeting documents.)

- Your Name
- Your Address

Written Public comments may be provided by submitting comment to Clerk@cpwa.us no later than 4:30 PM on the meeting date to be included in the record. (If typewritten, no less than 11 pt font).

Verbal Public Comments may be made during the meeting:

- In-person at the meeting location - provided at the beginning of each agenda.
- Telephone comment - Call 1-669-900-9128, entering the meeting ID (provided at beginning of agenda) and raise your hand (*9 to raise hand, *6 to mute/un-mute) when comments are requested.
- Virtual comment - Join using the Zoom Attendee link (provided at beginning of agenda) and raise your hand when comments are requested.

Once recognized, you will have five minutes to speak on any subject that is under the control of the Council.

File Attachments

[It is SO EASY to participate in public meetings!.png \(224 KB\)](#)

2. Consent Agenda.

Subject :	2.01 AB 24015 - Approve Agenda for January 23, 2024
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	2. Consent Agenda.
Access :	Public
Type :	Action (Consent)
Recommended Action :	Motion to approve agenda for January 23, 2024.

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone through previous review either during the budget process, at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Council Members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Council Member.

Subject :	2.02 AB 24016 - Approve Council Minutes from January 9, 2024
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	2. Consent Agenda.
Access :	Public
Type :	Action (Consent), Minutes
Recommended Action :	Motion to approve Council Minutes from January 9, 2024.

File Attachments

[2024-1-9_Council_Meeting_Minutes_Draft_BoardDocs® Plus.pdf \(785 KB\)](#)

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone through previous review either during the budget process, at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Council Members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Council Member.

Subject :	2.03 AB 24017 - Purchase of Traffic Paint for Routine Road Maintenance
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	2. Consent Agenda.

Access :	Public
Type :	Action (Consent)
Preferred Date :	Jan 23, 2024
Absolute Date :	Jan 23, 2024
Fiscal Impact :	Yes
Dollar Amount :	\$20,000.00
Budgeted :	Yes
Budget Source :	542.64.31.00 Operating Supplies - Traffic Control Devices
Recommended Action :	Authorize Public Works staff to purchase traffic paint so roads, crosswalks, and other markings can be re-painted in 2024

Public Content

Historical Perspective:

Every year PW Maintenance staff purchase traffic marking paint and restripe roads, crosswalks, arrows, stop bars, and other road markings. The cost of paint continues to increase and additional markings have been added as new infrastructure has been built and improved.

Information for Consideration:

Paint purchase is necessary for routine maintenance operations. PW staff got an estimate from Alpine Products to purchase 400 gallons of white and 400 gallons of yellow paint at state contract pricing. The estimate is for \$16,627.50. By authorizing \$20,000 it will allow for the purchase of additional paint if necessary.

File Attachments

[Alpine Paint Quote 1-8-23!.pdf \(182 KB\)](#)

Consent

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Subject :	2.04 AB 24018 - Salary Ordinance No. 24-001
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	2. Consent Agenda.
Access :	Public

Public Content

Historical Perspective:

Each year in January the salary ordinance is updated to reflect salary changes approved in the budget.

Information for Consideration:

2024 Changes (Please note that the Capital Project Manager has been added to the salary ordinance since the last council meeting)

- Unrepresented employees covered under an employment contract - 3.6% COLA based upon CPI-W (Sept-Sept) per contract
- Police Sergeants & Police Lieutenant - 5% COLA per contract
- Unrepresented employees not covered under a contract - 3.4% COLA based upon CPI-W (Aug-Aug) per contract
- Public Union employees - 3.4% increase per contract
- Police Union employees - 5% increase per contract
- Firefighter Union employees - 6% increase per contract
- Reserve Officer position removed from salary ordinance as we no longer have a Reserve Program
- Three new positions approved in the budget have been added; Fire Lieutenant, Fire Marshall, and Capital Project Manager

Upcoming Changes

-A Cross Connection Specialist position was approved in the budget but has not been added to the salary ordinance as salary research is still in progress. Once complete, an updated salary ordinance will be brought to council.

File Attachments

[2024 Cost of Living Increases.pdf \(241 KB\)](#)
[Ord_No_24-XXX_Salary_Update_1_2024-01-23-Redline.pdf \(258 KB\)](#)
[Project Manager Comparable Salaries .pdf \(126 KB\)](#)
[Capital Project Manager Job Description.pdf \(215 KB\)](#)
[2024 Contract Addendum 3-Rea Culwell.pdf \(95 KB\)](#)
[2024 Contract Addendum 7-Troy Tomaras.pdf \(94 KB\)](#)
[2024 Contract Addendum 8-Mike Rizzitiello.pdf \(87 KB\)](#)
[Ord_No_24-001_Salary_Schedule_Update_1_2024-01-23.pdf \(172 KB\)](#)

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone through previous review either during the budget process, at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Council Members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Council Member.

Subject :

2.05 Approve Consent Agenda - Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone

through previous review either during the budget process, at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Council Members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Council Member.

Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	2. Consent Agenda.
Access :	Public
Type :	Action (Consent)
Recommended Action :	Motion to approve the consent agenda

Consent

Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone through previous review either during the budget process, at a workshop, or by subcommittee review and recommendation. Documentation concerning these items has been provided to all Council Members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Council Member.

3. Presentations - None

4. Public Hearings - None

Subject :	4.01 Procedure for Public Testimony
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	4. Public Hearings - None
Access :	Public
Type :	Procedural

Public Content

Council meetings are primarily structured to permit Council Membersto arrive at the decisions necessary to govern the City.

Meeting Protocol for Public Testimony:

When submitting public testimony, include the following information regardless of the manner you are using: (Note that there are deadlines for writtencomments to be included in the meeting documents.)

- Your Name
- Your Address

Written Public comments may be provided by submitting comment to Clerk@cpwa.us no later than 4:00 PM the Friday before the meeting.(If typewritten, no less than 11 pt font).

Verbal Public Comments may be made during the meeting:

- In-person at the meeting location - provided at the beginning of each agenda.
- Telephone comment - Call 1-669-900-9128, entering the meeting ID (provided at beginning of agenda) and raise your hand (*9 to raise hand, *6 to mute/un-mute) when comments are requested.
- Virtual comment - Join using the Zoom Attendee link (provided at beginning of agenda) and raise your hand when comments are requested.

Once recognized, you will have five minutes to speak on the public hearing topic.

5. Action Items.

Subject :	5.01 AB 24019 - Agreement for Professional Services for Analysis to Develop Improvement Options and Costs for SE Corner of Lamperti/College Ave Intersection - Mr. McAndrews
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	5. Action Items.
Access :	Public
Type :	Action
Preferred Date :	Jan 23, 2024
Absolute Date :	Jan 23, 2024
Fiscal Impact :	Yes
Dollar Amount :	\$38,400.00
Budgeted :	Yes
Budget Source :	CFP Project 6066 - Street Improvement Fund
Recommended Action :	Motion to authorize Public Works Director to sign Professional Services Agreement with JUB Engineers for \$38,400 to analyze and develop improvement options and costs for the SE corner of Lamperti and College Ave intersection.

Public Content

Historical Perspective:

There have been several instances where vehicles have crashed into the City's fence on the SE corner of Lamperti/College Ave. There has also been at least two vehicles that have gone over the wall. City staff have engaged J-U-B Engineers to help determine if improvements are possible to make the intersection and wall safer and to prevent ongoing damage to City and private property and/or future accidents or injuries that could occur at the intersection.

Information for Consideration:

J-U-B will provide topographic surveying, intersection analysis, and will develop improvement options and costs. J-U-B's services will cost \$38,400 for this phase of analysis. It is likely that additional costs will be necessary to design and construct the selected improvements.

File Attachments

[TO062_College&Lamperti_Safety_Improvements.pdf \(2,111 KB\)](#)

Subject :	5.02 AB 24020 - Award Contract to J-U-B Engineers for Veterans Park Engineering - Mr. Rizzitiello
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	5. Action Items.
Access :	Public
Type :	Action
Preferred Date :	Jan 23, 2024
Absolute Date :	Jan 23, 2024
Fiscal Impact :	Yes
Dollar Amount :	\$68,200.00
Budgeted :	Yes
Budget Source :	50% State Recreation Conservation Office Grant, 50% REET II
Recommended Action :	Motion to adopt Resolution #24-001 permitting City Administrator to sign contract with J-U-B Engineers to conduct engineering activities on the Veterans Park project for \$62,000 with a contingency of 10% (\$6,200) not to exceed \$68,200.

Public Content

Historical Perspective:

The City did a four year request for services and qualifications process in 2020 and awarded said contract to J-U-B Engineers via Resolution #20-037 during the October 13th, 2020 City Council meeting.

Information for Consideration:

The City obtained a \$281,023 grant from the State Recreation Conservation Office Youth Athletic Facility grant program via agreement 22-1705 adopted on September 14th, 2023. Information on the project is on the State RCO Prism webpage: <https://secure.rco.wa.gov/PRISM/search/ProjectSnapshot.aspx?ProjectNumber=22-1705>

File Attachments

[22-1705 Agreement - Veterans Park Renovation.PDF.pdf \(382 KB\)](#)

[Map.JPG \(138 KB\)](#)

[TO61_VeteransPark.pdf \(1,123 KB\)](#)

[Res_No_24-001_Veterans_Park_Engineering_JUB_2024-1-23.pdf \(150 KB\)](#)

Subject : 5.03 AB 24021 - Revision to City Council Rules Adding Rules Addressing Public Comment and Public Testimony - Ms. Culwell

Meeting : Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)

Category : 5. Action Items.

Access : Public

Type : Action

Recommended Action : Motion to approve Resolution No. 24-002, a resolution by the City Council of the City of College Place, Washington, amending rules of conduct for council meetings established in City Resolution 20-003.

Public Content

Historical Perspective:

In recent months, the City has experienced unexpected public comment/testimony of antisemitic, racist, and vulgar nature which did not address any valid topic before City Council or of any public concern. Such comment/testimony occurred by the clerk permitting a virtual "attendee" to speak after that "attendee" raised their virtual hand during the Zoom platform meeting. It is believed that the name provided with the virtual "attendee" was fake and the comment/testimony was not from a member of the City's public. The statements appeared to be made to disrupt the meeting. The statements were disruptive such that allowing the statements to continue would have rendered the meeting unfeasible. The "attendee" did not appear by video, only audio. City staff was asked to explore options on how to prevent or curb such occurrences.

Information for Consideration:

While the City cannot require a person to identify themselves, provide other information about themselves, or register in order to *attend* a public City Council meeting, the City does have the authority to set generally applicable conditions (rules) on a person who desires to comment at a meeting or testify at a public hearing. The proposed rules supplement the City's current rules by requiring advance notice to the City when an individual desires to comment at a meeting and/or testify at a hearing and requiring the individual wishing to speak to identify themselves, where they reside, and to what topic they wish to speak. The proposed rules provide that a person who is in physical attendance at a meeting or hearing who wishes to speak is not required to pre-register. The proposed rules provide that a person appearing virtually who utilizes a camera such that they can be identified by sight via video is considered to be "in physical attendance". The proposed rules provide for reasonable accommodation should any of the rules pose a hindrance to a member of the public who wishes to speak.

File Attachments

[Res_No_24-002_Amendment_to_City_Council_Rules_2024-1-23.pdf \(171 KB\)](#)

Subject : 5.04 AB 24022 - Agreement with Northwest Municipal Advisors (NWMA) to provide financing services for the TIF bond issuance - Mr. Carleton

Meeting : Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)

Category : 5. Action Items.

Access : Public

Type : Action

Preferred Date : Jan 23, 2024

Absolute Date : Jan 23, 2024

Fiscal Impact : Yes

Dollar Amount : \$20,000.00

Budgeted : No

Budget Source : TIF Fund

Recommended Action : Motion to adopt Resolution No. 24-003 which authorizes the City Administrator to sign the professional services agreement with Northwest Municipal Advisors to provide financing services for selection of funding of the TIF Bond for a cost not to exceed \$20,000.

Public Content

Information for Consideration:

Tax Increment Financing (TIF) is a new financing program in Washington State. The City of College Place is one of the first Cities in the State to implement this program. City council authorized the establishment of the TIF district on May 11th 2023. There were 4 projects identified in the TIF analysis totaling \$19.3mil. Of that amount \$8.7mil was identified as the TIF financing amount. This amount will be funded by a councilmanic bond issuance. The bond financing for the debt the city will assume it complicated, and since this is the first time going through this process we felt it would be prudent to use a outside advisors to determine the best financing option for the City. Northwest Municipal Advisors is one of very few companies that provide this type of service to Cities our size. NWMA will act as a fiduciary in support of the financing selection.

The projects approved in the CFP for TIF financing are as follows:

Project	Project Total \$	TIF Portion	TIF Financing
Mojonnier Road	7,921,000.00	0.543	4,301,103.00
Downtown Parking Lots	1,400,000.00	1.000	1,400,000.00
Stone Creek/ College Ave Intersection	1,170,437.00	0.500	585,218.50
Stone Creek East/West Road	7,120,461.00	0.272	1,936,765.39
Reservoir #4 Main (part of Mojonnier Project)	1,699,000.00	0.25	424,750.00
	<u>19,310,898.00</u>		<u>8,647,836.89</u>

File Attachments

[Agreement to Serve as Municipal Advisor - City of College Place - Nov 2023 \(1\).pdf \(220 KB\)](#)

[Sole Source NWMA.pdf \(104 KB\)](#)

[TIF_Review_City_of_College_Place.docx.pdf \(1,248 KB\)](#)

[TIF Projects 01-18-2024.pdf \(45 KB\)](#)

[Res_No_24-003_TIF_Bond_Professional_Services_2024-1-23.pdf \(286 KB\)](#)

Subject :	5.05 AB 24023 - College Place Unified Development Code - Update - Mr. Rickard & Mr. Dohrn
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	5. Action Items.
Access :	Public
Type :	Action
Preferred Date :	Jan 23, 2024
Absolute Date :	Jan 23, 2024
Recommended Action :	Motion to approve Ordinance No. 24-002.

Public Content

Historical Perspective:

Annually, the Planning Commission, with guidance from city staff and consultants conducts a review of the Unified Development Code, Title 14.

Information for Consideration:

Over the course of 2023 the Planning Commission met to consider revision to the College Place Unified Development Code. Planning Commission held a public hearing on November 21, 2023 and recommended the City Council approve the revisions to the Unified Development Code. These amendments in general terms includes the following:

1. Amendments to CPMC 14.30 Permit Processing Procedures to implement state legislation effective July 23, 2023 (SSSB 5290) intended to further streamline the local project review process mandated by the Washington State Growth Management Act.
2. Amendments to CPMC 14.60.170 Accessory Buildings, Structures, Dwelling Units, and Uses to implement recent state legislation (EHB 1337) to expand housing options by further removing barriers to the construction and use of accessory dwelling units.
3. Amendments to CPMC 14.40.140 Categorical Exemptions to revise several of the flexible SEPA Thresholds for minor new construction as authorized by state law and in consideration of revisions adopted by the City of Walla Walla to provide for a uniform regional approach, including:
 - a. Increasing the exemption for the construction or location of single family residences from nine(9) to fourteen (14).

- b. Exempting the construction or location of up to sixty (60) multi-family residential dwelling units.
- c. Clarifying that the exemption applicable to the construction of agricultural facilities does not apply to commercial feed lots.
- d. Increasing the exemption for landfill or excavation throughout the total lifetime of a project from 200 cubic yards to 1,000 cubic yards.
4. Amendments to CPMC Mobile Vendors and Vendor Food Courts and CPMC 14.60.145 Temporary Use of Sidewalks and Public Space to further streamline the permitting of food carts and food courts, to provide appropriate measures to protect the public health and safety, and in consideration of regulations adopted by the City of Walla Walla to provide for a more uniform regional approach.
5. Amendments to CPMC 14.1209 Building and Construction to update the references to the International Building and related codes as adopted and implemented by the City in accordance with state law.
6. Other minor amendments including:
 - Clarifying the setback requirements applicable to corner lots.
 - Fence placement permit.
 - Updating gender references.
 - Short Term Rentals - Added language requiring the Building Official to verify that each sleeping room meets current building code requirements for a sleeping room and meets current fire code requirements. (Egress windows and interlaced smoke /fire detection systems)
 - Mobile Food Vendors - Streamlining and removing the Special Use Permit requirement.

File Attachments

[Final SEPA Checklist 11-01-23A.pdf \(407 KB\)](#)

[Public Notice.2023.11.04.pdf \(99 KB\)](#)

[Submittal-Receipt-Email-2023-S-6599.pdf \(460 KB\)](#)

[Planning Commission Public Hearing Memo 11-15-23.pdf \(126 KB\)](#)

[EHB 1337 as Passed Leg.pdf \(126 KB\)](#)

[DNS College Place Development Regs 2023.11.03.pdf \(270 KB\)](#)

[2023.11.06.Acknowledge-Letter-Expedited.Review.pdf \(126 KB\)](#)

[2023.11.03.NOA .EMAIL - Public Comment - DNS - 2023 Development Regulation Update.pdf \(969 KB\)](#)

[WAC 197-11-800.pdf \(371 KB\)](#)

[2023.11.01 SEPA GMA Public Review Draft UDC 11-01-23a.pdf \(2,558 KB\)](#)

[Planning Commission Memo on SEPA Exemptions 06-13-23.pdf \(159 KB\)](#)

[Ord_No_24-002_Unified_Development_Code_Update_2024-1-23.pdf \(1,892 KB\)](#)

[Draft Amended UDC 01-18-24A - Legal Review.pdf \(2,582 KB\)](#)

6. Administrative Reports.

Subject :	6.01 AB 24024 - Economic Development Fliers for FY 2024 - Mr. Rizzitiello
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	6. Administrative Reports.
Access :	Public
Type :	Discussion, Information

Public Content

Historical Perspective:

Annually city staff update data and other information pertaining to economic development efforts.

Information for Consideration:

The documents have been introduced to the Economic Development Commission. They will go for final approval of EDTEC at the Monday, February 5th, 2024 meeting.

File Attachments

[EcDev_2024_Data_Downtown_Flier.pdf \(153 KB\)](#)

[EcDev_2024_Data_MeadowbrookandStoneCreek.pdf \(190 KB\)](#)

[EcDev_2024_Data_MyraRdFlier.pdf \(169 KB\)](#)

[EconomicDevelopment_2024_Data_MarketingFlier.pdf \(261 KB\)](#)

[EconomicDevelopment_FlashDrive_Data_CommunityProfile2024.pdf \(669 KB\)](#)

[EconomicDevelopment_FlashDrive_Data_CP_Housing Market Characteristics_2024.pdf \(456 KB\)](#)

[EconomicDevelopment_FlashDrive_Data_CP_RestaurantMarketPotential2024.pdf \(202 KB\)](#)

[EconomicDevelopment_FlashDRive_Data_CP_RetailDemandByIndustry2024.pdf \(103 KB\)](#)

[EconomicDevelopment_FlashDrive_Data_CP_RetailDemandOutlook2024.pdf \(199 KB\)](#)

[EconomicDevelopment_FlashDrive_Data_CP_RetailMarketPotential2024.pdf \(276 KB\)](#)

[EconomicDevelopment_FlashDrive_Data_CP_TapestryProfile2024.pdf \(847 KB\)](#)

[EconomicDevelopment_FlashDrive_Data_HousingProfile.pdf \(64 KB\)](#)

[Resolution.docx \(19 KB\)](#)

7. Informational Reports - None

8. Executive Session - None

9. Closing Items.

Subject :	9.01 Good of the Order?
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	9. Closing Items.
Access :	Public
Type :	Discussion, Information
Subject :	9.02 Conclusion - Motion to Conclude the Meeting.
Meeting :	Jan 23, 2024 - City Council Meeting - Hybrid (In-Person & Electronic)
Category :	9. Closing Items.
Access :	Public
Type :	Action
Recommended Action :	Motion to conclude the meeting

STATE OF WASHINGTON,)
)ss.
County of Walla Walla)

OATH OF OFFICE

I, Paul Jessup, do solemnly swear that I am a Citizen of the United States and of the State of Washington; that I will support the Constitution of the United States and the Constitution and Laws of the State of Washington, and all local ordinances; and that I will faithfully and impartially discharge the duties of the office of City Councilor for the City of College Place according to the law and the best of my ability.

_____, City Council Position 1
Signature

I certify that I know or have satisfactory evidence that Paul Jessup, is the person who appeared before me and said person acknowledged that he signed this Oath of Office, and acknowledged it to be his free and voluntary act for uses and purposes mentioned in this instrument.

DATED this 23rd day of January 2024



Sherri St. Clair, CITY CLERK
City of College Place, Washington

STATE OF WASHINGTON,)

)ss.

County of Walla Walla)

OATH OF OFFICE

I, Monica Boyle, do solemnly swear that I am a Citizen of the United States and of the State of Washington; that I will support the Constitution of the United States and the Constitution and Laws of the State of Washington, and all local ordinances; and that I will faithfully and impartially discharge the duties of the office of City Councilor for the City of College Place according to the law and the best of my ability.

_____, City Council Position 7
Signature

I certify that I know or have satisfactory evidence that Monica Boyle, is the person who appeared before me and said person acknowledged that she signed this Oath of Office, and acknowledged it to be her free and voluntary act for uses and purposes mentioned in this instrument.

DATED this 23rd day of January 2024



Sherri St. Clair, CITY CLERK
City of College Place, Washington

City Council Meeting - Hybrid (In-Person & Electronic) (Tuesday, January 9, 2024)*Generated by Sherri St Clair on Tuesday, January 9, 2024***1. Opening Items.**Procedural: 1.01 Call To Order**Mayor Hernández called the meeting to order at 7:05 PM.**Procedural: 1.02 AB 24001 - Oaths of Office - Loren Peterson Position 4, Melodie Williams Position 5, and Heather Schermann Position 6 -

The City Clerk administered the Oath of Office to re-elected Council Members Loren Peterson, Melodie Williams, and Heather Schermann.

Procedural: 1.06 Roll Call

PRESENT:

Mayor - Norma L. Hernández

Council Members – Michael Cleveland; Tito Espinoza; Loren Peterson; Melodie Williams; Heather Schermann;

Staff- City Administrator, Michael Rizzitiello; Finance Director, Brian Carleton; City Attorney, Rea Culwell; Public Works Director, Robert McAndrews; Police Chief, Troy Tomaras (left at 7:15 PM); HR Manager, Shawn Doering; Community Development Director, Jon Rickard; City Clerk, Sherri St. Clair

Also Present -

Paul Jessup; Monica Boyle

MEMBERS EXCUSED:

MEMBERS ABSENT:

Procedural: 1.07 Pledge of Allegiance

On behalf of the City of College Place and the City Council, Mayor Hernández gave condolences to the City of Walla Walla and Walla Walla Fire Department Station No. 1 on the passing of Engineer Ryan Pleasant.

Information: 1.08 Public Comment - None**2. Consent Agenda.**Action (Consent): 2.01 AB 24002 - Approve Agenda for January 9, 2024Action (Consent), Minutes: 2.02 AB 24003 - Approve Council Minutes from December 12, 2023Action (Consent): 2.03 AB 24004 - 2024 Confirmation of Appointments to Boards and CommissionsAction (Consent): 2.04 AB 24005 - June 2023 Check Register/Financial ReportsAction (Consent): 2.05 AB 24006 - July 2023 Check Register/Financial ReportsAction (Consent): 2.06 AB 24007 - August 2023 Check Register/Financial ReportsAction (Consent): 2.07 Excuse the Absence of Council Member Jessup

Action (Consent): 2.08 Approve Consent Agenda - Our adopted rules of Parliamentary Procedure, The Standard Code of Parliamentary Procedure, provide for a consent agenda listing several items for approval of the Council by a single motion. Most of the items listed under the consent agenda have gone through previous review either during the budget process, at a workshop, or by subcommittee

review and recommendation. Documentation concerning these items has been provided to all Council Members and the public in advance to assure an extensive and thorough review. Items may be removed from the consent agenda at the request of any Council Member.

Council Member Schermann made a motion to approve the consent agenda. Second by Member Peterson and the motion passed 5-0.

3. Presentations.

Information: 3.01 AB 24008 - Martin Luther King Jr. Day Proclamation -
Mayor Hernández presented the Martin Luther King Jr. Day Proclamation.

Information: 3.02 AB 24009 - Holiday Yard of the month - December 2023 - 956 SE Garrison Drive -
Chief Tomaras presented the December 2023 Holiday Yard of the Month of the Tampa family at 956 SE Garrison Drive.

4. Public Hearings. - None

5. Action Items.

Action: 5.01 AB 24010 - Contract Amendment for Professional Services for Lift Station No. 5 Replacement -

Mr. McAndrews informed the Council that there was an increase in design costs of \$40,000, outlined the services related to the increase, and is requesting an amendment to the initial contract. In addition, Mr. McAndrews informed the Council that the contract amendment would allow JUB to provide construction services for \$535,155. Mr. McAndrews noted that the initial contract did not include the construction phase, only the design phase.

Discussion ensued.

Council Member Williams made a motion to Authorize City Administrator to sign contract amendment increasing currently authorized amount from \$387,880 to \$963,025. Second by Member Espinoza and the motion passed 5-0.

Action: 5.02 AB 24011 - Contract Amendment for Professional Services for 6th Street Water Main Replacement -

Mr. McAndrews informed the Council that during the construction of the SW 6th Street sidewalk it was discovered that the water piping between College Avenue and Bade Avenue needed replaced. At the time, the City was unable to fund both projects so the City temporary paved the road until the funding was secured to replace the water piping. The City is requesting that the JUB contract be amended to include the design and bid/award phases for SW 6th Street with the SE 6th Street project as part of the whole 6th Street and Birch Avenue Improvement project.

Discussion ensued.

Council Member Espinoza made a motion to Authorize City Administrator to sign contract amendment to the 6th Street Water Main Replacement Project, increasing total time and materials contract from \$102,000 to \$197,000. Second by Member Peterson and the motion passed 5-0.

Discussion ensued.

Action: 5.03 AB 24012 - Lions Park Improvements -

Mr. Rickard informed the Council that two bids were received for the Lions Park Improvement Project when bids opened on December 7, 2023. The bidders were Nelson Construction Corporation and Apollo Incorporated and the low bidder was Nelson Construction. The City would like to award the project to Nelson Construction Corporation for \$5,779,913.88 with a contingency of \$220,086.12 for a total approved amount of \$6,000,000.00.

Discussion ensued.

Council Member Cleveland made a motion to award the Lions Park Improvement Project to Nelson Construction, Corp in the amount of \$5,779,913.88 with a contingency amount of \$220,086.12 for a total approved construction budget of \$6,000,000.00. Second by Member Schermann and the motion passed 5-0.

6. Administrative Reports.

Discussion, Information: 6.01 AB 24013 - 2024 Salary Ordinance -

Ms. Doering informed the Council that the City updates the salary ordinances every year in January to reflect salary changes. Ms. Doering outlined the changes within the 2024 Salary Ordinance. Ms. Doering also informed the Council that the budgeted Capital Project Manager and Cross Connection Specialist positions have not yet been added to the 2024 Salary Ordinance, but that once the research for those positions is complete, the City will update the ordinance and bring it to Council for approval.

Discussion ensued.

7. Informational Reports. - None

8. Executive Session. - None

9. Closing Items.

Discussion, Information: 9.01 Good of the Order?

With snow predicted in the near future, Mr. McAndrews was asked if the Public Works department is ready.

Discussion ensued.

Action: 9.02 Conclusion - Motion to Conclude the Meeting.

Council Member Williams made a motion to conclude the meeting at 7:51 PM. Second by Member Peterson and with no objection, the meeting concluded.

Approved:

Norma L. Hernández – Mayor

Attest:

Sherri St. Clair – City Clerk

The foregoing minutes are the official record of the City Council meeting that occurred January 9, 2024. Further detail may be obtained by reviewing the actual audio recording made during this session.

ALPINE PRODUCTS INC

550 3RD ST. SW BLDG. C
AUBURN, WA 98001

ESTIMATE

DATE	INVOICE #
1/8/2024	38670

BILL TO
COLLEGE PLACE, CITY OF 625 SO COLLEGE AVE COLLEGE PLACE, WA. 99324

P.O. NUMBER	TERMS	REP	F.O.B.	CHECK
Quote	Net 30	JFC		

QUANTITY	ITEM CODE	DESCRIPTION	PRICE EACH	Total
400	983711-50	(983711-50) - WHITE WA SPEC. WATERBORNE TRAFFIC PAINT, 50 GAL DRUM	17.57	7,028.00T
400	983712-50	(983712-50) - YELLOW WA SPEC. WATERBORNE TRAFFIC PAINT, 50 GAL DRUM	17.57	7,028.00T
			0.00	0.00
1	FC	SHIPPING/FREIGHT	1,240.69	1,240.69T
		College Place 3601 Sales Tax	8.70%	1,330.81
Total				\$16,627.50

2024 Cost of Living Increases

Contract Employees – 3.6%

C. In addition, each year of this contract in the month of January, CITY agrees to increase EMPLOYEE's salary by the U. S. all-cities CPI-W (Sept.- Sept.).

CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS AND CLERICAL WORKERS (CPI-W)
(not seasonally adjusted)

ALL ITEMS (1967=100)	U.S. City Average											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Consumer Price Index												
2013	674.734	681.158	683.084	681.969	683.309	685.104	685.350	686.169	686.700	684.311	682.517	682.639
2014	685.220	687.695	692.725	695.356	697.657	699.107	698.580	697.105	697.521	694.717	689.720	684.828
2015	680.018	683.374	688.243	689.626	693.763	696.431	696.436	695.127	693.025	692.167	690.227	687.456
2016	688.259	687.995	691.681	695.341	698.314	700.855	699.312	699.708	701.467	702.172	700.634	701.154
2017	705.517	707.371	707.906	710.215	710.744	711.352	710.766	713.243	717.684	716.594	716.871	716.454
2018	720.604	723.788	725.202	728.609	732.074	733.343	733.221	733.760	734.441	735.850	732.561	729.142
2019	730.176	733.407	738.024	742.683	744.288	743.920	745.376	745.009	745.422	747.336	746.592	746.021
2020	748.729	750.436	748.770	743.230	743.247	747.813	752.527	755.387	756.600	756.813	756.071	756.828
2021	760.447	765.056	771.287	778.147	785.221	793.560	797.661	799.443	801.524	808.869	813.309	815.937
2022	823.000	830.885	843.495	847.663	857.929	871.393	870.432	868.673	869.344	872.767	871.254	866.953
2023	874.441	878.883	881.755	886.847	888.788	891.803	893.309	898.229	900.332	899.779	897.253	
Percent change from 12 months ago												
2013	1.5	1.9	1.3	0.9	1.2	1.8	2.0	1.5	1.0	0.8	1.1	1.5
2014	1.6	1.0	1.4	2.0	2.1	2.0	1.9	1.6	1.6	1.5	1.1	0.3
2015	-0.8	-0.6	-0.6	-0.8	-0.6	-0.4	-0.3	-0.3	-0.6	-0.4	0.1	0.4
2016	1.2	0.7	0.5	0.8	0.7	0.6	0.4	0.7	1.2	1.4	1.5	2.0
2017	2.5	2.8	2.3	2.1	1.8	1.5	1.6	1.9	2.3	2.1	2.3	2.2
2018	2.1	2.3	2.4	2.6	3.0	3.1	3.2	2.9	2.3	2.7	2.2	1.8
2019	1.3	1.3	1.8	1.9	1.7	1.4	1.7	1.5	1.5	1.6	1.9	2.3
2020	2.5	2.3	1.5	0.1	-0.1	0.5	1.0	1.4	1.5	1.3	1.3	1.4
2021	1.6	1.9	3.0	4.7	5.6	6.1	6.0	5.8	5.9	6.9	7.6	7.8
2022	8.2	8.6	9.4	8.9	9.3	9.8	9.1	8.7	8.5	7.9	7.1	6.3
2023	6.3	5.8	4.5	4.6	3.6	2.3	2.6	3.4	3.6	3.1	3.0	

Public Employees Union – 3.4%

Effective 1-1-2023 and 1-1-2024 wages to be increased by 100% of the US All Cities CPI-W, Aug-Aug, index with a minimum of 2% and a maximum of 4%.

CONSUMER PRICE INDEX FOR URBAN WAGE EARNERS AND CLERICAL WORKERS (CPI-W)
(not seasonally adjusted)

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2023	874.441	878.883	881.755	886.847	888.788	891.803	893.309	898.229	900.332	899.779	897.253	
Percent change from 12 months ago												
2013	1.5	1.9	1.3	0.9	1.2	1.8	2.0	1.5	1.0	0.8	1.1	1.5
2014	1.6	1.0	1.4	2.0	2.1	2.0	1.9	1.6	1.6	1.5	1.1	0.3
2015	-0.8	-0.6	-0.6	-0.8	-0.6	-0.4	-0.3	-0.3	-0.6	-0.4	0.1	0.4
2016	1.2	0.7	0.5	0.8	0.7	0.6	0.4	0.7	1.2	1.4	1.5	2.0
2017	2.5	2.8	2.3	2.1	1.8	1.5	1.6	1.9	2.3	2.1	2.3	2.2
2018	2.1	2.3	2.4	2.6	3.0	3.1	3.2	2.9	2.3	2.7	2.2	1.8
2019	1.3	1.3	1.8	1.9	1.7	1.4	1.7	1.5	1.5	1.6	1.9	2.3
2020	2.5	2.3	1.5	0.1	-0.1	0.5	1.0	1.4	1.5	1.3	1.3	1.4
2021	1.6	1.9	3.0	4.7	5.6	6.1	6.0	5.8	5.9	6.9	7.6	7.8
2022	8.2	8.6	9.4	8.9	9.3	9.8	9.1	8.7	8.5	7.9	7.1	6.3
2023	6.3	5.8	4.5	4.6	3.6	2.3	2.6	3.4	3.4	3.6	3.1	3.0

Unrepresented Exempt and Non-exempt Employees – 3.4%

Matched Public Employees Union

Police Union – 5%

ARTICLE 12 – COMPENSATION

12.1 Wage Rates:

Effective January 1, 2023: Wages to be increased by 5%.

Effective January 1, 2024: Wages to be increased by 5%.

Effective January 1, 2025: Wages to be increased by 4%.

Fire Union – 6%

ARTICLE 17 – WAGES & PAY ARRANGEMENTS

17.1 The types of employment and wages for all employees covered by this Agreement shall be listed in Appendix "A", attached hereto and by this reference incorporated herein.

17.2 January 1st, 2024 – 6% ATB.

January 1st, 2025 – 6% ATB.

January 1st, 2026 – 5% ATB.

City of College Place, Washington
ORDINANCE NO. ~~23-00924-XXX~~

AN ORDINANCE REPEALING ORDINANCE NO. 23-~~005-009~~ AND ADOPTING SALARIES AND COMPENSATION FOR THE MAYOR, CITY COUNCIL, APPOINTED OFFICERS, AND EMPLOYEES OF THE CITY OF COLLEGE PLACE AND FIXING THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED by the City Council of the City of College Place, Washington, that;

Section 1. The salaries and wages of the various appointive officers and employees are fixed as set out in this ordinance. The salaries and wages as set out herein shall be effective from and after ~~September 1, 2023~~January 1, 2024, for all officers and employees. These salaries shall remain in effect until changed by the City Council by a duly enacted ordinance. All salaries and wages are stated at the rate per month except where otherwise indicated. Unless otherwise shown, the positions have been approved with a five-step salary scale.

Position Title	Salary Range				
TITLE	STEP 1	STEP II	STEP III	STEP IV	STEP V
Section 2. NON-UNION, EXEMPT					
City Administrator	12,764 <u>12,320</u>				
Police Chief	11,436 <u>11,039</u>				
City Attorney	11,427 <u>11,030</u>				
Fire Chief	10,141 <u>9,808</u>	10,446 <u>10,102</u>	10,759 <u>10,405</u>	11,082 <u>10,717</u>	11,414 <u>11,039</u>
Public Works Director	9,578 <u>9,263</u>	9,869 <u>9,541</u>	10,162 <u>9,827</u>	10,466 <u>10,122</u>	10,780 <u>10,426</u>
Finance Director	9,188 <u>8,886</u>	9,464 <u>9,152</u>	9,747 <u>9,427</u>	10,040 <u>9,710</u>	10,341 <u>10,001</u>
Engineer	8,787 <u>8,498</u>	9,050 <u>8,753</u>	9,322 <u>9,015</u>	9,602 <u>9,286</u>	9,890 <u>9,564</u>
Community Development Director	8,262 <u>7,990</u>	8,510 <u>8,230</u>	8,765 <u>8,477</u>	9,028 <u>8,731</u>	9,298 <u>8,993</u>
Police Lieutenant	8,230 <u>7,838</u>	8,477 <u>8,074</u>	8,732 <u>8,316</u>	8,994 <u>8,565</u>	9,263 <u>8,822</u>
Building Official	7,216 <u>6,978</u>	7,432 <u>7,188</u>	7,655 <u>7,403</u>	7,885 <u>7,625</u>	8,121 <u>7,854</u>
HR Manager	7,104 <u>6,870</u>	7,317 <u>7,076</u>	7,536 <u>7,289</u>	7,763 <u>7,507</u>	7,995 <u>7,733</u>
Engineering Division Manager	6,340 <u>6,132</u>	6,531 <u>6,316</u>	6,726 <u>6,505</u>	6,928 <u>6,700</u>	7,136 <u>6,901</u>
Deputy Finance Director/HR Assistant	6,210 <u>6,006</u>	6,397 <u>6,186</u>	6,588 <u>6,372</u>	6,786 <u>6,563</u>	6,990 <u>6,760</u>
City Clerk	6,149 <u>5,947</u>	6,333 <u>6,125</u>	6,523 <u>6,309</u>	6,719 <u>6,498</u>	6,921 <u>6,693</u>
Section 3. NON-UNION, NON EXEMPT					
Police Sergeant	7,510 <u>7,153</u>	7,736 <u>7,367</u>	7,968 <u>7,588</u>	8,207 <u>7,816</u>	8,453 <u>8,050</u>
Operations Manager	6,045 <u>5,846</u>	6,226 <u>6,021</u>	6,413 <u>6,202</u>	6,605 <u>6,388</u>	6,803 <u>6,580</u>
<u>Capital Project Manager</u>	<u>6,045</u>	<u>6,226</u>	<u>6,413</u>	<u>6,605</u>	<u>6,803</u>
Building Inspector	5,969 <u>5,773</u>	6,148 <u>5,946</u>	6,333 <u>6,125</u>	6,523 <u>6,308</u>	6,719 <u>6,498</u>
Information Technology Analyst	4,873 <u>4,713</u>	5,019 <u>4,854</u>	5,170 <u>5,000</u>	5,325 <u>5,150</u>	5,485 <u>5,305</u>
Chief Clerk - Police Department	4,439 <u>4,293</u>	4,572 <u>4,422</u>	4,709 <u>4,555</u>	4,851 <u>4,691</u>	4,996 <u>4,832</u>
Section 4. PUBLIC EMPLOYEE UNION					
Public Works Inspector	5,359 <u>5,182</u>	5,519 <u>5,338</u>	5,685 <u>5,498</u>	5,855 <u>5,663</u>	6,031 <u>5,833</u>
Public Works Foreman	5,359 <u>5,182</u>	5,519 <u>5,338</u>	5,685 <u>5,498</u>	5,855 <u>5,663</u>	6,031 <u>5,833</u>
Water Utility III	4,988 <u>4,824</u>	5,137 <u>4,968</u>	5,291 <u>5,117</u>	5,450 <u>5,271</u>	5,613 <u>5,429</u>
Fleet Maintenance Manager	4,975 <u>4,811</u>	5,124 <u>4,955</u>	5,278 <u>5,104</u>	5,436 <u>5,257</u>	5,599 <u>5,415</u>
Water Quality Operator	4,975 <u>4,811</u>	5,124 <u>4,955</u>	5,278 <u>5,104</u>	5,436 <u>5,257</u>	5,599 <u>5,415</u>
Stormwater Program/Permit Coordinator	4,961 <u>4,798</u>	5,109 <u>4,941</u>	5,263 <u>5,090</u>	5,421 <u>5,242</u>	5,583 <u>5,400</u>
Mechanic II	4,520 <u>4,371</u>	4,655 <u>4,502</u>	4,795 <u>4,637</u>	4,939 <u>4,776</u>	5,087 <u>4,920</u>

Accounting Clerk III	4,371	4,502	4,637	4,776	4,920
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Section 4. PUBLIC EMPLOYEE UNION – Cont.

<u>Accounting Clerk III</u>	<u>4,520</u>	<u>4,655</u>	<u>4,795</u>	<u>4,939</u>	<u>5,087</u>
Deputy City Clerk/Events Coordinator	4,520,4371	4,655,4502	4,795,4637	4,939,4776	5,087,4920
Water Utility II	4,493,4345	4,628,4475	4,766,4610	4,909,4748	5,057,4890
Facility Maintenance Worker II	4,493,4345	4,628,4475	4,766,4610	4,909,4748	5,057,4890
Special Enforcement Officer	4,480,4333	4,614,4463	4,753,4596	4,895,4734	5,042,4876
Street Worker III - Applicator	4,468,4321	4,602,4451	4,740,4584	4,882,4722	5,029,4864
Parks Worker III	4,468,4321	4,602,4451	4,740,4584	4,882,4722	5,029,4864
Street Worker II	4,124,3988	4,248,4108	4,375,4231	4,506,4358	4,642,4489
Parks Worker II	4,124,3988	4,248,4108	4,375,4231	4,506,4358	4,642,4489
Stormwater Worker II	4,124,3988	4,248,4108	4,375,4231	4,506,4358	4,642,4489
Mechanic I	4,124,3988	4,248,4108	4,375,4231	4,506,4358	4,642,4489
Water Utility I	4,054,3921	4,176,4038	4,301,4160	4,430,4284	4,563,4413
Facility Maintenance Worker I	4,054,3921	4,176,4038	4,301,4160	4,430,4284	4,563,4413
Accounting Clerk II	4,054,3921	4,176,4038	4,301,4160	4,430,4284	4,563,4413
Records Clerk	4,054,3921	4,176,4038	4,301,4160	4,430,4284	4,563,4413
Administrative Assistant I	4,054,3921	4,176,4038	4,301,4160	4,430,4284	4,563,4413
Street Worker I	3,964,3833	4,083,3948	4,205,4067	4,331,4189	4,461,4315
Accounting Clerk I	3,667,3546	3,777,3653	3,890,3762	4,007,3875	4,127,3992

Section 5. POLICE UNION

Probationary (starting pay without state certification) *5,560,295*					
<u>Detective</u>	<u>6,357</u>	<u>6,547</u>	<u>6,744</u>	<u>6,946</u>	<u>7,155</u>
Police Officer	6,476,6168	6,670,6353	6,870,6543	7,077,6740	7,289,6942
<u>Detective</u>	<u>6,675</u>	<u>6,875</u>	<u>7,081</u>	<u>7,293</u>	<u>7,512</u>

Section 6. FIRE FIGHTER UNION

Firefighter	5,815,486	5,990,561	6,169,620	6,354,695	6,545,615
<u>Fire Lieutenant</u>	<u>6,687</u>	<u>6,888</u>	<u>7,095</u>	<u>7,308</u>	<u>7,527</u>
<u>Fire Marshall</u>	<u>7,269</u>	<u>7,487</u>	<u>7,712</u>	<u>7,943</u>	<u>8,181</u>

Section 7. MISCELLANEOUS

<u>Reserve Officer / per hour</u>	<u>15.75</u>	
Part-time Police Records Clerk / per hour	22,462,3.39	Maximum 16 hours/week
Laborer / per hour		Minimum Wage to \$18.00 per hour
Intern / Work Study Program		Negotiated by Administration
Hiring / Retention Bonus		Up to \$5,000.00 to be negotiated by Administration

Section 8. 2.08.060 Compensation of Mayor. The Mayor shall be paid the sum of one thousand five hundred dollars per month and in addition receive reimbursement for actual expenses incurred in the discharge of official duties upon presentation of claim for such expenses and approval by members of the City Council. The City Council will provide, by appropriate resolution from time to time, additional necessary supportive expenses for the carrying out of the necessary functions of the Mayor and his/her office.

Section 9. 2.08.070 Compensation of Council. Each member of the Council of the City, if elected subsequent to the effective date of the ordinance codified in this section, shall receive the sum of three hundred seventy-five dollars per month.

Section 10. Insurance - Non-Union, Exempt employees. As a part of the compensation, the City of College Place will provide the following to full-time Non-Union, Exempt employees: medical, dental, and vision insurance (full family),

up to a \$100,000.00 life insurance policy (as offered by vendor), and Long-Term Disability Insurance.

Section 11. Insurance - Non-Union, Non-Exempt. As a part of the compensation, the City of College Place will provide the following to full-time Non-Union, Non-Exempt employees: medical, dental, and vision insurance (full family) with an employee contribution of \$40.00/month, up to a \$100,000.00 life insurance policy (as offered by vendor), and Long-Term Disability Insurance.

Section 12. Additional Compensation. Occasionally, the Fire Chief may work as part of a Washington State Incident Management Team involved in fighting fires, wildfires, or other disaster. The City will pay the Fire Chief for work outside of his normal work hours while deployed at 1.5 times his regular rate of pay. The City will subsequently be reimbursed by the agency utilizing his services for the amount of wages and benefits expended.

Section 13. Paid family and Medical Leave Act. The City will contribute the employer portion of the premium and the employee will contribute the employee portion of the premium.

Section 14. Ordinance No. 23-~~005-009~~ is hereby repealed.

Section 15: Clerical Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 16: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 17: Effective Date. This ordinance shall be effective ~~September 1, 2023~~January 1, 2024, upon its passage and publication as required by law.

PASSED by the City Council of the City of College Place, Washington, this ~~22nd day of August,~~
~~2023-23rd day of January 2024~~

Formatted: Superscript

Norma L. Hernández, Mayor

Attest:

Approved as to form:

Sherri St. Clair, City Clerk

Rea Culwell, City Attorney

Capital Project Manager Salary Comparison - 2023 Data						
Organization	Population	Benchmark position	Position group	Your job title	Minimum salary	Maximum salary Exempt status
Walla Walla County	63,100	Engineering Technician, Entry Level	Non-Represented	Public Works Technician III	\$4,727	\$6,335 Non-exempt
City of Kennewick	86,470	Engineering Technician, Entry Level	Non-Contract	Engineering Technician I	\$4,929	\$6,901 Non-exempt
City of Pullman	33,060	Engineering Technician, Senior Level	Non-bargaining	Engineering Technician	\$4,972	\$6,043 Exempt
City of Walla Walla	34,310	Engineering Technician, Entry Level	AFSCME	Engineering Technician Inspector	\$4,988	\$6,366 Non-exempt
City of West Richland	17,840	Engineering Technician, Journey Level	Non-Represented Employees	Engineering Tech	\$5,000	\$7,500 Non-exempt
City of Kelso	12,750	Engineering Technician, Journey Level	Non-Represented - General	Construction Management Specialist	\$5,098	\$6,203 Exempt
Walla Walla County	63,100	Engineering Technician, Journey Level	Non-Represented	Public Works Technician IV	\$5,224	\$6,995 Exempt
City of Pasco	81,280	Engineering Technician, Journey Level	Administrative and Professional - Non-Represented	Engineering Technician II	\$5,245	\$6,297 Non-exempt
City of Kennewick	86,470	Engineering Technician, Journey Level	Non-Contract	Engineering Technician II	\$5,424	\$7,594 Non-exempt
Columbia County	3,950	Engineering Technician, Senior Level	Columbia County Road Department	CR ENGINEERING TECH III/PROJECT MANAGER	\$5,748	\$7,216 Non-exempt
City of College Place	9,890			Capital Project Manager	\$5,846	\$6,580 Non-exempt
City of Richland	63,320	Engineering Technician, Journey Level	Unaffiliated	Engineering Technician III	\$5,857	\$8,200 Non-exempt
City of Moses Lake	26,210	Engineering Technician, Journey Level	Non-represented	Senior Engineer Technician	\$5,869	\$7,703 Exempt
City of Moses Lake	26,210	Engineering Technician, Senior Level	Non-represented	Senior Engineer Technician	\$5,869	\$7,703 Non-exempt
City of Ellensburg	20,900	Engineering Technician, Senior Level	OPEIU (general & library combined)	PW Development Supervisor	\$5,924	\$7,405 Non-exempt
City of Kennewick	86,470	Engineering Technician, Senior Level	Non-Contract	Senior Design Engineer	\$6,129	\$8,581 Exempt
City of Richland	63,320	Engineering Technician, Senior Level	Unaffiliated	Engineering Technician IV	\$6,150	\$8,609 Exempt
City of Pasco	81,280	Engineering Technician, Senior Level	Administrative and Professional - Non-Represented	Engineering Technician III	\$6,269	\$7,526 Non-exempt
City of Lake Stevens	41,260	Engineering Technician, Entry Level	Non-represented employees	Engineering Technician - Development	\$6,394	\$8,091 Non-exempt
City of Kelso	12,750	Engineering Technician, Entry Level	Non-Represented - Exempt	Civil Engineer	\$6,508	\$7,919 Exempt

City of College Place

Job Description

Title: Capital Projects Manager

Reports To: Public Works Director

Position Summary: Responsible for managing the planning, design, construction, and post construction procedures of the City's Capital Improvement Program (CIP) for various project types. Projects ranging from civil to transportation infrastructure projects, including roadway improvements, sidewalks and pathways, pavement preservation, stormwater, water, and sewer. Assists with and participates in the City's development review for private development.

SUPERVISION RECEIVED

Public Works Director

ESSENTIAL JOB FUNCTIONS

Tasks listed are intended to be descriptive and not restrictive. An employee in this classification may perform any of the tasks listed; however, these examples do not include all the tasks that an employee may be expected to perform.

Under the supervision of the Public Works Director, the Capital Projects Manager shall:

- Conduct design review of complex and/or sensitive private development or public capital improvement project construction plans and documents for compliance with City design and construction standards and local, state, and federal regulations governing critical areas, stormwater, and other utilities.
- Develops and implements systems to track performance measures related to project schedule and budget.
- Assists with preparation of long-term capital improvement plans, including project budgets, schedule, and workplan.
- Establishes goals, priorities, policies, and procedures for assigned area/projects; presents recommendations to Director.
- Selects and supervises consultant teams; manages consultant performance and work product.
- Regularly works closely with and must build and maintain working relationships with multiple consultants and On-Call City Engineering Staff.
- Conducts field inspections of work-in-progress; coordinates with Construction and Right of Way Inspectors to ensure adequate monitoring of construction.
- Prepares and presents written, oral, and visual reports to the City Council, City boards and commissions, the Hearing Examiner, community groups, and/or the general public; includes compiling and analyzing data and providing written recommendations; communicates technical information to non-technical audiences.
- Coordinates project activities with City employees, contractors, developers, and other jurisdictions and agencies.

- Verify calculations of dimensions, profile specifications, and quantities of materials for engineering projects.
- Research, recommend and draft standard plans and specifications.
- Responds to questions and complaints from the public regarding issues related to assigned projects, division, or department.

JOB REQUIREMENTS

Knowledge of:

- Design, construction, inspection and maintenance of public works infrastructure and facilities.
- Effective principles and practices of project organization and management.
- Principles, practices, and methods of civil engineering.
- Methods and techniques used in engineering plan review.
- Engineering contract management, including the request for qualifications/proposals process.
- Principles, practices, methods, and materials used in the construction of infrastructure and private development projects.
- Skills in applying and interpreting codes, contracts specifications, permit conditions, and other applicable rules, regulations, and standards.
- Stormwater principles and regulations.
- Routine legal procedures related to the enforcement of laws and ordinances.
- Microsoft Office Suite.
- ESRI suite of GIS products.

Ability to:

- Effectively communicate both orally and in writing; ability to communicate proficiently in written reports as well as delivering information through presentations.
- Oversee project work in progress and evaluate the quality and accuracy of deliverables.
- Exercise judgment and make timely, sound, strategic decisions, and recommendations consistent with organizational objectives.
- Prepare and maintain accurate records and files.
- Establish and maintain effective working relationships with employees, contractors, and the general public.
- Prepare, organize and maintain engineering field and office data, reports, and systems.
- Establish and maintain effective working relationships with property owners, building contractors, City officials, coworkers, and the general public.
- Develop specifications and coordinate service contracts.
- Plan, organize and schedule work.
- Prepare and deliver written and oral presentations.
- Work independently with little direction.
- Interpret and apply federal, state and local policies, laws and regulations.

Minimum Qualifications:

- Bachelor's degree in civil engineering, business or public administration, construction management, project management, urban planning, or related field.
- Four years of recent professional experience in a field related to civil engineering, including design, project administration and/or construction management experience.
- Valid WA State driver's license and a driving record that meets City standards.

- Professional Engineer's license or the ability to obtain a Professional Engineer's license within a year preferred but not required.
- Or any combination of training and experience that would provide the desired knowledge, skills, and abilities.

PHYSICAL DEMANDS AND WORKING CONDITIONS

The physical demands herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform these essential job functions.

Work is performed in an office setting as well as outdoors. A moderate amount of local traveling is involved in construction site visits, facility, and area tours. Occasional overnight travel is required. The incumbent is exposed to occasional inclement weather moving vehicles and machines, dust, and mud. Work requires some exertion such as climbing, walking over rough surfaces and loose material; crouching, bending, stooping and reaching; and lifting of light to moderately heavy items up to 50 pounds. Work requires average physical agility and dexterity.

_____	_____
Mike Rizzitiello, City Administrator	Date
_____	_____
Mayor	Date
_____	_____
Employee	Date

**CITY OF COLLEGE PLACE
CITY ATTORNEY EMPLOYMENT AGREEMENT
MODIFICATION NO. 3**

THIS AGREEMENT MODIFICATION is made and entered into by and between the CITY OF COLLEGE PLACE, a municipal corporation, duly organized under the laws of the State of Washington, by and through its duly authorized representative, hereinafter referred to as "CITY", and REA CULWELL, hereinafter referred to as "EMPLOYEE."

As authorized in Section 13 of the original agreement with an effective date of May 25, 2021; changes to the Employment Agreement shall be as follows:

SECTION 3. SALARY - Paragraph B Shall read:

- B. Effective January 1, 2024, the base salary will be established by Ordinance and shall be \$11,427 per month.

All other terms of the agreement remain intact and effect with modifications allowed as noted in Section 13 of the original agreement.

The CITY OF COLLEGE PLACE, WASHINGTON, has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by the City Clerk, and the form approved by the City Attorney after discussion with and approval of the EMPLOYEE; and the EMPLOYEE has signed and executed this agreement, both in duplicate this 23rd day of January 2024.

CITY OF COLLEGE PLACE

EMPLOYEE

Attest:

Attest:

Mayor

Employee

Approved as to form:

Attest:

City Attorney

City Clerk

**CITY OF COLLEGE PLACE
POLICE CHIEF EMPLOYMENT AGREEMENT
MODIFICATION NO. 7**

THIS AGREEMENT MODIFICATION is made and entered into by and between the CITY OF COLLEGE PLACE, a municipal corporation, duly organized under the laws of the State of Washington, by and through its duly authorized representative, hereinafter referred to as "CITY", and TROY TOMARAS, hereinafter referred to as "EMPLOYEE."

As authorized in Section 13 of the original agreement with an effective date of January 23, 2017; changes to the Employment Agreement shall be as follows:

SECTION 3. SALARY - Paragraph B Shall read:

- B. Effective January 1, 2024, the base salary will be established by Ordinance and shall be \$11,436 per month.

All other terms of the agreement remain intact and effect with modifications allowed as noted in Section 13 of the original agreement.

The CITY OF COLLEGE PLACE, WASHINGTON, has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by the City Clerk, and the form approved by the City Attorney after discussion with and approval of the EMPLOYEE; and the EMPLOYEE has signed and executed this agreement, both in duplicate this 23rd day of January 2024.

CITY OF COLLEGE PLACE

EMPLOYEE

Attest:

Attest:

Mayor

Employee

Approved as to form:

Attest:

City Attorney

City Clerk

**CITY OF COLLEGE PLACE
CITY ADMINISTRATOR EMPLOYMENT AGREEMENT
MODIFICATION NO. 8**

THIS AGREEMENT MODIFICATION is made and entered into by and between the CITY OF COLLEGE PLACE, a municipal corporation, duly organized under the laws of the State of Washington, by and through its duly authorized representative, hereinafter referred to as "CITY", and Michael Rizzitiello, hereinafter referred to as "EMPLOYEE."

As authorized in Section 12 of the original agreement with an effective date of October 2016; changes to the Employment Agreement shall be as follows:

SECTION 3. SALARY - Paragraph B Shall read:

- B. Effective January 1, 2024, the base salary will be established by Ordinance and shall be \$12,764 per month.

All other terms of the agreement remain intact and effect with modifications allowed as noted in Section 12 of the original agreement.

The CITY OF COLLEGE PLACE, WASHINGTON, has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested by the City Clerk, and the form approved by the City Attorney after discussion with and approval of the EMPLOYEE; and the EMPLOYEE has signed and executed this agreement, both in duplicate this 23rd day of January 2024.

CITY OF COLLEGE PLACE

EMPLOYEE

Attest:

Attest:

Mayor

Employee

Approved as to form:

Attest:

City Attorney

City Clerk

City of College Place, Washington
ORDINANCE NO. 24-001

AN ORDINANCE REPEALING ORDINANCE NO. 23-009 AND ADOPTING SALARIES AND COMPENSATION FOR THE MAYOR, CITY COUNCIL, APPOINTED OFFICERS, AND EMPLOYEES OF THE CITY OF COLLEGE PLACE AND FIXING THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED by the City Council of the City of College Place, Washington, that;

Section 1. The salaries and wages of the various appointive officers and employees are fixed as set out in this ordinance. The salaries and wages as set out herein shall be effective from and after January 1, 2024, for all officers and employees. These salaries shall remain in effect until changed by the City Council by a duly enacted ordinance. All salaries and wages are stated at the rate per month except where otherwise indicated. Unless otherwise shown, the positions have been approved with a five-step salary scale.

Position Title	Salary Range				
TITLE	STEP 1	STEP II	STEP III	STEP IV	STEP V
Section 2. NON-UNION, EXEMPT					
City Administrator	12,764				
Police Chief	11,436				
City Attorney	11,427				
Fire Chief	10,141	10,446	10,759	11,082	11,414
Public Works Director	9,578	9,866	10,162	10,466	10,780
Finance Director	9,188	9,464	9,747	10,040	10,341
Engineer	8,787	9,050	9,322	9,602	9,890
Community Development Director	8,262	8,510	8,765	9,028	9,299
Police Lieutenant	8,230	8,477	8,732	8,994	9,263
Building Official	7,216	7,432	7,655	7,885	8,121
HR Manager	7,104	7,317	7,536	7,763	7,995
Engineering Division Manager	6,340	6,531	6,726	6,928	7,136
Deputy Finance Director/HR Assistant	6,210	6,397	6,588	6,786	6,990
City Clerk	6,149	6,333	6,523	6,719	6,921
Section 3. NON-UNION, NON EXEMPT					
Police Sergeant	7,510	7,736	7,968	8,207	8,453
Operations Manager	6,045	6,226	6,413	6,605	6,803
Capital Project Manager	6,045	6,226	6,413	6,605	6,803
Building Inspector	5,969	6,148	6,333	6,523	6,719
Information Technology Analyst	4,873	5,019	5,170	5,325	5,485
Chief Clerk - Police Department	4,439	4,572	4,709	4,851	4,996
Section 4. PUBLIC EMPLOYEE UNION					
Public Works Inspector	5,359	5,519	5,685	5,855	6,031
Public Works Foreman	5,359	5,519	5,685	5,855	6,031
Water Utility III	4,988	5,137	5,291	5,450	5,613
Fleet Maintenance Manager	4,975	5,124	5,278	5,436	5,599
Water Quality Operator	4,975	5,124	5,278	5,436	5,599
Stormwater Program/Permit Coordinator	4,961	5,109	5,263	5,421	5,583
Mechanic II	4,520	4,655	4,795	4,939	5,087

Section 4. PUBLIC EMPLOYEE UNION – Cont.

Accounting Clerk III	4,520	4,655	4,795	4,939	5,087
Deputy City Clerk/Events Coordinator	4,520	4,655	4,795	4,939	5,087
Water Utility II	4,493	4,628	4,766	4,909	5,057
Facility Maintenance Worker II	4,493	4,628	4,766	4,909	5,057
Special Enforcement Officer	4,480	4,614	4,753	4,895	5,042
Street Worker III - Applicator	4,468	4,602	4,740	4,882	5,029
Parks Worker III	4,468	4,602	4,740	4,882	5,029
Street Worker II	4,124	4,248	4,375	4,506	4,642
Parks Worker II	4,124	4,248	4,375	4,506	4,642
Stormwater Worker II	4,124	4,248	4,375	4,506	4,642
Mechanic I	4,124	4,248	4,375	4,506	4,642
Water Utility I	4,054	4,176	4,301	4,430	4,563
Facility Maintenance Worker I	4,054	4,176	4,301	4,430	4,563
Accounting Clerk II	4,054	4,176	4,301	4,430	4,563
Records Clerk	4,054	4,176	4,301	4,430	4,563
Administrative Assistant I	4,054	4,176	4,301	4,430	4,563
Street Worker I	3,964	4,083	4,205	4,331	4,461
Accounting Clerk I	3,667	3,777	3,890	4,007	4,127

Section 5. POLICE UNION

Probationary (starting pay without state certification) *5,560*

Police Officer	6,476	6,670	6,870	7,077	7,289
Detective	6,675	6,875	7,081	7,293	7,512

Section 6. FIRE FIGHTER UNION

Firefighter	5,815	5,990	6,169	6,354	6,545
Fire Lieutenant	6,687	6,888	7,095	7,308	7,527
Fire Marshall	7,269	7,487	7,712	7,943	8,181

Section 7. MISCELLANEOUS

Part-time Police Records Clerk / per hour	23.39	Maximum 16 hours/week
Laborer / per hour		Minimum Wage to \$18.00 per hour
Intern / Work Study Program		Negotiated by Administration
Hiring / Retention Bonus		Up to \$5,000.00 to be negotiated by Administration

Section 8. 2.08.060 Compensation of Mayor. The Mayor shall be paid the sum of one thousand five hundred dollars per month and in addition receive reimbursement for actual expenses incurred in the discharge of official duties upon presentation of claim for such expenses and approval by members of the City Council. The City Council will provide, by appropriate resolution from time to time, additional necessary supportive expenses for the carrying out of the necessary functions of the Mayor and his/her office.

Section 9. 2.08.070 Compensation of Council. Each member of the Council of the City, if elected subsequent to the effective date of the ordinance codified in this section, shall receive the sum of three hundred seventy-five dollars per month.

Section 10. Insurance - Non-Union, Exempt employees. As a part of the compensation, the City of College Place will provide the following to full-time Non-Union, Exempt employees: medical, dental, and vision insurance (full family), up to a \$100,000.00 life insurance policy (as offered by vendor), and Long-Term Disability Insurance.

Section 11. Insurance - Non-Union, Non-Exempt. As a part of the compensation, the City of College Place will

provide the following to full-time Non-Union, Non-Exempt employees: medical, dental, and vision insurance (full family) with an employee contribution of \$40.00/month, up to a \$100,000.00 life insurance policy (as offered by vendor), and Long-Term Disability Insurance.

Section 12. Additional Compensation. Occasionally, the Fire Chief may work as part of a Washington State Incident Management Team involved in fighting fires, wildfires, or other disaster. The City will pay the Fire Chief for work outside of his normal work hours while deployed at 1.5 times his regular rate of pay. The City will subsequently be reimbursed by the agency utilizing his services for the amount of wages and benefits expended.

Section 13. Paid family and Medical Leave Act. The City will contribute the employer portion of the premium and the employee will contribute the employee portion of the premium.

Section 14. Ordinance No. 23-009 is hereby repealed.

Section 15: Clerical Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 16: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 17: Effective Date. This ordinance shall be effective January 1, 2024, upon its passage and publication as required by law.

PASSED by the City Council of the City of College Place, Washington, this 23rd day of January 2024

Norma L. Hernández, Mayor

Attest:

Approved as to form:

Sherri St. Clair, City Clerk

Rea Culwell, City Attorney



**J-U-B ENGINEERS, Inc.
AGREEMENT FOR PROFESSIONAL SERVICES**

**Task Order No. 30-20-075-062
City of College Place**

DATE: 1/4/2024

PROJECT: On-Call Engineering Services

RE: Master Engineering Services Agreement between the City of College Place (CLIENT) and J-U-B ENGINEERS, Inc., (J-U-B), dated October 13, 2020.

Upon execution of this Task Order by CLIENT and J-U-B in the space provided below, this Task Order will serve as authorization for J-U-B to carry out and complete the services set forth below in accordance with the referenced Agreement between the CLIENT and J-U-B.

1. Purpose: The intersection of S. College Avenue and SE Lamperti Lane has experienced recent accidents causing vehicles to encroach on the sidewalk and/or travel over the retaining wall constructed in the southeast quadrant of the intersection. CLIENT requested J-U-B to analyze the intersection and develop alternatives for improving safety in the southeast quadrant to reduce or eliminate the ability for vehicles to travel off of the roadway/retaining wall to the adjacent private properties. The Phase 1 Analysis will conclude with options presented to CLIENT for review and selection of one alternative to be carried forward to design. Phase 2 services, including PS&E and construction services, will be performed under a future supplement or new task order.
2. Scope of Services: J-U-B will provide topographic surveying, intersection analysis, and will develop improvement options and costs for CLIENT review and consideration per attached Exhibit A.
3. Time for Performance of Services: Analysis and alternative development will occur from January 2024 to March 2024.
4. Compensation for Services: Time & Materials at J-U-B standard billing rates. CLIENT established an initial budget of \$38,400.

SIGNATURES

CLIENT:

City of College Place

ENGINEER:

J-U-B ENGINEERS, Inc.

By: Robert McAndrews

Title: Public Works Director, City of College Place

Date: _____

By: Travis A. Marden, P.E.

Title: Project Manager

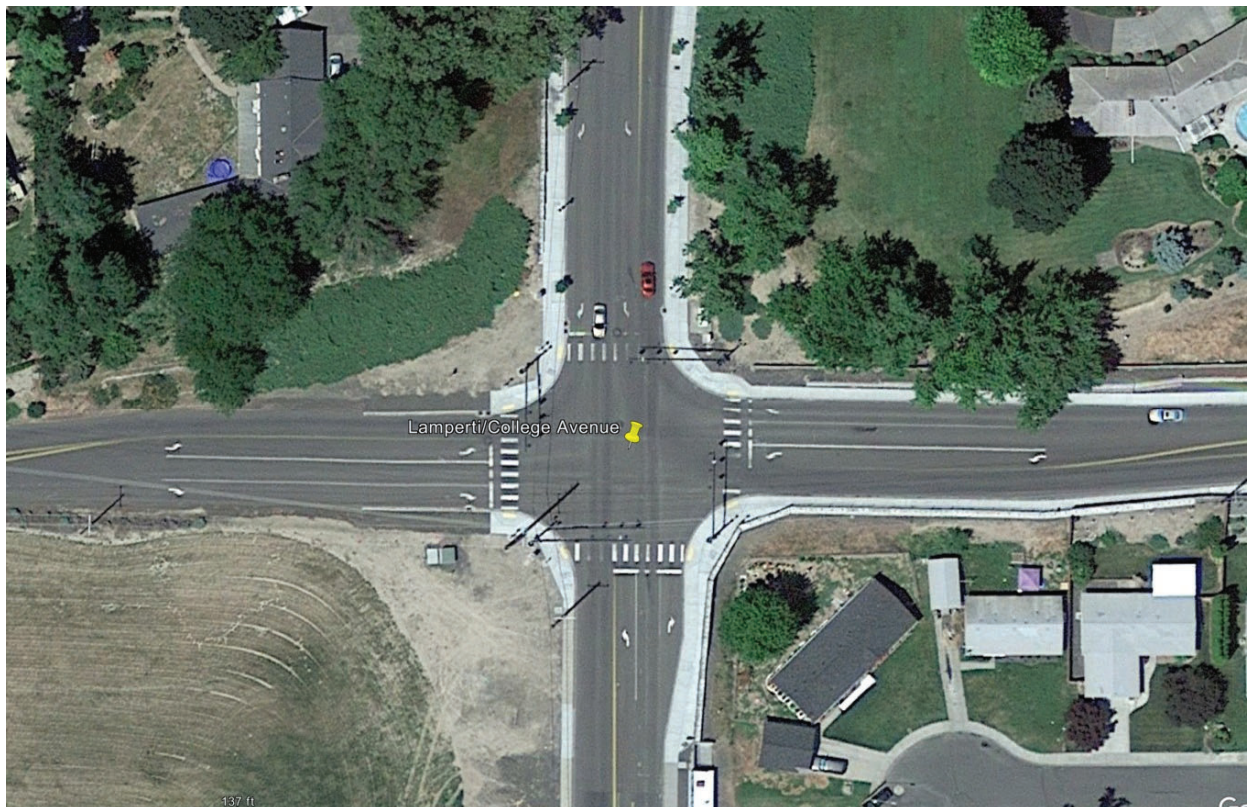
Date: _____

EXHIBIT A
J-U-B ENGINEERS, Inc.
TASK ORDER NO. 062
SCOPE OF SERVICES – S. COLLEGE AVENUE / SE LAMPERTI LANE SAFETY IMPROVEMENTS
PHASE 1

PART 1 - PROJECT UNDERSTANDING

J-U-B's understanding of this project's history and CLIENT's general intent and scope of the project are described as follows:

- A. The intersection of S. College Avenue and SE Lamperti Lane has experienced recent accidents in the southeast quadrant causing vehicles to encroach on the sidewalk and/or travel over the retaining wall. CLIENT requested that J-U-B analyze the intersection and develop alternatives and opinions of probable costs for improving safety in the southeast quadrant to reduce or eliminate the ability for vehicles to travel off of the roadway/retaining wall and into the adjacent private properties. The project will be split into two phases, with Phase 1 including the analysis of the existing intersection and retaining wall, and will conclude with up to three (3) options/alternatives presented to CLIENT for review and selection of one alternative to be carried forward to Phase 2. Phase 2 will include preliminary and final design, PS&E preparation, and construction related services to be provided under a future supplement or new task order.



PART 2 - SCOPE OF SERVICES BY J-U-B

J-U-B's Services under this Agreement are limited to the following tasks. Any other items necessary to plan and implement the project, including but not limited to those specifically listed in PART 3, are the responsibility of CLIENT.

A. Task 1: Project Management

1. Set up project into J-U-B's financial and record keeping systems for document retention and project controls.
2. Conduct project planning and risk assessment.
3. Coordinate quality assurance / quality control (QA/QC) processes.
4. Communicate and coordinate J-U-B team activities with kickoff and progress meetings as required.
5. Regularly monitor project status, budget and schedule.
6. During periods of project activity, provide a regular report to CLIENT on project status, budget and schedule.
7. Provide a monthly invoice including budget status.
8. Provide ongoing document handling and filing.

B. Task 2: Surveying and Basemapping

1. Utility Locate Requests
 - a. CONSULTANT shall make utility locate requests prior to topographic surveys and gather field information.
2. Ground Penetrating Radar (GPR) Utility Locates
 - a. CONSULTANT, through subconsultant GeoPhysical Survey, Inc., shall utilize Ground Penetrating Radar to locate subsurface utilities pipes, structures, etc. within the project limits, focusing on identifying and establishing depths of water, electrical, and communication facilities that may be impacted by the construction of safety improvements.
 - b. GPR survey information will be incorporated into the CAD basemap to verify locations of utility locates picked up in the topographical surveying.
3. Topographic Surveys
 - a. CONSULTANT shall map site ground conditions, features and improvements within existing right-of-way boundaries in the southeast quadrant of the intersection. Survey limits are described as follows:
 - i. Beginning at a point on S College Avenue 200 feet south of SE Lamperti Lane and ending at the intersection point of S College Avenue and SE Lamperti Lane, extending from road centerline easterly to the adjacent property boundaries or fences, whichever is closest to the road.
 - ii. Beginning at a point on SE Lamperti Lane 300 feet east of S College Avenue and ending at the intersection point of S College Avenue and SE Lamperti Lane, extending from road centerline southerly to the adjacent property boundaries or fences, whichever is closest to the road.,
 - b. Detailed topographic surveying will be provided within the previously described areas to establish lines and grades for existing curb and gutter, sidewalk, pedestrian ramps, retaining wall, utilities, fences, etc. Top and bottom of wall shots at a maximum of 25 feet intervals will be taken, along with all steps in the top of wall.
4. Prepare Project Base Map
 - a. CONSULTANT will conduct survey field note reduction, draft topographic survey map, and provide QA/QC review of survey data.
 - b. Deliverables:
 - i. Project electronic CADD base map in Civil3D 2023.

C. Task 3: Intersection Geometry and Retaining Wall Analysis, and Concept Design

1. The existing intersection geometry will be analyzed to identify potential causes for vehicles crossing over the curb and sidewalk in the southeast quadrant. CONSULTANT will coordinate with City staff on determining the weather conditions during each previous accident for potential indicators.
2. The design and construction of the existing retaining wall will be reviewed to determine what safety improvement options can be tied into the wall system and not negatively impact wall stability and/or function.
3. CONSULTANT shall develop up to three (3) conceptual design options for intersection improvements that provide increased protection for both pedestrians and homeowners adjacent to the roadway prism.
4. Cost estimates for each option will be prepared and provided to the City for consideration.
5. Assumptions:
 - a. No geotechnical investigation is proposed. Pavement repair will be per City typical standard details.
 - b. Preliminary and Final design will be performed under a supplemental agreement or separate contract after the City selects a preferred improvement option.
 - c. The design will be within the existing right-of-way. No acquisition or appraisals are included.
6. Deliverables:
 - a. Exhibits and Opinions of Probable Costs for each improvement option.

PART 3 - CLIENT-PROVIDED WORK AND ADDITIONAL SERVICES

- A. **CLIENT-Provided Work** - CLIENT is responsible for completing, or authorizing others to complete, all tasks not specifically included above in PART 2 that may be required for the project including, but not limited to:
 1. Provide redacted accident reports from Police Department for each accident that impacts the sidewalk, fencing, and/or retaining wall located in the southeast quadrant to determine weather conditions and details of each accident.
 2. Provide all available geotechnical information and roadway plans at the project location.
 3. Selection of one concept/alternative to carry forward to preliminary and final design.
- B. **Additional Services** - CLIENT reserves the right to add future tasks for subsequent phases or related work to the scope of services upon mutual agreement of scope, additional fees, and schedule. These future tasks, to be added by amendment at a later date as Additional Services, may include:
 1. Preliminary and Final Design
 2. SEPA Preparation and Submittal
 3. PS&E Preparation
 4. Bidding and Construction Management Services

PART 4 - BASIS OF FEE AND SCHEDULE OF SERVICES

- A. CLIENT shall pay J-U-B for the identified Services in PART 2 as follows:
 1. For Time and Materials fees:
 - a. For all services performed on the project, Client shall pay J-U-B an amount equal to the cumulative hours charged to the Project by each class of J-U-B's personnel times J-U-B's standard billing rates.
 - b. Client shall pay J-U-B for Reimbursable Expenses times a multiplier of 1.1
 - c. Client shall pay J-U-B for J-U-B's Consultants' charges times a multiplier of 1.1.

J-U-B may alter the distribution of compensation between individual tasks to be consistent with services actually rendered while not exceeding the total project amount.

Period of Service: If the period of service for the task identified above is extended beyond 12 months, the compensation amount for J-U-B's services may be appropriately adjusted to account for salary adjustments and extended duration of project management and administrative services.

CLIENT acknowledges that J-U-B will not be responsible for impacts to the schedule by actions of others over which J-U-B has no control.

The following table summarizes the fees and anticipated schedule for the services identified in PART 2.

Task Number	Task Name	Fee Type	Amount	Anticipated Schedule
1	Project Management	Time and Materials (Estimated Amount Shown)	\$5,000	Concurrent with work progress
2	Surveying and Basemapping	Time and Materials (Estimated Amount Shown)	\$5,400	2 Weeks after Notice to Proceed
3	Intersection Geometry and Retaining Wall Analysis, and Concept Design	Time and Materials (Estimated Amount Shown)	\$27,600	2 Months after Completion of Task 2
990	Reimbursable Expenses	Time and Materials (Estimated Amount Shown)	\$400	Concurrent with work progress
Total:			\$38,400	

For internal J-U-B use only:

PROJECT LOCATION (STATE): Washington

TYPE OF WORK: City

R&D: Yes

GROUP: Transportation

PROJECT DESCRIPTION(S):

1. Highway/Interstate/Roadway (H07)
2. Traffic/Transportation (T03)

Project Sponsor: City of College Place
Project Title: Veterans Park Renovation

Project Number: 22-1705D
Approval Date: 06/28/2023

PARTIES OF THE AGREEMENT

This Recreation and Conservation Office Grant Agreement (Agreement) is entered into between the State of Washington by and through the Recreation and Conservation Funding Board (RCFB or funding board) and the Recreation and Conservation Office (RCO), P.O. Box 40917, Olympia, Washington 98504-0917 and City of College Place (Sponsor, and primary Sponsor), 625 S College Ave, College Place, WA 99324, and shall be binding on the agents and all persons acting by or through the parties.

All Sponsors are equally and independently subject to all the conditions of this Agreement except those conditions that expressly apply only to the primary Sponsor.

Prior to and during the Period of Performance, per the Applicant Resolution/Authorizations submitted by all Sponsors (and on file with the RCO), the identified Authorized Representative(s)/Agent(s) have full authority to legally bind the Sponsor(s) regarding all matters related to the project identified above, including but not limited to, full authority to: (1) sign a grant application for grant assistance, (2) enter into this Agreement on behalf of the Sponsor(s), including indemnification, as provided therein, (3) enter any amendments thereto on behalf of Sponsor(s), and (4) make any decisions and submissions required with respect to the project. Agreements and amendments must be signed by the Authorized Representative/Agent(s) of all Sponsors, unless otherwise allowed in the AMENDMENTS TO AGREEMENT Section.

- A. During the Period of Performance, in order for a Sponsor to change its Authorized Representative/Agent as identified on the original signed Applicant Resolution/Authorization the Sponsor must provide the RCO a new Applicant Resolution/Authorization signed by its governing body or a written delegation of authority to sign in lieu of originally authorized Representative/Agency(s). Unless a new Applicant Resolution/Authorization has been provided, the RCO shall proceed on the basis that the person who is listed as the Authorized Representative in the last Resolution/Authorization that RCO has received is the person with authority to bind the Sponsor to the Agreement (including any amendments thereto) and decisions related to implementation of the Agreement.
- B. Amendments After the Period of Performance. RCO reserves the right to request and Sponsor has the obligation to provide, authorizations and documents that demonstrate any signatory to an amendment has the authority to legally bind the Sponsor as described in the above Sections.

For the purposes of this Agreement, as well as for grant management purposes with RCO, only the primary Sponsor may act as a fiscal agent to obtain reimbursements (See PROJECT REIMBURSEMENTS Section).

PURPOSE OF AGREEMENT

This Agreement sets out the terms and conditions by which a grant is made from the State Building Construction Account of the State of Washington. The grant is administered by the Recreation and Conservation Office (RCO).

DESCRIPTION OF PROJECT

The City of College Place will use the grant to renovate a portion of the 3.47 acres of park property commonly identified as Veterans Park. This project includes adding amenities to the park much desired by the community including restrooms, one full size basketball court, and two pickleball courts. This is the only parkland serving the Homestead community which consists of over 300 homes. The primary recreation opportunities provided by this project are basketball and pickleball.

PERIOD OF PERFORMANCE

The period of performance begins on August 1, 2023 (project start date) and ends on June 30, 2026 (project end date). No allowable cost incurred before or after this period is eligible for reimbursement unless specifically provided for by written amendment or addendum to this Agreement, or specifically provided for by applicable RCWs, WACs, and any applicable RCO manuals as of the effective date of this Agreement.

The RCO reserves the right to summarily dismiss any request to amend this Agreement if not made at least 60 days before the project end date.

STANDARD TERMS AND CONDITIONS INCORPORATED

The Standard Terms and Conditions of the Recreation and Conservation Office attached hereto are incorporated by reference as part of this Agreement.

LONG-TERM OBLIGATIONS

For this development project, the Sponsor's long-term obligations for the project area shall be for 20 years from project completion, or as otherwise provided for in this Agreement, or as approved by the funding board or RCO.

PROJECT FUNDING

The total grant award provided for this project shall not exceed \$281,023.00. The RCO shall not pay any amount beyond that approved for grant funding of the project and within the percentage as identified below. The Sponsor shall be responsible for all total project costs that exceed this amount. The minimum matching share provided by the Sponsor shall be as indicated below:

	Percentage	Dollar Amount	Source of Funding
RCFB - YAF - Large	50.00%	\$281,023.00	State
Project Sponsor	50.00%	\$281,023.00	
Total Project Cost	100.00%	\$562,046.00	

RIGHTS AND OBLIGATIONS INTERPRETED IN LIGHT OF RELATED DOCUMENTS

All rights and obligations of the parties under this Agreement are further specified in and shall be interpreted in light of the Sponsor's application and the project summary and eligible scope activities under which the Agreement has been approved and/or amended as well as documents produced in the course of administering the Agreement, including the eligible scope activities, the milestones report, progress reports, and the final report. Provided, to the extent that information contained in such documents is irreconcilably in conflict with the Agreement, such information shall not be used to vary the terms of the Agreement, unless the terms in the Agreement are shown to be subject to an unintended error or omission. "Agreement" as used here and elsewhere in this document, unless otherwise specifically stated, has the meaning set forth in the definitions of the Standard Terms and Conditions.

AMENDMENTS TO AGREEMENT

Except as provided herein, no amendment (including without limitation, deletions) of this Agreement will be effective unless set forth in writing signed by all parties. Exception: extensions of the Period of Performance and minor scope adjustments need only be signed by RCO's director or designee and consented to in writing (including email) by the Sponsor's Authorized Representative/Agent or Sponsor's designated point of contact for the implementation of the Agreement (who may be a person other than the Authorized Agent/Representative), unless otherwise provided for in an amendment. This exception does not apply to a federal government Sponsor or a Sponsor that requests and enters into a formal amendment for extensions or minor scope adjustments.

It is the responsibility of a Sponsor to ensure that any person who signs an amendment on its behalf is duly authorized to do so.

Unless otherwise expressly stated in an amendment, any amendment to this Agreement shall be deemed to include all current federal, state, and local government laws and rules, and policies applicable and active and published in the applicable RCO manuals or on the RCO website in effect as of the effective date of the amendment, without limitation to the subject matter of the amendment. Provided, any update in law, rule, policy or a manual that is incorporated as a result of an amendment shall apply only prospectively and shall not require that an act previously done in compliance with existing requirements be redone. However, any such amendment, unless expressly stated, shall not extend or reduce the long-term obligation term.

COMPLIANCE WITH APPLICABLE STATUTES, RULES, AND POLICIES

This Agreement is governed by, and the sponsor shall comply with, all applicable state and federal laws and regulations, applicable RCO manuals as identified below, Exhibits, and any applicable federal program and accounting rules effective as of the date of this Agreement or as of the effective date of an amendment, unless otherwise provided in the amendment. Provided, any update in law, rule, policy or a manual that is incorporated as a result of an amendment shall apply only prospectively and shall not require that an act previously done in compliance with existing requirements be redone unless otherwise expressly stated in the amendment.

For the purpose of this Agreement, WAC Title 286, RCFB policies shall apply as terms of this Agreement.

For the purpose of this Agreement, the following RCO manuals are deemed applicable and shall apply as terms of this Agreement:

- Development Projects - Manual 4
- Long Term Obligations - Manual 7
- Reimbursements - Manual 8
- Youth Athletic Facilities - Manual 17

SPECIAL CONDITIONS

None

SPECIAL CONDITIONS - CULTURAL RESOURCES

CONDITION APPLIES TO THE FOLLOWING AREA(S): College Place Veterans Park

State - RCO Lead: Survey required: This agreement requires compliance with Executive Order 21-02. RCO has completed the initial consultation for this project and a cultural resources survey is required. The cultural resources survey must include documentation of any above or below ground archaeological resources as well as any possible historic structures or buildings that may be affected by the project. The Sponsor must submit the results of the cultural resources survey to RCO and receive a notice of cultural resources completion. Ground disturbance started without approval will be considered a breach of contract. If archaeological or historic materials are discovered while conducting ground disturbing activities, work in the immediate vicinity must stop and the Sponsor must ensure compliance with the provisions found in this agreement. All cultural resources work must meet reporting guidelines outlined by the Department of Archaeology and Historic Preservation.

AGREEMENT CONTACTS

The parties will provide all written communications and notices under this Agreement to either or both the mail address and/or the email address listed below:

Sponsor Project Contact

Michael Rizzitiello
City Manager
625 S College Ave
College Place, WA 99324
mrizzitiello@cpwa.us

RCO Contact

Jesse Sims
Outdoor Grants Manager
PO Box 40917
Olympia, WA 98504-0917
jesse.sims@rco.wa.gov

These addresses and contacts shall be effective until receipt by one party from the other of a written notice of any change. Unless otherwise provided for in this Agreement, decisions relating to the Agreement must be made by the Authorized Representative/Agent, who may or may not be the Project Contact for purposes of notices and communications.

ENTIRE AGREEMENT

This Agreement, with all amendments and attachments, constitutes the entire Agreement of the parties. No other understandings, oral or otherwise, regarding this Agreement shall exist or bind any of the parties.

EFFECTIVE DATE

Unless otherwise provided for in this Agreement, this Agreement, for Project 22-1705, shall become effective and binding on the date signed by both the sponsor and the RCO's authorized representative, whichever is later (Effective Date). Reimbursements for eligible and allowable costs incurred within the period of performance identified in the PERIOD OF PERFORMANCE Section are allowed only when this Agreement is fully executed and an original is received by RCO.

The Sponsor has read, fully understands, and agrees to be bound by all terms and conditions as set forth in this Agreement and the STANDARD TERMS AND CONDITIONS OF THE RCO GRANT AGREEMENT. The signatories listed below represent and warrant their authority to bind the parties to this Agreement.

City of College Place

By: 
Mike Rizzitiello (Sep 13, 2023 13:43 PDT)

Date: Sep 13, 2023

Name (printed): Mike Rizzitiello

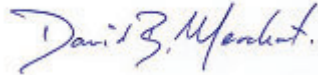
Title: City Administrator

State of Washington Recreation and Conservation Office
On behalf of the Recreation and Conservation Funding Board (RCFB or funding board)

By: 
Marguerite Austin (Sep 14, 2023 11:02 PDT)
FOR Megan Duffy
Director
Recreation and Conservation Office

Date: Sep 14, 2023

Pre-approved as to form:

By: 
Assistant Attorney General

Date: 05/01/2023

Project Sponsor: City of College Place
Project Title: Veterans Park Renovation

Project Number: 22-1705D
Approval Date: 06/28/2023

Eligible Scope Activities

ELIGIBLE SCOPE ACTIVITIES

Development Metrics

Worksite #1, Veterans Park

Buildings and Structures

Construct / install restroom

Number of restrooms:

2 new, 0 renovated

Select the restroom type :

Restroom

General Site Improvements

Install site furnishings

Select the site furniture / amenities :

Benches, Bike racks, Picnic tables,
Recycling/Trash receptacles

Landscaping improvements

Acres of landscaped area :

2.50

Select the landscape features:

Grass/turf, Groundcover, Native vegetation,
Trees/shrubs, Water feature/fountain

Site Preparation

General site preparation

Sport Courts

Basketball court development

Number of basketball courts:

0 new, 0 renovated

Number of basketball courts with lighting:

1 new, 0 renovated

Surface types for basketball courts :

Impervious

0

Pervious

1

Select the basketball court renovation elements:

Add/replace lighting, Add/upgrade court
amenities, Replace surface

Pickleball development

Number of pickleball courts:

0 new, 0 renovated

Number of pickleball courts with lighting:

2 new, 0 renovated

Surface types for pickleball courts:

Impervious

0

Pervious

2

Select the pickleball court renovation elements:

Add/replace lighting, Add/upgrade court amenities

Cultural Resources

Cultural resources

Permits

Obtain permits

Architectural & Engineering

Architectural & Engineering (A&E)

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Project Sponsor: City of College Place
Project Title: Veterans Park Renovation

Project Number: 22-1705D
Approval Date: 06/28/2023

Project Milestones

PROJECT MILESTONE REPORT

Complete	Milestone	Target Date	Comments/Description
	Project Start	08/01/2023	
	Design Initiated	12/01/2023	
	SEPA/NEPA Completed	01/01/2024	
	Progress Report Due	02/01/2024	
	Cultural Resources Complete	07/31/2024	Please see Cultural Resources Special Condition
	Annual Project Billing Due	07/31/2024	
	Progress Report Due	08/01/2024	
	Applied for Permits	11/01/2024	
	60% Plans to RCO	11/01/2024	
	All Bid Docs/Plans to RCO	01/01/2025	
	Progress Report Due	02/01/2025	
	Bid Awarded/Contractor Hired	04/01/2025	
	RCO Notice to Proceed	05/01/2025	Must be complete prior to ground breaking activities
	Construction Started	05/30/2025	
	Annual Project Billing Due	06/30/2025	
	50% Construction Complete	07/31/2025	
	Progress Report Due	08/01/2025	
	90% Construction Complete	09/30/2025	
	Construction Complete	10/31/2025	
	Funding Acknowl Sign Posted	10/31/2025	
	RCO Final Inspection	11/14/2025	
	Progress Report Due	02/01/2026	
	Final Billing Due	05/01/2026	
	Final Report Due	05/06/2026	
	Agreement End Date	06/30/2026	

Project Sponsor: City of College Place
Project Title: Veterans Park Renovation

Project Number: 22-1705D
Approval Date: 06/28/2023

Standard Terms and Conditions of the Recreation and Conservation Office

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STANDARD TERMS AND CONDITIONS EFFECTIVE DATE

This document sets forth the Standard Terms and Conditions of the Recreation and Conservation Office as of 07/10/2023.

CITATIONS, HEADINGS AND DEFINITIONS

- A. Any citations referencing specific documents refer to the current version on the effective date of this Agreement or the effective date of any amendment thereto.
- B. Headings used in this Agreement are for reference purposes only and shall not be considered a substantive part of this Agreement.
- C. Definitions. As used throughout this Agreement, the following terms shall have the meaning set forth below:

Agreement, terms of the Agreement, or project agreement – The document entitled “RCO GRANT AGREEMENT” accepted by all parties to the present project and transaction, including without limitation the Standard Terms and Conditions of the RCO Grant Agreement, all exhibits, attachments, addendums, amendments, and applicable manuals, and any intergovernmental agreements, and/or other documents that are incorporated into the Agreement subject to any limitations on their effect under this Agreement.

applicable manual(s), manual – A manual designated in this Agreement to apply as terms of this Agreement, subject (if applicable) to substitution of the “RCO director” for the term “board” in those manuals where the project is not approved by or funded by the referenced board, or a predecessor to the board.

applicable WAC(s) – Designated chapters or provisions of the Washington Administrative Code that apply by their terms to the type of grant in question or are deemed under this Agreement to apply as terms of the Agreement, subject to substitution of the “RCO director” for the term “board” or “agency” in those cases where the RCO has contracted to or been delegated to administer the grant program in question.

applicant – Any party, prior to becoming a Sponsor, who meets the qualifying standards/eligibility requirements for the grant application or request for funds in question.

application – The documents and other materials that an applicant submits to the RCO to support the applicant's request for grant funds; this includes materials required for the “Application” in the RCO's automated project information system, and other documents as noted on the application checklist including but not limited to legal opinions, maps, plans, evaluation presentations and scripts.

Authorized Representative/Agent – A Sponsor's agent (employee, political appointee, elected person, etc.) authorized to be the signatory of this Agreement and any amendments requiring a Sponsor's signature. This person has the signature authority to bind the Sponsor to this Agreement, grant, and project.

C.F.R. – Code of Federal Regulations

completed project or project completion – The status of a project when all of the following have occurred:

- The grant funded project has been inspected by the RCO and the RCO has determined that all scopes of work to implement the project have been completed satisfactorily.
- A final project report is submitted to and accepted by RCO.
- Any needed amendments to the Agreement have been entered by the Sponsor and RCO and have been delivered to the RCO.
- A final reimbursement request has been delivered to and paid by RCO.
- Documents affecting property rights (including RCO's as may apply) and any applicable notice of grant, have been recorded (as may apply).

contractor – An entity that receives a contract from a Sponsor related to performance of work or another obligation under this Agreement.

conversion – A conversion occurs 1) when facilities acquired, developed, renovated or restored within the project area are changed to a use other than that for which funds were approved, without obtaining prior written formal RCO or board approval, 2) when property interests are conveyed to a third party not otherwise eligible to receive grants in the program from which funding was approved without obtaining prior written formal RCO or board approval, or 3) when obligations to operate and maintain the funded property are not complied with after reasonable opportunity to cure.

Cultural Resources – Archaeological or historic archaeological sites, historic buildings/structures, and cultural or sacred places.

development project – A project that results in the construction of, or work resulting in, new elements, including but not limited to structures, facilities, and/or materials to enhance outdoor recreation resources. A development project may also involve activities that redevelop or renovate an existing facility, and these may occur exclusively in the project or in combination with new construction. For projects in the Boating Facilities Program, the term “development project” includes all of the above and may also include those activities that are defined as maintenance in 50 C.F.R. 86.

director – The chief executive officer of the Recreation and Conservation Office or that person’s designee.

effective date – The date when the signatures of all parties to this agreement are present in the agreement.

equipment – Tangible personal property (including information technology systems) having a useful service life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the Sponsor or \$5,000 (2 C.F.R. Part 200 (as updated)).

funding board or board – The Washington State Recreation and Conservation Funding Board, or the Washington State Salmon Recovery Funding Board. Or both as may apply.

Funding Entity – the entity that approves the project that is the subject to this Agreement.

grant program – The source of the grant funds received. May be an account in the state treasury, or a grant category within a larger grant program, or a federal source.

long-term compliance period – The term of years, beginning on the end date of the agreement, when long-term obligations exist for the Sponsor. The start date and end date of the compliance period may also be prescribed by RCO per the Agreement.

long-term obligations – Sponsor’s obligations after the project end date, as specified in the Agreement and manuals and other exhibits as may apply.

landowner agreement – An agreement that is required between a Sponsor and landowner for projects located on land not owned, or otherwise controlled, by the Sponsor.

match or matching share – The portion of the total project cost provided by the Sponsor.

milestone – An important event with a defined date to track an activity related to implementation of a funded project and monitor significant stages of project accomplishment.

Office – Means the Recreation and Conservation Office or RCO.

pass-through entity – A non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program (2 CFR 200 (as updated)). If this Agreement is a federal subaward, RCO is the pass-through entity.

period of performance – The period beginning on the project start date and ending on the project end date.

pre-agreement cost – A project cost incurred before the period of performance.

primary Sponsor – The Sponsor who is not a secondary Sponsor and who is specifically identified in the Agreement as the entity to which RCO grants funds to and authorizes and requires to administer the grant. Administration includes but is not limited to acting as the fiscal agent for the grant (e.g. requesting and accepting reimbursements, submitting reports). Primary Sponsor includes its officers, employees, agents and successors.

project – The undertaking that is funded by this Agreement either in whole or in part with funds administered by RCO.

project area - A geographic area that delineates a grant assisted site which is subject to project agreement requirements.

project completion or completed project – The status of a project when all of the following have occurred:

- The grant funded project has been inspected by the RCO and the RCO has determined that all scopes of work to implement the project have been completed satisfactorily.
- A final project report is submitted to and accepted by RCO.
- Any needed amendments to the Agreement have been entered by the Sponsor and RCO and have been delivered to the RCO.
- A final reimbursement request has been delivered to and paid by RCO.

- Documents affecting property rights (including RCO's as may apply) and any applicable notice of grant, have been recorded (as may apply).

project cost – The total allowable costs incurred under this Agreement and all required match share and voluntary committed matching share, including third-party contributions (see also 2 C.F.R. Part 200 (as updated)) for federally funded projects).

project end date – The specific date identified in the Agreement on which the period of performance ends, as may be changed by amendment. This date is not the end date for any long-term obligations.

project start date – The specific date identified in the Agreement on which the period of performance starts.

RCFB – Recreation and Conservation Funding Board

RCO – Recreation and Conservation Office – The state agency that administers the grant that is the subject of this Agreement. RCO includes the director and staff.

RCW – Revised Code of Washington

reimbursement – RCO's payment of funds from eligible and allowable costs that have already been paid by the Sponsor per the terms of the Agreement.

renovation project – A project intended to improve an existing site or structure in order to increase its useful service life beyond current expectations or functions. This does not include maintenance activities to maintain the facility for its originally expected useful service life.

secondary Sponsor – One of two or more Sponsors who is not a primary Sponsor. Only the primary Sponsor may be the fiscal agent for the project.

Sponsor – A Sponsor is an organization that is listed in and has signed this Agreement.

Sponsor Authorized Representative/Agent – A Sponsor's agent (employee, political appointee, elected person, etc.) authorized to be the signatory of this Agreement and any amendments requiring a Sponsor signature. This person has the signature authority to bind the Sponsor to this Agreement, grant, and project.

subaward – Funds allocated to the RCO from another organization, for which RCO makes available to or assigns to another organization via this Agreement. Also, a subaward may be an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of any award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal or other program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract. Also see 2 C.F.R. Part 200 (as updated). For federal subawards, a subaward is for the purpose of carrying out a portion of a Federal award and creates a federal assistance relationship with the subrecipient (2 C.F.R. Part 200 (as updated)). If this Agreement is a federal subaward, the subaward amount is the grant program amount in the Project Funding Section.

subrecipient – Subrecipient means an entity that receives a subaward. For non-federal entities receiving federal funds, a subrecipient is an entity that receives a subaward from a pass-through entity to carry out part of a federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency (2 C.F.R. Part 200 (as updated)). If this Agreement is a federal subaward, the Sponsor is the subrecipient.

tribal consultation – Outreach, and consultation with one or more federally recognized tribes (or a partnership or coalition or consortium of such tribes, or a private tribal enterprise) whose rights will or may be significantly affected by the proposed project. This includes sharing with potentially-affected tribes the scope of work in the grant and potential impacts to natural areas, natural resources, and the built environment by the project. It also includes responding to any tribal request from such tribes and considering tribal recommendations for project implementation which may include not proceeding with parts of the project, altering the project concept and design, or relocating the project or not implementing the project, all of which RCO shall have the final approval of.

useful service life – Period during which a built asset, equipment, or fixture is expected to be useable for the purpose it was acquired, installed, developed, and/or renovated, or restored per this Agreement.

WAC – Washington Administrative Code.

PERFORMANCE BY THE SPONSOR

The Sponsor shall undertake the project as described in this Agreement, and in accordance with the Sponsor's proposed goals and objectives described in the application or documents submitted with the application, all as finally approved by the RCO (to include any RCO approved changes or amendments thereto). All submitted documents are incorporated by this reference as if fully set forth herein.

Timely completion of the project and submission of required documents, including progress and final reports, is important. Failure to meet critical milestones or complete the project, as set out in this Agreement, is a material breach of the Agreement.

ASSIGNMENT

Neither this Agreement, nor any claim arising under this Agreement, shall be transferred or assigned by the Sponsor without prior written approval of the RCO. Sponsor shall not sell, give, or otherwise assign to another party any property right, or alter a conveyance (see below) for the project area acquired with this grant without prior approval of the RCO.

RESPONSIBILITY FOR PROJECT

Although RCO administers the grant that is the subject of this Agreement, the project itself remains the sole responsibility of the Sponsor. The RCO and Funding Entity (if different from the RCO) undertakes no responsibilities to the Sponsor, or to any third party, other than as is expressly set out in this Agreement.

The responsibility for the implementation of the project is solely that of the Sponsor, as is the responsibility for any claim or suit of any nature by any third party related in any way to the project. When a project has more than one Sponsor, any and all Sponsors are equally responsible for the project and all post-completion stewardship responsibilities and long-term obligations unless otherwise stated in this Agreement.

The RCO, its employees, assigns, consultants and contractors, and members of any funding board or advisory committee or other RCO grant review individual or body, have no responsibility for reviewing, approving, overseeing or supervising design, construction, or safety of the project and leaves such review, approval, oversight and supervision exclusively to the Sponsor and others with expertise or authority. In this respect, the RCO, its employees, assigns, consultants and contractors, and any funding board or advisory committee or other RCO grant review individual or body will act only to confirm at a general, lay person, and nontechnical level, solely for the purpose of project eligibility and payment and not for safety or suitability, that the project apparently is proceeding or has been completed as per the Agreement.

INDEMNIFICATION

The Sponsor shall defend, indemnify, and hold the State and its officers and employees harmless from all claims, demands, or suits at law or equity arising in whole or in part from the actual or alleged acts, errors, omissions or negligence in connection with this Agreement (including without limitation all work or activities thereunder), or the breach of any obligation under this Agreement by the Sponsor or the Sponsor's agents, employees, contractors, subcontractors, or vendors, of any tier, or any other persons for whom the Sponsor may be legally liable.

Provided that nothing herein shall require a Sponsor to defend or indemnify the State against and hold harmless the State from claims, demands or suits based solely upon the negligence of the State, its employees and/or agents for whom the State is vicariously liable.

Provided further that if the claims or suits are caused by or result from the concurrent negligence of (a) the Sponsor or the Sponsor's agents or employees, and (b) the State, or its employees or agents the indemnity obligation shall be valid and enforceable only to the extent of the Sponsor's negligence or its agents, or employees.

As part of its obligations provided above, the Sponsor specifically assumes potential liability for actions brought by the Sponsor's own employees or its agents against the State and, solely for the purpose of this indemnification and defense, the Sponsor specifically waives any immunity under the state industrial insurance law, RCW Title 51. Sponsor's waiver of immunity under this provision extends only to claims against Sponsor by Indemnitee RCO, and does not include, or extend to, any claims by Sponsor's employees directly against Sponsor.

Sponsor shall ensure that any agreement relating to this project involving any contractors, subcontractors and/or vendors of any tier shall require that the contracting entity indemnify, defend, waive RCW 51 immunity, and otherwise protect the State as provided herein as if it were the Sponsor. This shall not apply to a contractor or subcontractor is solely donating its services to the project without compensation or other substantial consideration.

The Sponsor shall also defend, indemnify, and hold the State and its officers and employees harmless from all claims, demands, or suits at law or equity arising in whole or in part from the alleged patent or copyright infringement or other allegedly improper appropriation or use of trade secrets, patents, proprietary information, know-how, copyright rights or inventions by the Sponsor or the Sponsor's agents, employees, contractors, subcontractors or vendors, of any tier, or any other persons for whom the Sponsor may be legally liable, in performance of the work under this Agreement or arising out of any use in connection with the Agreement of methods, processes, designs, information or other items furnished or

communicated to the State, its agents, officers and employees pursuant to the Agreement. Provided, this indemnity shall not apply to any alleged patent or copyright infringement or other allegedly improper appropriation or use of trade secrets, patents, proprietary information, know-how, copyright rights or inventions resulting from the State's, its agents', officers' and employees' failure to comply with specific written instructions regarding use provided to the State, its agents, officers and employees by the Sponsor, its agents, employees, contractors, subcontractors or vendors, of any tier, or any other persons for whom the Sponsor may be legally liable.

The funding board and RCO are included within the term State, as are all other agencies, departments, boards, councils, committees, divisions, bureaus, offices, societies, or other entities of state government.

INDEPENDENT CAPACITY OF THE SPONSOR

The Sponsor and its employees or agents performing under this Agreement are not officers, employees or agents of the RCO or Funding Entity. The Sponsor will not hold itself out as nor claim to be an officer, employee or agent of the RCO or the Funding Entity, or of the state of Washington, nor will the Sponsor make any claim of right, privilege or benefit which would accrue to an employee under RCW 41.06.

The Sponsor is responsible for withholding and/or paying employment taxes, insurance, or deductions of any kind required by federal, state, and/or local laws.

CONFLICT OF INTEREST

Notwithstanding any determination by the Executive Ethics Board or other tribunal, RCO may, in its sole discretion, by written notice to the Sponsor terminate this Agreement if it is found after due notice and examination by RCO that there is a violation of the Ethics in Public Service Act, RCW 42.52; or any similar statute involving the Sponsor in the procurement of, or performance under, this Agreement.

In the event this Agreement is terminated as provided herein, RCO shall be entitled to pursue the same remedies against the Sponsor as it could pursue in the event of a breach of the Agreement by the Sponsor. The rights and remedies of RCO provided for in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or this Agreement.

COMPLIANCE WITH APPLICABLE LAW

In implementing the Agreement, the Sponsor shall comply with all applicable federal, state, and local laws (including without limitation all applicable ordinances, codes, rules, and regulations). Such compliance includes, without any limitation as to other applicable laws, the following laws:

- A. **Nondiscrimination Laws.** The Sponsor shall comply with all applicable federal, state, and local nondiscrimination laws and/or policies, including but not limited to: the Americans with Disabilities Act; Civil Rights Act; and the Age Discrimination Employment Act (if applicable). In the event of the Sponsor's noncompliance or refusal to comply with any nondiscrimination law or policy, the Agreement may be rescinded, cancelled, or terminated in whole or in part, and the Sponsor may be declared ineligible for further grant awards from the RCO or Funding Entity. The Sponsor is responsible for any and all costs or liability arising from the Sponsor's failure to so comply with applicable law. Except where a nondiscrimination clause required by a federal funding agency is used, the Sponsor shall insert the following nondiscrimination clause in each contract for construction of this project: "During the performance of this contract, the contractor agrees to comply with all federal and state nondiscrimination laws, regulations and policies."
- B. **Secular Use of Funds.** No funds awarded under this grant may be used to pay for any religious activities, worship, or instruction, or for lands and facilities for religious activities, worship, or instruction. Religious activities, worship, or instruction may be a minor use of the grant supported recreation and conservation land or facility.
- C. **Wages and Job Safety.** The Sponsor agrees to comply with all applicable laws, regulations, and policies of the United States and the State of Washington or other jurisdiction which affect wages and job safety. The Sponsor agrees when state prevailing wage laws (RCW 39.12) are applicable, to comply with such laws, to pay the prevailing rate of wage to all workers, laborers, or mechanics employed in the performance of any part of this contract, and to file a statement of intent to pay prevailing wage with the Washington State Department of Labor and Industries as required by RCW 39.12.40. The Sponsor also agrees to comply with the provisions of the rules and regulations of the Washington State Department of Labor and Industries.
 - 1) Pursuant to RCW 39.12.040(1)(a), all contractors and subcontractors shall submit to Sponsor a statement of intent to pay prevailing wages if the need to pay prevailing wages is required by law. If a contractor or subcontractor intends to pay other than prevailing wages, it must provide the Sponsor with an affirmative statement of the contractor's or subcontractor's intent. Unless required by law, the Sponsor is not required to investigate a statement regarding prevailing wage provided by a contractor or subcontractor.
 - 2) Exception, Service Organizations of Trail and Environmental Projects (RCW 79A.35.130). If allowed by state and federal law and rules, participants in conservation corps programs offered by a nonprofit organization

affiliated with a national service organization established under the authority of the national and community service trust act of 1993, P.L. 103-82, are exempt from provisions related to rates of compensation while performing environmental and trail maintenance work provided: (1) The nonprofit organization must be registered as a nonprofit corporation pursuant to RCW 24.03; (2) The nonprofit organization's management and administrative headquarters must be located in Washington; (3) Participants in the program must spend at least fifteen percent of their time in the program on education and training activities; and (4) Participants in the program must receive a stipend or living allowance as authorized by federal or state law. Participants are exempt from provisions related to rates of compensation only for environmental and trail maintenance work conducted pursuant to the conservation corps program.

- D. **Restrictions on Grant Use.** No part of any funds provided under this grant shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, or for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, radio, television, or video presentation designed to support or defeat legislation pending before the U.S. Congress or any state legislature. No part of any funds provided under this grant shall be used to pay the salary or expenses of any Sponsor, or agent acting for such Sponsor, related to any activity designed to influence legislation or appropriations pending before the U.S. Congress or any state legislature.
- E. **Debarment and Certification.** By signing the Agreement with RCO, the Sponsor certifies that neither it nor its principals nor any other lower tier participant are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by Washington State Labor and Industries. Further, the Sponsor agrees not to enter into any arrangements or contracts related to this Agreement with any party that is on Washington State Department of Labor and Industries' "Debarred Contractor List."

ARCHAEOLOGICAL AND CULTURAL RESOURCES

- A. **Project Review.** RCO facilitates the review of projects for potential impacts to archaeology and cultural resources, except as those listed below. The Sponsor shall follow RCO guidance and directives to assist it with such review as may apply.
- 1) **Projects occurring on State/Federal Lands:** Archaeological and cultural resources compliance for projects occurring on State or Federal Agency owned or managed lands, will be the responsibility of the respective agency, regardless of sponsoring entity type. Prior to ground disturbing work or alteration of a potentially historic or culturally significant structure, or release of final payments on an acquisition, the Sponsor must provide RCO all documentation acknowledging and demonstrating that the applicable archaeological and cultural resources responsibilities of such state or federal landowner or manager has been conducted.
- B. **Termination.** RCO retains the right to terminate a project due to anticipated or actual impacts to archaeology and cultural resources.
- C. **Notice To Proceed.** No work shall commence in the project area until RCO has provided a notice of cultural resources completion. RCO may require on-site monitoring for impacts to archaeology and cultural resources during any demolition, construction, land clearing, restoration, or repair work, and may direct that work stop to minimize, mitigate, or avoid impacts to archaeology and cultural resource impacts or concerns. All cultural resources requirements for non ground disturbing projects (such as acquisition or planning projects) must be met prior to final reimbursement.
- D. **Compliance and Indemnification.** At all times, the Sponsor shall take reasonable action to avoid, minimize, or mitigate adverse effects to archaeological and historic resources in the project area, and comply with any RCO direction for such minimization and mitigation. All federal or state cultural resources requirements under Governor's Executive Order 21-02 and the National Historic Preservation Act, and the State Environmental Policy Act and the National Environmental Policy Act, and any local laws that may apply, must be completed prior to the start of any work on the project site. The Sponsor must agree to indemnify and hold harmless the State of Washington in relation to any claim related to historical or cultural artifacts discovered, disturbed, or damaged due to the project funded under this Agreement. Sponsor shall comply with RCW 27.53, RCW 27.44.055, and RCW 68.50.645, and all other applicable local, state, and federal laws protecting cultural resources and human remains.
- E. **Costs associated with project review and evaluation of archeology and cultural resources are eligible for reimbursement under this agreement.** Costs that exceed the budget grant amount shall be the responsibility of the Sponsor.
- F. **Inadvertent Discovery Plan.** The Sponsor shall request, review, and be bound by the RCO Inadvertent Discovery Plan, and:
- 1) Keep the IDP at the project site.
- 2) Make the IDP readily available to anyone working at the project site.
- 3) Discuss the IDP with staff and contractors working at the project site.

- 4) Implement the IDP when cultural resources or human remains are found at the project site.

G. Inadvertent Discovery

- 1) If any archaeological or historic resources are found while conducting work under this Agreement, the Sponsor shall immediately stop work and notify RCO, the Department of Archaeology and Historic Preservation at (360) 586-3064, and any affected Tribe, and stop any activity that may cause further disturbance to the archeological or historic resources.
- 2) If any human remains are found while conducting work under this Agreement, Sponsor shall immediately stop work and notify the local Law Enforcement Agency or Medical Examiner/Coroner's Office, and then RCO, all in the most expeditious manner, and stop any activity that may cause disturbance to the remains. Sponsor shall secure the area of the find will and protect the remains from further disturbance until the State provides a new notice to proceed.
 - a) Any human remains discovered shall not be touched, moved, or further disturbed unless directed by RCO or the Department of Archaeology and Historic Preservation (DAHP).
 - b) The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.

RECORDS

- A. **Digital Records.** If requested by RCO, the Sponsor must provide a digital file(s) of the project property and funded project site in a format specified by the RCO.
- B. **Maintenance and Retention.** The Sponsor shall maintain books, records, documents, data and other records relating to this Agreement and performance of the services described herein, including but not limited to accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this Agreement. Sponsor shall retain such records for a period of nine years from the date RCO deems the project complete, as defined in the PROJECT REIMBURSEMENTS Section. If any litigation, claim or audit is started before the expiration of the nine (9) year period, the records shall be retained until all litigation, claims, or audit findings involving the records have been resolved.
- C. **Access to Records and Data.** At no additional cost, the records relating to the Agreement, including materials generated under the Agreement, shall be subject at all reasonable times to inspection, review or audit by RCO, personnel duly authorized by RCO, the Office of the State Auditor, and federal and state officials so authorized by law, regulation or agreement. This includes access to all information that supports the costs submitted for payment under the grant and all findings, conclusions, and recommendations of the Sponsor's reports, including computer models and methodology for those models.
- D. **Public Records.** Sponsor acknowledges that the RCO is subject to RCW 42.56 and that this Agreement and any records Sponsor submits or has submitted to the State shall be a public record as defined in RCW 42.56. RCO administers public records requests per WAC 286-06 and 420-04 (which ever applies). Additionally, the Sponsor agrees to disclose any information in regards to the expenditure of that funding as if the project sponsor were subject to the requirements of chapter 42.56 RCW. By submitting any record to the State, Sponsor understands that the State may be requested to disclose or copy that record under the state public records law, currently codified at RCW 42.56. The Sponsor warrants that it possesses such legal rights as are necessary to permit the State to disclose and copy such record to respond to a request under state public records laws. The Sponsor hereby agrees to release the State from any claims arising out of allowing such review or copying pursuant to a public records act request, and to indemnify against any claims arising from allowing such review or copying and pay the reasonable cost of state's defense of such claims.

PROJECT FUNDING

- A. **Authority.** This Agreement and funding is made available to Sponsor through the RCO.
- B. **Additional Amounts.** The RCO or Funding Entity shall not be obligated to pay any amount beyond the dollar amount as identified in this Agreement, unless an additional amount has been approved in advance by the RCO director and incorporated by written amendment into this Agreement.

- C. **Before the Agreement.** No expenditure made, or obligation incurred, by the Sponsor before the project start date shall be eligible for grant funds, in whole or in part, unless specifically provided for by the RCO director, such as a waiver of retroactivity or program specific eligible pre-Agreement costs. For reimbursements of such costs, this Agreement must be fully executed and an original received by RCO. The dollar amounts identified in this Agreement may be reduced as necessary to exclude any such expenditure from reimbursement.
- D. **After the Period of Performance.** No expenditure made, or obligation incurred, following the period of performance shall be eligible, in whole or in part, for grant funds hereunder. In addition to any remedy the RCO or Funding Entity may have under this Agreement, the grant amounts identified in this Agreement shall be reduced to exclude any such expenditure from participation.

PROJECT REIMBURSEMENTS

- A. **Reimbursement Basis.** This Agreement is administered on a reimbursement basis per WAC 286-13 and/or 420-12, whichever has been designated to apply. Only the primary Sponsor may request reimbursement for eligible and allowable costs incurred during the period of performance. The primary Sponsor may request reimbursement only after (1) this Agreement has been fully executed and (2) the Sponsor has remitted payment to its vendors. RCO will authorize disbursement of project funds only on a reimbursable basis at the percentage as defined in the PROJECT FUNDING Section. Reimbursement shall not be approved for any expenditure not incurred by the Sponsor, or for a donation used as part of its matching share. RCO does not reimburse for donations. All reimbursement requests must include proper documentation of expenditures as required by RCO.
- B. **Reimbursement Request Frequency.** The primary Sponsor is required to submit a reimbursement request to RCO, at a minimum for each project at least once a year for reimbursable activities occurring between July 1 and June 30 or as identified in the milestones. Sponsors must refer to the most recent applicable RCO manuals and this Agreement regarding reimbursement requirements.
- C. **Compliance and Payment.** The obligation of RCO to pay any amount(s) under this Agreement is expressly conditioned on strict compliance with the terms of this Agreement and other agreements between RCO and the Sponsor.
- D. **Conditions for Payment of Retainage.** RCO reserves the right to withhold disbursement of the total amount of the grant to the Sponsor until the following has occurred:
 - 1) RCO has accepted the project as a completed project, which acceptance shall not be unreasonably withheld.
 - 2) On-site signs are in place (if applicable); Any other required documents and media are complete and submitted to RCO; Grant related fiscal transactions are complete, and
 - 3) RCO has accepted a final boundary map of the project area for which the Agreement terms will apply in the future.

RECOVERY OF PAYMENTS

- A. **Recovery for Noncompliance.** In the event that the Sponsor fails to expend funds under this Agreement in accordance with state and federal laws, and/or the provisions of the Agreement, fails to meet its percentage of the project total, and/or fails to comply with any of the terms and conditions of the Agreement, RCO reserves the right to recover grant award funds in the amount equivalent to the extent of noncompliance in addition to any other remedies available at law or in equity.
- B. **Return of Overpayments.** The Sponsor shall reimburse RCO for any overpayment or erroneous payments made under the Agreement. Repayment by the Sponsor of such funds under this recovery provision shall occur within 30 days of demand by RCO. Interest shall accrue at the rate of twelve percent (12%) per annum from the time the Sponsor received such overpayment. Unless the overpayment is due to an error of RCO, the payment shall be due and owing on the date that the Sponsor receives the overpayment from the RCO. If the payment is due to an error of RCO, it shall be due and owing 30 days after demand by RCO for refund.

COVENANT AGAINST CONTINGENT FEES

The Sponsor warrants that no person or selling agent has been employed or retained to solicit or secure this Agreement on an agreement or understanding for a commission, percentage, brokerage or contingent fee, excepting bona fide employees or bona fide established agents maintained by the Sponsor for the purpose of securing business. RCO shall have the right, in the event of breach of this clause by the Sponsor, to terminate this Agreement and to be reimbursed by Sponsor for any grant funds paid to Sponsor (even if such funds have been subsequently paid to an agent), without liability to RCO or, in RCO's discretion, to deduct from the Agreement grant amount or consideration or recover by other means the full amount of such commission, percentage, brokerage or contingent fee.

INCOME (AND FEES) AND USE OF INCOME

See WAC 286-13-110 for additional requirements for projects funded from the RCFB.

- A. **Compatible source.** The source of any income generated in a funded project or project area must be compatible with the funding source and the Agreement and any applicable manuals, RCWs, and WACs.
- B. **Use of Income.** Subject to any limitations contained in applicable state or federal law, any needed approvals of RCO, and applicable rules and policies, income or fees generated at a project work site (including entrance, utility corridor permit, cattle grazing, timber harvesting, farming, rent, franchise fees, ecosystem services, carbon offsets sequestration, etc.) during or after the reimbursement period cited in the Agreement, must be used to offset:
 - 1) The Sponsor's matching resources;
 - 2) The project's total cost;
 - 3) The expense of operation, maintenance, stewardship, monitoring, and/or repair of the facility or program assisted by the grant funding;
 - 4) The expense of operation, maintenance, stewardship, monitoring, and/or repair of other similar units in the Sponsor's system;
 - 5) Capital expenses for similar acquisition and/or development and renovation; and/or
 - 6) Other purposes explicitly approved by RCO or otherwise provided for in this agreement.
- C. **Fees.** User and/or other fees may be charged in connection with land acquired or facilities developed, maintained, renovated, or restored and shall be consistent with the:
 - 1) Grant program laws, rules, and applicable manuals;
 - 2) Value of any service(s) furnished;
 - 3) Value of any opportunities furnished; and
 - 4) Prevailing range of public fees in the state for the activity involved.

PROCUREMENT REQUIREMENTS

- A. **Procurement Requirements.** If the Sponsor has, or is required to have, a procurement process that follows applicable state and/or federal law or procurement rules and principles, it must be followed, documented, and retained. If no such process exists, the Sponsor must follow these minimum procedures:
 - 1) Publish a notice to the public requesting bids/proposals for the project;
 - 2) Specify in the notice the date for submittal of bids/proposals;
 - 3) Specify in the notice the general procedure and criteria for selection; and
 - 4) Sponsor must contract or hire from within its bid pool. If bids are unacceptable the process needs to be repeated until a suitable bid is selected.
 - 5) Comply with the same legal standards regarding unlawful discrimination based upon race, gender, ethnicity, sex, or sex-orientation that are applicable to state agencies in selecting a bidder or proposer.

Alternatively, Sponsor may choose a bid from a bidding cooperative if authorized to do so.

This procedure creates no rights for the benefit of third parties, including any proposers, and may not be enforced or subject to review of any kind or manner by any entity other than the RCO. Sponsors may be required to certify to the RCO that they have followed any applicable state and/or federal procedures or the above minimum procedure where state or federal procedures do not apply.

TREATMENT OF EQUIPMENT AND ASSETS

Equipment shall be used and managed only for the purpose of this Agreement, unless otherwise provided herein or in the applicable manuals, or approved by RCO in writing.

- A. **Discontinued Use.** Equipment obtained under this Agreement shall remain in the possession of the Sponsor for the duration of the project, or RULES of applicable grant assisted program. When the Sponsor discontinues use of the

equipment for the purpose for which it was funded, RCO may require the Sponsor to deliver the equipment to RCO, or to dispose of the equipment according to RCO published policies.

- B. **Loss or Damage.** The Sponsor shall be responsible for any loss or damage to equipment.

RIGHT OF INSPECTION

The Sponsor shall provide right of access to the project to RCO, or any of its officers, or to any other authorized agent or official of the state of Washington or the federal government, at all reasonable times, in order to monitor and evaluate performance, long-term obligations, compliance, and/or quality assurance under this Agreement. If a landowner agreement or other form of control and tenure limits access to the project area, it must include (or be amended to include) the RCO's right to inspect and access lands acquired or developed with this funding assistance.

STEWARDSHIP AND MONITORING

Sponsor agrees to perform monitoring and stewardship functions as stated in the applicable WACs and manuals, this Agreement, or as otherwise directed by RCO consistent with the existing laws and applicable manuals. Sponsor further agrees to utilize, where applicable and financially feasible, any monitoring protocols recommended by the RCO; provided that RCO does not represent that any monitoring it may recommend will be adequate to reasonably assure project performance or safety. It is the sole responsibility of the Sponsor to perform such additional monitoring as may be adequate for such purposes.

PREFERENCES FOR RESIDENTS

Sponsors shall not express a preference for users of grant assisted projects on the basis of residence (including preferential reservation, membership, and/or permit systems) except that reasonable differences in admission and other fees may be maintained on the basis of residence. Fees for nonresidents must not exceed twice the fee imposed on residents. Where there is no fee for residents but a fee is charged to nonresidents, the nonresident fee shall not exceed the amount that would be imposed on residents at comparable state or local public facilities.

ACKNOWLEDGMENT AND SIGNS

- A. **Publications.** The Sponsor shall include language which acknowledges the funding contribution of the applicable grant program to this project in any release or other publication developed or modified for, or referring to, the project during the project period and in the future.
- B. **Signs.**
- 1) During the period of performance through the period of long-term obligation, the Sponsor shall post openly visible signs or other appropriate media at entrances and other locations on the project area that acknowledge the applicable grant program's funding contribution, unless waived by the director; and
 - 2) During the period of long-term obligation, the Sponsor shall post openly visible signs or other appropriate media at entrances and other locations to notify the public of the availability of the site for reasonable public access.
- C. **Ceremonies.** The Sponsor shall notify RCO no later than two weeks before a dedication ceremony for this project. The Sponsor shall verbally acknowledge the applicable grant program's funding contribution at all dedication ceremonies and in all advertisements and mailings thereof, and any and all of its related digital media publications.

PROVISIONS APPLYING TO DEVELOPMENT, MAINTENANCE, RENOVATION, AND RESTORATION PROJECTS

The following provisions shall be in force:

- A. **Operations and Maintenance.** Properties, structures, and facilities developed, maintained, or operated with the assistance of money granted per this Agreement and within the project area shall be built, operated, and maintained according to applicable regulations, laws, building codes, and health and public safety standards to assure a reasonably safe condition and to prevent premature deterioration. It is the Sponsor's sole responsibility to ensure the same are operated and maintained in a safe and operable condition. The RCO does not conduct safety inspections or employ or train staff for that purpose.
- B. **Document Review and Approval.** Prior to commencing construction or finalizing the design, the Sponsor agrees to submit one copy of all construction and restoration plans and specifications to RCO for review solely for compliance with the scope of work to be identified in the Agreement. RCO does not review for, and disclaims any responsibility to review for safety, suitability, engineering, compliance with code, or any matters other than the scope so identified. Although RCO staff may provide tentative guidance to a Sponsor on matters related to site accessibility by persons with a disability, it is the Sponsor's responsibility to confirm that all legal requirements for accessibility are met even if

the RCO guidance would not meet such requirements.

- 1) Change orders that impact the amount of funding or changes to the scope of the project as described to and approved by the RCO must receive prior written approval of the RCO.
- C. **Control and Tenure.** The Sponsor must provide documentation that shows appropriate tenure and term (such as long-term lease, perpetual or long-term easement, or perpetual or long-term fee simple ownership, or landowner agreement or interagency agreement for the land proposed for construction, renovation, or restoration. The documentation must meet current RCO requirements identified in this Agreement as of the effective date of this Agreement unless otherwise provided in any applicable manual, RCW, WAC, or as approved by the RCO.
- D. **Use of Best Management Practices.** Sponsors are encouraged to use best management practices including those developed as part of the Washington State Aquatic Habitat Guidelines (AHG) Program. AHG documents include "Integrated Streambank Protection Guidelines", 2002; "Land Use Planning for Salmon, Steelhead and Trout: A land use planner's guide to salmonid habitat protection and recovery", 2009", "Protecting Nearshore Habitat and Functions in Puget Sound", 2010; "Stream Habitat Restoration Guidelines", 2012; "Water Crossing Design Guidelines", 2013; and "Marine Shoreline Design Guidelines", 2014. These documents, along with new and updated guidance documents, and other information are available on the AHG Web site. Sponsors are also encouraged to use best management practices developed by the Washington Invasive Species Council (WISC) described in "Reducing Accidental Introductions of Invasive Species" which is available on the WISC Web site.
- E. At no time shall the Sponsor design, construct, or operate this grant funded project in a way that unreasonably puts the public, itself, or others at risk of injury or property damage. The Sponsor agrees and acknowledges that the Sponsor is solely responsible for safety and risk associated with the project, that RCO does not have expertise, capacity, or a mission to review, monitor, or inspect for safety and risk, that no expectation exists that RCO will do so, and that RCO is in no way responsible for any risks associated with the project.

LONG-TERM OBLIGATIONS OF THE PROJECTS AND SPONSORS

- A. **Long-Term Obligations.** This section applies to completed projects only.
- B. **Perpetuity.** For acquisition, development, and restoration projects, or a combination thereof, unless otherwise allowed by applicable manual, policy, program rules, or this Agreement, or approved in writing by RCO. The RCO requires that the project area continue to function for the purposes for which these grant funds were approved, in perpetuity.
- C. **Conversion.** The Sponsor shall not at any time convert any real property (including any interest therein) or facility acquired, developed, renovated, and/ or restored pursuant to this Agreement, unless provided for in applicable statutes, rules, and policies. Conversion includes, but is not limited to, putting such property (or a portion of it) to uses other than those purposes for which funds were approved or transferring such property to another entity without prior approval via a written amendment to the Agreement. All real property or facilities acquired, developed, renovated, and/or restored with funding assistance shall remain in the same ownership and in public use/access status in perpetuity unless otherwise expressly provided in the Agreement or applicable policies or unless a transfer or change in use is approved by the RCO through an amendment. Failure to comply with these obligations is a conversion. Further, if the project is subject to operation and or maintenance obligations, the failure to comply with such obligations, without cure after a reasonable period as determined by the RCO, is a conversion. Determination of whether a conversion has occurred shall be based upon all terms of the Agreement, and all applicable state or federal laws or regulation.
- 1) When a conversion has been determined to have occurred, the Sponsor shall remedy the conversion as set forth in this Agreement (with incorporated documents) and as required by all applicable policies, manuals, WACs and laws that exist at the time the remedy is implemented or the right to the remedy is established by a court or other decision-making body, and the RCO may pursue all remedies as allowed by the Agreement or law.

CONSTRUCTION, OPERATION, USE, AND MAINTENANCE OF ASSISTED PROJECTS

The following provisions shall be in force for this agreement:

- A. **Property and facility operation and maintenance.** Sponsor must ensure that properties or facilities assisted with the grant funds, including undeveloped sites, are built, operated, used, and maintained:
- 1) According to applicable federal, state, and local laws and regulations, including public health standards and building codes;
 - 2) In a reasonably safe condition for the project's intended use;

- 3) Throughout its estimated useful service life so as to prevent undue deterioration;
 - 4) In compliance with all federal and state nondiscrimination laws, regulations and policies.
- B. **Open to the public.** Unless otherwise specifically provided for in the Agreement, and in compliance with applicable statutes, rules, and applicable WACs and manuals, facilities must be open and accessible to the general public, and must:
- 1) Be constructed, maintained, and operated to meet or exceed the minimum requirements of the most current guidelines or rules, local or state codes, Uniform Federal Accessibility Standards, guidelines, or rules, including but not limited to: the International Building Code, the Americans with Disabilities Act, and the Architectural Barriers Act, as amended and updated.
 - 2) Appear attractive and inviting to the public except for brief installation, construction, or maintenance periods.
 - 3) Be available for appropriate use by the general public at reasonable hours and times of the year, according to the type of area or facility, unless otherwise stated in RCO manuals or, by a decision of the RCO director in writing. Sponsor shall notify the public of the availability for use by posting and updating that information on its website and by maintaining at entrances and/or other locations openly visible signs with such information.

ORDER OF PRECEDENCE

This Agreement is entered into, pursuant to, and under the authority granted by applicable federal and state laws. The provisions of the Agreement shall be construed to conform to those laws. In the event of a direct and irreconcilable conflict between the terms of this Agreement and any applicable statute, rule, or policy or procedure, the conflict shall be resolved by giving precedence in the following order:

- A. Federal law and binding executive orders;
- B. Code of federal regulations;
- C. Terms and conditions of a grant award to the state from the federal government;
- D. Federal grant program policies and procedures adopted by a federal agency that are required to be applied by federal law;
- E. State Constitution, RCW, and WAC;
- F. Agreement Terms and Conditions and Applicable Manuals;
- G. Applicable deed restrictions, and/or governing documents.

LIMITATION OF AUTHORITY

Only RCO's Director or RCO's delegate authorized in writing (delegation to be made prior to action) shall have the authority to alter, amend, modify, or waive any clause or condition of this Agreement; provided that any such alteration, amendment, modification, or waiver of any clause or condition of this Agreement is not effective or binding unless made as a written amendment to this Agreement and signed by the RCO Director or delegate.

WAIVER OF DEFAULT

Waiver of any default shall not be deemed to be a waiver of any subsequent default. Waiver or breach of any provision of the Agreement shall not be deemed to be a 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 in writing, signed by the director, or the director's designee, and attached as an amendment to the original Agreement.

APPLICATION REPRESENTATIONS – MISREPRESENTATIONS OR INACCURACY OR BREACH

The Funding Entity (if different from RCO) and RCO rely on the Sponsor's application in making its determinations as to eligibility for, selection for, and scope of, funding grants. Any misrepresentation, error or inaccuracy in any part of the application may be deemed a breach of this Agreement.

SPECIFIC PERFORMANCE

RCO may, at its discretion, enforce this Agreement by the remedy of specific performance, which means Sponsors' completion of the project and/or its completion of long-term obligations as described in this Agreement. However, the remedy

of specific performance shall not be the sole or exclusive remedy available to RCO. No remedy available to the RCO shall be deemed exclusive. The RCO may elect to exercise any, a combination of, or all of the remedies available to it under this Agreement, or under any provision of law, common law, or equity, including but not limited to seeking full or partial repayment of the grant amount paid and damages.

TERMINATION AND SUSPENSION

The RCO requires strict compliance by the Sponsor with all the terms of this Agreement including, but not limited to, the requirements of the applicable statutes, rules, and RCO policies, and with the representations of the Sponsor in its application for a grant as finally approved by RCO. For federal awards, notification of termination will comply with 2 C.F.R. § 200 (as updated).

A. For Cause.

- 1) The RCO director may suspend or terminate the obligation to provide funding to the Sponsor under this Agreement:
 - a) If the Sponsor breaches any of the Sponsor's obligations under this Agreement;
 - b) If the Sponsor fails to make progress satisfactory to the RCO director toward completion of the project by the completion date set out in this Agreement. Included in progress is adherence to milestones and other defined deadlines; or
 - c) If the primary and secondary Sponsor(s) cannot mutually agree on the process and actions needed to implement the project;
- 2) Prior to termination, the RCO shall notify the Sponsor in writing of the opportunity to cure. If corrective action is not taken within 30 days or such other time period that the director approves in writing, the Agreement may be terminated. In the event of termination, the Sponsor shall be liable for damages or other relief as authorized by law and/or this Agreement.
- 3) RCO reserves the right to suspend all or part of the Agreement, withhold further payments, or prohibit the Sponsor from incurring additional obligations of funds during the investigation of any alleged breach and pending corrective action by the Sponsor, or a decision by the RCO to terminate the Contract.

B. For Convenience. Except as otherwise provided in this Agreement, RCO may, by ten (10) days written notice, beginning on the second day after the mailing, terminate this Agreement, in whole or in part when it is in the best interest of the state. If this Agreement is so terminated, RCO shall be liable only for payment required under the terms of this Agreement prior to the effective date of termination. A claimed termination for cause shall be deemed to be a "Termination for Convenience" if it is determined that:

- 1) The Sponsor was not in default; or
- 2) Failure to perform was outside Sponsor's control, fault or negligence.

C. Rights and Remedies of the RCO.

- 1) The rights and remedies of RCO provided in this Agreement are not exclusive and are in addition to any other rights and remedies provided by law.
- 2) In the event this Agreement is terminated by the director, after any portion of the grant amount has been paid to the Sponsor under this Agreement due to Sponsor's breach of the Agreement or other violation of law, the director may require that any amount paid be repaid to RCO for redeposit into the account from which the funds were derived. However, any repayment shall be limited to the extent repayment would be inequitable and represent a manifest injustice in circumstances where the project will fulfill its fundamental purpose for substantially the entire period of performance and of long-term obligation.

D. Non Availability of Funds. The obligation of the RCO to make payments is contingent on the availability of state and federal funds through legislative appropriation and state allotment. If amounts sufficient to fund the grant made under this Agreement are not appropriated to RCO for expenditure for this Agreement in any biennial fiscal period, RCO shall not be obligated to pay any remaining unpaid portion of this grant unless and until the necessary action by the Legislature or the Office of Financial Management occurs. If RCO participation is suspended under this section for a continuous period of one year, RCO's obligation to provide any future funding under this Agreement shall terminate. Termination of the Agreement under this section is not subject to appeal by the Sponsor.

- 1) **Suspension:** The obligation of the RCO to manage contract terms and make payments is contingent upon the state appropriating state and federal funding each biennium. In the event the state is unable to appropriate such funds by the first day of each new biennium RCO reserves the right to suspend the Agreement, with ten (10) days written notice, until such time funds are appropriated. Suspension will mean

all work related to the contract must cease until such time funds are obligated to RCO and the RCO provides notice to continue work.

- 2) **No Waiver.** The failure or neglect of RCO to require strict compliance with any term of this Agreement or to pursue a remedy provided by this Agreement or by law shall not act as or be construed as a waiver of any right to fully enforce all rights and obligations set forth in this Agreement and in applicable state or federal law and regulations.

DISPUTE HEARING

Except as may otherwise be provided in this Agreement, when a dispute arises between the Sponsor and the RCO, which cannot be resolved, either party may request a dispute hearing according to the process set out in this section. Either party's request for a dispute hearing must be in writing and clearly state:

- A. The disputed issues;
- B. The relative positions of the parties;
- C. The Sponsor's name, address, project title, and the assigned project number.

In order for this section to apply to the resolution of any specific dispute or disputes, the other party must agree in writing that the procedure under this section shall be used to resolve those specific issues. The dispute shall be heard by a panel of three persons consisting of one person chosen by the Sponsor, one person chosen by the director, and a third person chosen by the two persons initially appointed. If a third person cannot be agreed on, the persons chosen by the Sponsor and director shall be dismissed and an alternate person chosen by the Sponsor, and one by the director shall be appointed and they shall agree on a third person. This process shall be repeated until a three person panel is established.

Any hearing under this section shall be informal, with the specific processes to be determined by the disputes panel according to the nature and complexity of the issues involved. The process may be solely based on written material if the parties so agree. The disputes panel shall be governed by the provisions of this Agreement in deciding the disputes.

The parties shall be bound by the majority decision of the dispute panelists, unless the remedy directed by that panel is beyond the authority of either or both parties to perform, as necessary, or is otherwise unlawful.

Request for a disputes hearing under this section by either party shall be delivered or mailed to the other party. The request shall be delivered or mailed within thirty (30) days of the date the requesting party has received notice of the action or position of the other party which it wishes to dispute. The written agreement to use the process under this section for resolution of those issues shall be delivered or mailed by the receiving party to the requesting party within thirty (30) days of receipt by the receiving party of the request.

All costs associated with the implementation of this process shall be shared equally by the parties.

ATTORNEYS' FEES

In the event of litigation or other action brought to enforce contract terms, each party agrees to bear its own costs and attorneys' fees.

GOVERNING LAW/VENUE

This Agreement shall be construed and interpreted in accordance with the laws of the State of Washington. In the event of a lawsuit involving this Agreement, venue shall be in Thurston County Superior Court if legally proper; otherwise venue shall be in the Superior Court of a county where the project is situated, if venue there is legally proper, and if not, in a county where venue is legally proper. The Sponsor, by execution of this Agreement acknowledges the jurisdiction of the courts of the State of Washington and agrees to venue as set forth above.

SEVERABILITY

The provisions of this Agreement are intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of the Agreement.

END OF STANDARD TERMS AND CONDITIONS

This is the end of the Standard Terms and Conditions of the Agreement.

22-1705 Agreement - Veterans Park Renovation

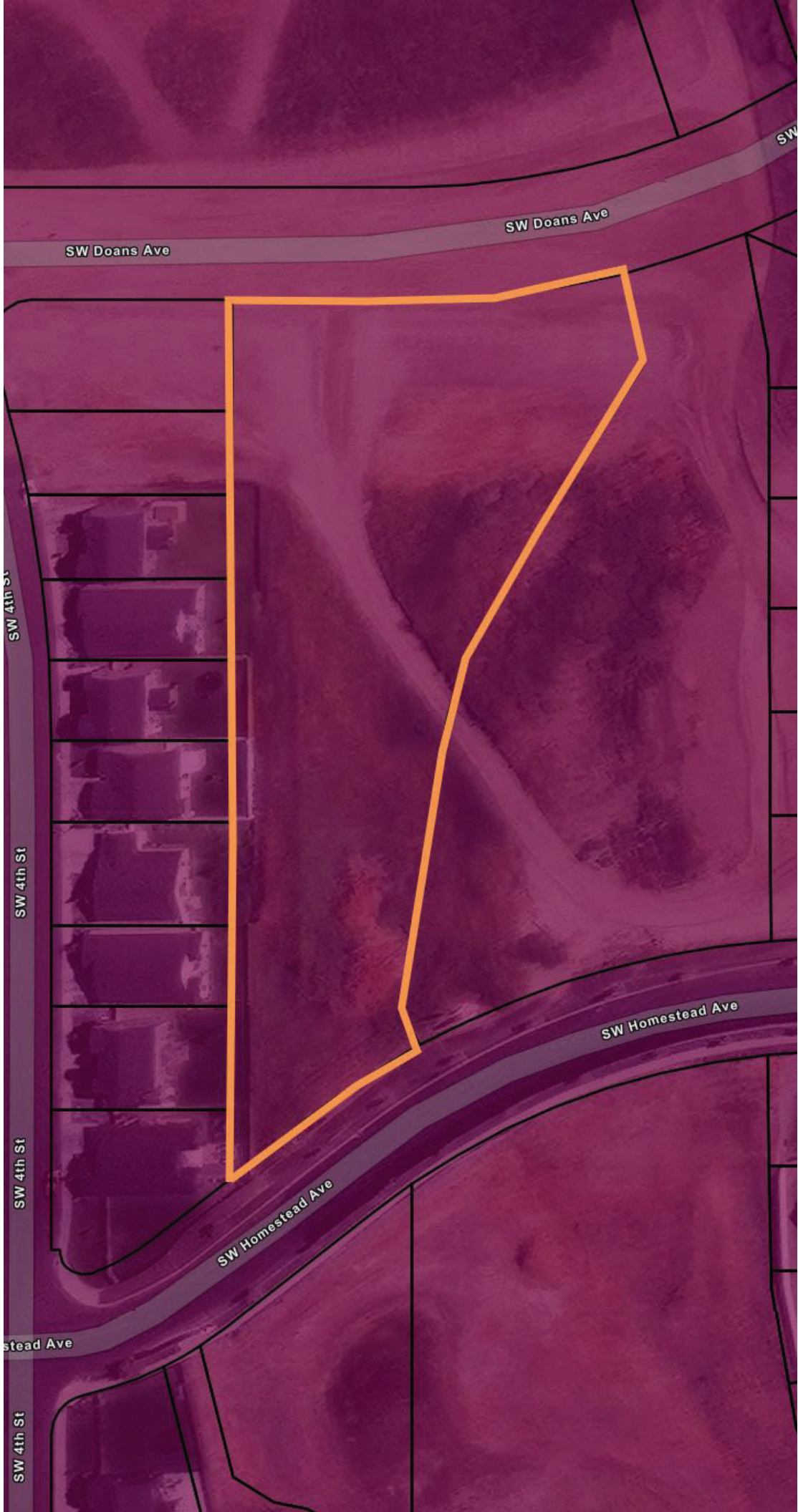
Final Audit Report

2023-09-14

Created:	2023-08-23
By:	Monica Atkins (monica.atkins@rco.wa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAHxVdAT1AZu9BbaOHBkycVLiuB7sRs96_

"22-1705 Agreement - Veterans Park Renovation" History

-  Document created by Monica Atkins (monica.atkins@rco.wa.gov)
2023-08-23 - 8:54:05 PM GMT
-  Document emailed to Mike Rizzitiello (mrizzitiello@cpwa.us) for signature
2023-08-23 - 8:56:04 PM GMT
-  Email viewed by Mike Rizzitiello (mrizzitiello@cpwa.us)
2023-08-23 - 11:46:10 PM GMT
-  Document e-signed by Mike Rizzitiello (mrizzitiello@cpwa.us)
Signature Date: 2023-09-13 - 8:43:21 PM GMT - Time Source: server
-  Document emailed to Marguerite Austin (marguerite.austin@rco.wa.gov) for signature
2023-09-13 - 8:43:22 PM GMT
-  Document e-signed by Marguerite Austin (marguerite.austin@rco.wa.gov)
Signature Date: 2023-09-14 - 6:02:29 PM GMT - Time Source: server
-  Agreement completed.
2023-09-14 - 6:02:29 PM GMT





**J-U-B ENGINEERS, Inc.
AGREEMENT FOR PROFESSIONAL SERVICES**

**Task Order No. 30-20-075-061
City of College Place**

DATE: 1/9/24

PROJECT: On-Call Engineering Services

RE: Master Engineering Services Agreement between the City of College Place (CLIENT) and J-U-B ENGINEERS, Inc., (J-U-B), dated October 13, 2020.

Upon execution of this Task Order by CLIENT and J-U-B in the space provided below, this Task Order will serve as authorization for J-U-B to carry out and complete the services set forth below in accordance with the referenced Agreement between the CLIENT and J-U-B.

1. Purpose: Design improvements to Veterans Park as identified in the RCO funding agreement.
2. Scope of Services: J-U-B will provide design assistance per attached Exhibit A.
3. Time for Performance of Services: Meet milestone dates as determined in RCO funding agreement.
4. Compensation for Services: Time & Materials at J-U-B standard billing rates. Estimated to be approximately \$62,000.

SIGNATURES

CLIENT:

City of College Place

By: Mike Rizzitiello

Title: City Administrator, City of College Place

Date: _____

ENGINEER:

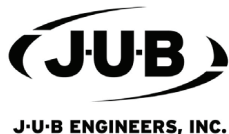
J-U-B ENGINEERS, Inc.

Alexander J Fazzari
2024.01.08 15:16:05-08'00'

By: Alex Fazzari, P.E.

Title: Area Manager

Date: 1/8/24



**J-U-B ENGINEERS, Inc.
AGREEMENT FOR PROFESSIONAL SERVICES**

**Task Order 61
Attachment 1 – Scope of Services, Basis of Fee, and Schedule**

PROJECT NAME: Veterans Park Renovation

CLIENT: College Place, Washington

J-U-B PROJECT NUMBER: 30-20-075-061

The referenced Agreement for Professional Services executed between J-U-B ENGINEERS, Inc. (J-U-B) and the CLIENT is amended and supplemented to include the following provisions regarding the Scope of Services, Basis of Fee, and/or Schedule:

PART 1 - PROJECT UNDERSTANDING

J-U-B's understanding of this project's history and CLIENT's general intent and scope of the project are described as follows: Renovating existing Veterans Park implementing new pickleball and basketball courts, prefab restroom building, concrete walking paths, group pavilion, site furnishing and site lighting. J-U-B will provide design services. Additional scope will be added for bid/award and construction phase services.

PART 2 - SCOPE OF SERVICES BY J-U-B

J-U-B's Services under this Agreement are limited to the following tasks. Any other items necessary to plan and implement the project, including but not limited to those specifically listed in PART 3, are the responsibility of the CLIENT.

A. Task 061: Veterans Park Renovation Design

Subtask 01: Project Management

Project setup, invoicing, document handling, as well as other project management tasks.

Subtask 02: Meetings

Includes Kick-off, RCO Meeting, 30%, 60%, and 100% Design Review. Kick-off meeting to be 1.5 hours including a site visit. All other meetings 1 hour in person and/or virtual.

Subtask 03: Topographic/Site Feature Survey

Includes Site Survey (Drone and Ground Points), Map Preparation, and Control Points.

Subtask 04: Cultural Survey

Sub-Consultant Service. Includes Research, Document Preparation, and implementation, and coordination. Includes internal JUB coordination and project management time.

Subtask 05: Electrical Sub-Consultant

Sub-Consultant Coordination for Electrical Service for new facilities bathroom and lighting.

Subtask 06: Permitting

Includes SEPA, SWPPP, and City Plan Approval Processes.

Subtask 07: Concept Design (30% Schematic Plan)

Includes base preparation, internal design coordination, implementation of comments from the kick-off meeting, preliminary site feature and materials boards, color rendering,

and internal QC. Deliverables shall be one design iteration based on kick-off meeting coordination.

Subtask 08: Draft Design (60% Construction Documents and Spec)

Includes implementation of the 30% review comments into the (60%) draft plans for planting, irrigation, lighting, restroom building, sports courts, technical specifications, and providing a preliminary cost opinion, internal QC, etc.

Subtask 09: Final Design (100% Final Construction Documents)

Includes implementation of the 60% review comments into the (100%) final design for planting, irrigation, lighting, restroom building, sports courts, technical specifications, and updating cost opinion, internal QC, etc.

Subtask 10: Bid and Award Services

To be added in future.

Subtask 11: Construction Phase Services

To be added in future.

PART 3 - CLIENT-PROVIDED WORK AND ADDITIONAL SERVICES

- A. **CLIENT-Provided Work** - CLIENT is responsible for completing, or authorizing others to complete, all tasks not specifically included above in PART 2 that may be required for the project including, but not limited to:
1. Grant administration.
 2. Provide record drawings of existing facilities.
 3. Review milestone deliverables.
- B. **Additional Services** - CLIENT reserves the right to add future tasks for subsequent phases or related work to the scope of services upon mutual agreement of scope, additional fees, and schedule. These future tasks, to be added by amendment at a later date as Additional Services, may include:
1. Bid & Award Phase Services.
 2. Construction Phase Services.

PART 4 - BASIS OF FEE AND SCHEDULE OF SERVICES

- A. CLIENT shall pay J-U-B for the identified Services in PART 2 as follows:
1. For Time and Materials fees:
 - a. For all services performed on the project, Client shall pay J-U-B an amount equal to the cumulative hours charged to the Project by each class of J-U-B's personnel times J-U-B's standard billing rates.
 - b. Client shall pay J-U-B for J-U-B's Consultants' charges times a multiplier of 1.1.
 2. J-U-B may alter the distribution of compensation between individual tasks to be consistent with services rendered while not exceeding the total project amount.
- B. **Period of Services**
1. If the planned period of service for the Tasks identified above extends more than one year, J-U-B's billing rates and/or fees for remaining Tasks may be increased to account for direct labor cost, rate table adjustments, or other inflationary increases. If that occurs, an adjustment to the billing rates and/or Fee will be computed based on the remaining scope amount times the specific rate increase.
 2. If the period of service for the Tasks identified above is extended beyond 6 months or if the Project has stop/start iterations, the compensation amount for J-U-B's services may be appropriately adjusted to account for salary adjustments, extended duration of project

management and administrative services, and/or costs related to stop/start cycles including necessary monitoring and communication efforts during inactive periods.

C. CLIENT acknowledges that J-U-B's schedule commitments outlined in Part 4 are subject to the standard of care and J-U-B will not be responsible for delays beyond our direct control.

D. The following table summarizes the fees and anticipated schedule for the services identified in PART 2 above.

Task Number	Task Name	Fee Type	Amount	Anticipated Schedule
061	Veterans Park Design	Time and Materials (Ceiling Amount Shown)	\$62,000	Concurrent with work progress
Total:			\$62,000	

E. Electronic deliverables provided to the CLIENT as part of the work described within this Attachment are subject to the provisions of J-U-B's "electronic document/data limited license" found at edocs.jub.com

Exhibit(s):

- None.

For internal J-U-B use only:

PROJECT LOCATION (STATE): WA

TYPE OF WORK: City

R&D: Yes

GROUP: Landscape Architecture

PROJECT DESCRIPTION(S):

1. Landscape Architecture (L03)
2. Recreational Facility (R04)

City of College Place, Washington
RESOLUTION NO. 24-001

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON
REGARDING AWARDING ENGINEERING SERVICE CONTRACT FOR VETERANS PARK PROJECT
WITH J-U-B ENGINEERS**

Whereas, the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

Whereas, the City did a four year request for services and qualifications process in 2020 and awarded said contract to J-U-B Engineers via Resolution #20-037 during the October 13th, 2020 City Council meeting; and

Whereas, the City obtained a \$281,023 grant from the State Recreation Conservation Office Youth Athletic Facility grant program via agreement 22-1705 adopted on September 14th, 2023;

Now therefore, it is hereby resolved by the City Council of the City of College Place, Washington, as follows:

1. Permit City Administrator to sign agreement with Professional Services with J-U-B Engineers for the Veterans Park project for cost of \$62,000 and contingency of 10% of \$6,200 not to exceed \$68,200.

Clerical Corrections. The City Clerk is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

Effective Date. This resolution shall take effect and be in full force upon its passage as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 23rd day of January, 2024.

Attest:

Norma L. Hernández, Mayor

Sherri St. Clair, City Clerk

City of College Place, Washington
RESOLUTION NO. 24-002

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON, AMENDING RULES OF CONDUCT FOR COUNCIL MEETINGS ESTABLISHED IN CITY RESOLUTION NUMBER 20-003.

Whereas, the City of College Place (City) is a non-charter code city governed by the rules and regulations of Title 35A Revised Code of Washington (RCW); and

Whereas, the City of College Place has adopted a mayor-council plan of government pursuant to Chapter 35A.12 RCW consisting of a mayor elected at-large and separately elected council; and

Whereas, the Council is the legislative body of the City, with the authority to formulate and adopt City policies and the Mayor is responsible for carrying out the legislative policies;

Whereas, the Mayor and City council must and do meet regularly, at least once a month; such council meetings must be open to the public except as permitted by Chapter 42.30 RCW (Open Public Meetings Act); and

Whereas, the Mayor must preside over all City Council meetings, except when illness or other duties prevent the Mayor from attending; and

Whereas, City Council desires to and in some cases must take public comment or testimony regarding City business being deliberated; and

Whereas, to enable the City to effectively and efficiently perform its duties, with appropriate public participation, meetings must be conducted in an orderly fashion such that interruptions or disruptions do not render the meeting activities unfeasible; and

Whereas, the City is empowered with the authority to set generally applicable conditions on members of the public or public groups to protect the public health or safety, or to protect against interruption of meetings; and

Whereas, the Council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order;

Whereas, the City has established rules governing meetings in Resolution No. 20-003, including the following:

Section 5: Citizen's Rights:

5.1 Addressing the Council: Any person desiring to address the Council by oral communication shall first secure the permission of the Presiding Officer.

5.2 Manner of addressing the Council - time limit: Each person addressing the Council shall give his/her name and address in an audible tone of voice for the record and, unless further time is granted by the Council, shall limit their address to five minutes. No person may transfer any portion of their time allotment to another person. All remarks shall be addressed to the Council as a body, and not to any member thereof. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Council Members, except through the Presiding Officer.

5.3 Personal and slanderous remarks: Any person making personal, impertinent or slanderous remarks, or who shall become boisterous, while addressing the Council may be requested to leave the meeting and may be forthwith, by the Presiding Officer, barred from further audience before the Council during that Council meeting.

5.4 Reading of protests: Interested persons, or their authorized representatives, may address the Council for the reading of protest, petitions, or communications relating to any matter over which the Council has control, when the item is under consideration by the Council, if a majority of the Council present agrees to let them be heard.

5.5 Mayor may appoint committee or refer citizens' complaints: The Mayor may appoint a committee of three members of the city Council to hear citizen's complaints or may refer citizen's complaints to an executive session of the City Council, whenever the subject would be appropriate.

5.6 Written communications: Interested parties, or their authorized representatives, may address the Council by written communication in regard to any matter concerning the city's business or over which the Council had control at any time by direct mail or by addressing the City Clerk and copies will be distributed to the Council Members.

Whereas, the City has experienced, in recent months, the public comment and/or public hearing period of Council meetings being used to make antisemitic, racist, vulgar and other generally offensive statements; and

Whereas, such statements have been made via remote access to the meetings after request to make a comment or provide testimony under an assumed name and without a person physically appearing by video during the comment or testimony; and

Whereas, such statements disrupt City meetings rendering the meetings unfeasible absent a cessation of the statements; and

Whereas, the rules established by Resolution No. 20-003 cannot be utilized to stop such disruptions; and

Whereas, it is necessary to establish additional rules to protect the health and safety of the public and to ensure such disruptions do not render the City meeting activities unfeasible;

Now therefore, it is hereby resolved by the City Council of the City of College Place, Washington, as follows:

Adoption: The following rules are hereby adopted and shall be identified as “**Section 8 – Public Comment and Public Testimony**” to the *City of College Place City Council Rules*:

Section 8: Public Comment and Public Testimony

8.1 Remote/Virtual Public Comment: Any member of the public who desires to make a public comment at a City Council meeting by telephone or other remote access, shall, at least 24 hours (excluding weekends and holidays) prior to the start of the meeting at which the member of the public wants to make a comment, notify the City Clerk or designee in writing or by direct verbal communication of their desire to make a comment. The notice shall include the member’s first and last name, address or place of residence, and the topic or topics the comment will touch upon. Nothing in this section suspends the application of the rules established by Resolution No. 20-003, including but not limited to Rule 5.2 and 5.4.

8.2 Remote/Virtual Public Testimony: Any member of the public who desires to testify at a City public hearing by telephone or other remote access shall, at least 24 hours (excluding weekends and holidays) prior to the start of the hearing, notify the City Clerk or designee in writing or by direct verbal communication of their desire to testify. The notice shall include the member’s first and last name, address or place of residence, and the hearing at which the member desires to testify.

8.3 In-person Comment and/or Testimony: It shall not be necessary to make the notifications required in 8.1 or 8.2 if the member of the public is physically at the place of the meeting or hearing. A person commenting or testifying by way of real-time/live video which clearly shows the person’s identity and clearly depicts their testimony shall be considered “in-person”. Nothing in this section suspends the application of the rules established by Resolution No. 20-003, including but not limited to Rule 5.2 and 5.4.

8.4 Accommodations. Any individual requiring reasonable accommodation may request alternative mode of providing public comment or testimony. Such request should be directed to the City Clerk who shall, in concert with the Mayor or City Administrator, determine if a reasonable accommodation is warranted and what the accommodation will be.

Clerical Corrections. The City Clerk is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

Effective Date. This resolution shall take effect and be in full force upon its passage as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 23rd day of January, 2024.

Attest:

Norma L. Hernández, Mayor

Sherri St. Clair, City Clerk

November 27, 2023

Mr. Brian Carleton
Finance Director
City of College Place
625 S. College Ave
College Place, Washington 99324

Re: **ENGAGEMENT LETTER FOR FINANCIAL ADVISORY SERVICES**

Dear Brian:

Northwest Municipal Advisors (“NWMA”) is pleased to have the opportunity to provide this agreement to serve the City of College Place (the “City”) as municipal advisor.

This letter and proposal specifies the terms of the engagement between Northwest Municipal Advisors (“NWMA”) and the City for municipal advisory services related to capital planning and funding for the City. If acceptable to the City, this engagement shall become effective upon acceptance by the City.

INTRODUCTION TO NORTHWEST MUNICIPAL ADVISORS

NWMA is a financial advisory firm that specializes in assisting public entities finance projects. We have significant experience in general government and special purpose district financing.

As a firm we do not sell or underwrite securities or bonds but only serve in an advisory role. This allows us to avoid a potential conflict of interest in providing advice to a bond issuer.

NWMA is a registered Municipal Advisor with the Securities and Exchange Commission (“SEC”) and the Municipal Securities Rulemaking Board (“MSRB”). As such, NWMA has a fiduciary duty to our clients and shall act and provide advice in a manner it believes to be in the best interest of its clients.

As financial advisor, our most important responsibility is to provide sound advice to our clients, and our preference is to be involved in all aspects of a financing, ranging from up-front planning and identification of financing options to the actual sale, pricing and closing of a bond issue or other financing. We work with most of the bond counsel and underwriter firms in the Northwest, with many of the national underwriting firms, with regional and national banking institutions, and with the bond rating agencies.

Our firm will assign three professionals and support staff to the City. Scott Bauer and Ryan Neumeister will be the primary contacts on any financing, with back-up from Malinda Okerlund.

SCOPE OF SERVICES

The scope of services listed below reflect NWMA’s typical services as municipal advisor.

- Consult with the City in determining the amount of borrowing, bond structure and the timing of any bond sale financing.
- Recommend to the City whether a borrowing should be completed through a bank loan, a public issuance of bonds or other. If a public issuance of bonds, recommend a negotiated or competitive sale process.
- If a negotiated sale is appropriate, assist the City in selecting an underwriter for the financing(s), if the City has not already selected an underwriter.
- Attend financing meetings as appropriate and assist in facilitating the business aspects of such meetings.



- Review the City's outstanding debt and update the City, as appropriate, on refunding opportunities.
- Assume overall coordination of a financing, including developing time schedules, ensuring that documents are available on a timely basis, and keeping the City apprised on the bond market and changes that could affect the financing timeline.
- If issued through a public bond sale, prepare and coordinate rating presentations for the bonds.
- Review documents related to the issuance of bonds and provide the City, bond counsel, and other document preparers with comments and recommendations as appropriate.
- Perform analytical work and provide other advice and recommendations associated with the issuance of bonds, as requested by the City.
- Meet with the City's Mayor, Council, and staff as requested.
- If issued through a public bond sale, represent the City during pricing of the bonds and advise and inform the City as to the reasonableness of the structure and terms of the bonds and the fairness and reasonableness of the pricing offered by the underwriter, as of the sale date of the bonds. We will recommend whether or not to accept the underwriter's offer to purchase the bonds.
- When appropriate, analyze alternatives and make recommendations relative to interim financing. Assist with interim financing when requested by the City.
- Ensure complete sets of preliminary and final numbers are provided to the City in a format readily usable by City staff.
- If and when appropriate, perform escrow sufficiency calculations and provide a certificate.
- If acting in the capacity of an Independent Registered Municipal Advisor ("IRMA") with regard to the IRMA exemption of the SEC Rule, NWMA will review all third-party recommendations submitted to NWMA in writing by the City.
- Provide other related services as requested by the City.

From time to time, NWMA may provide non-municipal advisory services, including but not limited to:

- For bank loans, assist the City in selecting a bank for the financing(s).

FEES AND CHARGES

For bond/loan financings where we have primary responsibility for coordinating the financing and structuring the issue, the fee schedule will be as follows for each issue:

- For issues up to \$20 million, \$1.25 per \$1,000 par amount of bonds, with a minimum fee of \$20,000.
- For issues over \$20 million up to and including \$40 million, \$25,000 plus \$1.00 per \$1,000 over \$20 million par amount of bonds.
- For issues over \$40 million, we will provide a separate compensation proposal.

Fees calculated on the above schedule shall be adjusted as follows:

- NWMA will be reimbursed for direct out of pocket expenses. These expenses may include, but are not limited to: mileage, travel expenses, printing, photocopying, and conference call expenses.
- For special projects or assignments, NWMA will work with the City to define a scope of service and will negotiate a fixed fee or hourly compensation (at the City's option) prior to any project or work initiated. If the City selects hourly compensation, we bill (per hour) \$300 for principals and \$200 for municipal advisors.



FIDUCIARY DUTY

NWMA is registered as a Municipal Advisor with the SEC. As such, NWMA has a fiduciary duty to the City and must provide both a Duty of Care and a Duty of Loyalty that entails the following.

Duty of Care

- a) Exercise due care in performing its municipal advisory activities.
- b) Possess the degree of knowledge and expertise needed to provide the City with informed advice.
- c) Make a reasonable inquiry as to the facts that are relevant to the City's determination as to whether to proceed with a course of action or that form the basis for any advice provided to the City.
- d) Undertake a reasonable investigation to determine that NWMA is not forming any recommendation on materially inaccurate or incomplete information; NWMA must have a reasonable basis for:
 - i. Any advice provided to or on behalf of the City;
 - ii. Any representations made in a certificate that NWMA signs that will be reasonably foreseeably relied upon by the City, any other party involved in the municipal securities transaction or municipal financial product, or investors in the City securities; and
 - iii. Any information provided to the City or other parties involved in the municipal securities transaction in connection with the preparation of an official statement.

Duty of Loyalty

NWMA must deal honestly and with the utmost good faith with the City and act in the City's best interests without regard to the financial or other interests of NWMA. NWMA will eliminate or provide full and fair disclosure (included herein) to the City about each material conflict of interest (as applicable). NWMA will not engage in municipal advisory activities with the City as a municipal entity if it cannot manage or mitigate its conflicts in a manner that will permit it to act in the City's best interests.

MUNICIPAL SECURITIES RULEMAKING BOARD RULE G-10 DISCLOSURE

Pursuant to Municipal Securities Rulemaking Board Rule G-10, on Investor and Municipal Advisory Client Education and Protection, Municipal Advisors are required to provide certain written information to their municipal entity and obligated person clients which include the following:

- NWMA is currently registered as a Municipal Advisor with the U.S. Securities and Exchange Commission and the Municipal Securities Rulemaking Board.
- Within the Municipal Securities Rulemaking Board ("MSRB") website at www.msrb.org, the City may obtain the Municipal Advisory client brochure that is posted on the MSRB website. The brochure describes the protections that may be provided by the MSRB Rules along with how to file a complaint with financial regulatory authorities.

CONFLICTS OF INTEREST AND OTHER MATTERS REQUIRING DISCLOSURES

- As of the date of the Agreement, except as disclosed below NWMA is not aware of actual or potential conflicts of interest that NWMA that might impair its ability to render unbiased and competent advice or to fulfill its fiduciary duty, except as discussed. If NWMA becomes aware of any other potential conflict of interest that arise after this disclosure, NWMA will disclose the detailed information in writing to the City in a timely manner.
- NWMA represents that in connection with the issuance of municipal securities, NWMA may receive compensation from an Issuer or Obligated Person for services rendered, which compensation is contingent upon the successful closing of a transaction and/or is based on the size of a transaction. Consistent with the



requirements of MSRB Rule G-42, NWMA hereby discloses, that such contingent and/or transactional compensation may present a potential conflict of interest regarding NWMA's ability to provide unbiased advice to enter into such transaction. This potential conflict of interest will not impair NWMA ability to render unbiased and competent advice or to fulfill its Fiduciary Duty to the City.

- NWMA is compensated for municipal advisory activities to be performed that is contingent on the size or closing of any transactions as to which NWMA is providing advice which can be a conflict of interest.
- NWMA's fees under this agreement may be a fixed amount established at the outset of the Agreement. The amount is usually based upon an analysis by the City and NWMA of, among other things, the expected duration and complexity of the transaction and the Scope of Services to be performed by NWMA. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, NWMA may suffer a loss. Thus, NWMA may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. This conflict of interest will not impair NWMA's ability to render unbiased and competent advice or to fulfill its fiduciary duty to the City.
- NWMA fees under this agreement are also based on hourly fees of NWMA's personnel, with the aggregate amount equaling the number of hours worked by such personnel multiplied by an agreed-upon hourly billing rate. This form of compensation presents a potential conflict of interest because it could create an incentive for NWMA to recommend alternatives that would result in more hours worked. This conflict of interest will not impair NWMA's ability to render unbiased and competent advice or to fulfill its Fiduciary Duty to the City.
- The fee paid to NWMA increases the cost of investment to the City. The increased cost occurs from compensating NWMA for municipal advisory services provided.
- NWMA serves a wide variety of other clients that may from time to time have interests that could have a direct or indirect impact on the interests of another NWMA client. For example, NWMA serves as municipal advisor to other municipal advisory clients and, in such cases, owes a fiduciary duty to such other clients just as it does to the City. These other clients may, from time to time and depending on the specific circumstances, have competing interests. In acting in the interests of its various clients, NWMA could potentially face a conflict of interest arising from these competing client interests. NWMA fulfills its fiduciary duty and mitigates such conflicts through dealing honestly and with the utmost good faith with City.
- NWMA's intention is to keep its work for each of its clients separate, and to maintain confidentiality relative to each client, except for information which is clearly public information.
- NWMA does not act as principal in any of the transactions related to this Agreement.
- NWMA does not have any affiliate that provides any advice, service, or product to or on behalf of the client that is directly or indirectly related to the municipal advisory activities to be performed by NWMA.
- NWMA has not made any payments directly or indirectly to obtain or retain the City's municipal advisory business.
- NWMA has not received any payments from third parties to enlist NWMA recommendation to the City of its services, any municipal securities transaction or any municipal finance product.
- NWMA has not engaged in any fee-splitting arrangements involving NWMA and any provider of investments or services to the City.
- NWMA does not have any legal or disciplinary event that is material to the City's evaluation of the municipal advisory or the integrity of its management or advisory personnel.
- NWMA is not involved in the underwriting of bonds and is not associated with any underwriting firm which eliminates any conflicts of interest related to underwriter selection or underwriter compensation.



- During the term of the municipal advisory relationship, this agreement will be promptly amended or supplemented to reflect any material changes in or additions to the terms or information within this agreement and the revised writing will be promptly delivered to the City.

LEGAL EVENTS AND DISCIPLINARY HISTORY

NWMA does not have any legal events and disciplinary history on its Form MA and Form MA-I, which includes information about any criminal actions, regulatory actions, investigations, terminations, judgments, liens, civil judicial actions, customer complaints, arbitrations and civil litigation. The City may electronically access NWMA's most recent Form MA and each most recent Form MA-I filed with the Commission at the following website: www.sec.gov/edgar/searchedgar/companysearch.html.

There have been no material changes to a legal or disciplinary event disclosure on any Form MA or Form MA-I filed with the SEC.

RECOMMENDATIONS

If NWMA makes a recommendation of a municipal securities transaction or municipal financial product or if the review of a recommendation of another party is requested in writing by the City and is within the scope of the engagement, NWMA will determine, based on the information obtained through reasonable diligence of NWMA whether a municipal securities transaction or municipal financial product is suitable for the City. In addition, NWMA will inform the City of:

- the evaluation of the material risks, potential benefits, structure, and other characteristics of the recommendation;
- the basis upon which NWMA reasonably believes that the recommended municipal securities transaction or municipal financial product is, or is not, suitable for the City; and
- whether NWMA has investigated or considered other reasonably feasible alternatives to the recommendation that might also or alternatively serve the City's objectives.

If the City elects a course of action that is independent of or contrary to the advice provided by NWMA, NWMA is not required on that basis to disengage from the City.

RECORD RETENTION

Effective July 1, 2014, pursuant to the SEC record retention regulations, NWMA is required to maintain in writing, all communication and created documents between NWMA and the City for 5 years.

TERM OF AGREEMENT

This agreement shall remain in effect until December 31, 2026.

TERMINATION OF AGREEMENT

Engagement can be terminated by either party with at least 30-days' notice. In the event of termination, NWMA shall be reimbursed for expenses incurred to the date of termination.

LIMITATION OF LIABILITY

Liability of NWMA under this agreement shall be limited to fees paid.



OTHER PROVISIONS

This Agreement represents the complete agreement between the parties. Additional services and compensation may be added to this Agreement by a written supplement, with the mutual written consent of both parties. All amendments or supplements shall be signed by both parties and attached to this Agreement.

NWMA agrees that it will not provide financial services to any other individual or public entity on the same transaction for which it is providing financial services to the City under the terms of this Agreement without prior notice to and approval by the City.

APPROVAL OF AGREEMENT

If this agreement is satisfactory to the City, please sign and return to NWMA.

We look forward to working with the City to meet your financing needs. If you have any questions regarding this engagement letter, please do not hesitate to call.

Sincerely,

Scott J. Bauer

Accepted and approved by the City of College Place

This _____ day of _____, 2023.

By: _____
(Signature)

(Print)



Sole Source Justification Form

Item: TIF financing consultant – Northwest Municipal Advisors (NWMA)

1. Describe the item and its function.

NWMA is a financial Advisory firm that specializes in assisting public entities finance projects. NWMA will assist the City in selecting financing for the Tax Increment Financing (TIF) bond.

2. The item is a sole source* because:

☐ sole provider of a licensed or patented good or service

☒ sole provider of items that are compatible with existing equipment, inventory, systems, programs or services.

☐ sole provider of goods and services for which the City has established a standard**

☐ sole provider of factory-authorized warranty service sole provider of goods or services that will meet the specialized needs of the City or perform the intended function (detail below or in an attachment)

☐ the vendor/distributor is a holder of a used item that would represent good value and is advantageous to the City (attach information on market price survey, availability, etc.)

3. What necessary features does this vendor provide which are not available from other vendors? Be specific.

Tax Increment Financing is a new financing program in Washington State. The City of College Place is one of the first Cities in the State to implement this program. The bond financing for the debt the city will assume it complicated, and Northwest Municipal Advisors is one of very few companies that provide this type of service to Cities our size.

4. What steps were taken to verify that these features are not available



Sole Source Justification Form

Department:

_____ Finance _____

Department Contact: Brian Carleton _____ Phone: 509-394-8507 _____

Requested Vendor: Northwest Municipal Advisors _____

Vendor's Address: 11900 NE 1st Street, Suite 300 Bellevue, WA 98005 _____

Vendor Contact: Scott Bauer _____ Phone: 425-452-9551 _____

Cost Estimate:

_____ \$20,000.00 _____

If the cost of the sole source procurement is greater than the appropriate procurement threshold for department action, immediately contact the Purchasing Division or City Attorney's Office as appropriate.

My department's recommendation for sole source is based upon an objective review of the good/service being required and appears to be in the best interest of the City. I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favor, or compromising action have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

Signature of Requestor

Date



Signature of Department Head or Designee

1/19/24

Date



Approval by Purchasing (when applicable)



Date

* Sole Source: only one vendor possesses the unique and singularly available capability to meet the requirement of the solicitation.



Sole Source Justification Form

**** Procurements of items for which the City has established a standard by designating a brand or manufacturer or by pre-approving via a testing shall be competitively bid if there is more than one vendor of the item.**

OFFICE OF THE TREASURER
STATE OF WASHINGTON
Mike Pellicciotti



April 28, 2023

Mike Rizzitiello, City Administrator
City of College Place
625 S. College Avenue
College Place, WA 99324

Dear Mr. Rizzitiello:

This letter confirms the Office of the State Treasurer's ("OST") receipt and review of the City of College Place's (the "City") tax increment financing ("TIF") project analysis provided on February 24, 2023. OST and Montague DeRose and Associates, the state's municipal advisor, have reviewed the provided material. Based on our review, which is detailed in the sections to follow, we believe that the City's project analysis generally addresses the topics listed in section 020(2) of RCW 39.114 (the "TIF Statute").

Please note, this review is based on the information, projections, and assumptions provided by the City and its consultants in the Project Analysis dated February 1, 2023. OST has not independently verified the data or its accuracy or performed any feasibility analyses or projections of its own.

Executive Summary

The City's plans to develop its Stone Creek and Downtown areas began in the early 2000s and were set out in the City's Comprehensive Plan and the College Avenue Design Standards and Guidelines adopted in 2018. The proposed tax increment area (the "TIA") includes the Stone Creek and Downtown areas representing a combined 260 acres. Four public infrastructure projects costing \$18.9 million in total are expected to stimulate and support private development within the TIA by remedying inadequate infrastructure and providing regional transportation benefits (the "Public Improvements").

As described by the City's project analysis, of the \$18.9 million in costs, \$10.7 million (57%) will be funded with a mix of federal and State grants, plus contributions from the Stone Creek developer, the College Place School District, and the City. The balance of \$8.2 million (43%) will be financed from the City's issuance of Limited Tax General Obligation Bonds (the "Bonds") by early 2024.

Should tax allocation revenues be insufficient to fully pay the debt service on the LTGO bonds, the full faith and credit pledge would require the City to pay the remaining debt service due on the bonds from the City's general revenues or reserves. The City's base case structure for the Bonds assumes a 20-year term and an interest rate of 4.50%, with annual debt service payments of \$630,000 from 2024 through 2043. As shown in Table 5, the projections contained in the Alternative 1 development scenario, which is referred to by the City as the likely scenario, indicate that tax increment revenues will fall short of the debt service due during the first seven years of the Bonds. These shortfalls are projected to grow into an accumulated deficit of \$2.7 million by 2030. The City expects to fund these annual tax increment revenue

shortfalls with City resources, and to reimburse itself for these advances with surplus tax increment revenues between 2031 and 2036.

Statutory Role and Purpose of Review

As enacted by the 2021 Washington State Legislature, section RCW 39.114.020(7)(b) requires that prior to the adoption of an ordinance authorizing the creation of a TIA, the local government proposing the TIA must provide a project analysis to OST for review. OST is to complete its review within 90 days of receipt of the project analysis. Upon completing the review, OST must provide to the local government any comments regarding suggested revisions or enhancements to the project analysis that OST deems appropriate. OST received the City's Project Analysis (dated February 1, 2023) on February 24, 2023.

Project Team

Jurisdiction: City of College Place	County: Walla Walla County
Project Title: TIA of Stone Creek and Downtown development areas	Development Areas: Stone Creek and Downtown
City of College Place: Mike Rizzitiello, City Administrator Rea Culwell, City Attorney Brian Carleton, Finance Director Jon Rickard, Community Development Director Robert McAndrews, Public Works Director	Consultants: Bob Stowe, Stowe Development & Strategies (TIF Project Manager) Morgan Shook, ECONorthwest

Proposed Tax Increment Area



Source: City of College Place

The proposed TIA includes the Stone Creek and Downtown areas (shown at left) which represent approximately 260 acres and roughly 150 parcels. The TIA boundary was selected because it represents key areas expected to benefit from private development as the result of the Public Improvements, as shown in Table 1. The Stone Creek area is owned by two property owners: Lakeside Capital with 131 acres and McKiernan Commercial with 47.5 acres. The remaining properties are owned by multiple parties in the Downtown area along College Avenue.

The taxing districts whose property tax levy would be directly impacted by TIA include: (1) the City of College Place, (2) Walla Walla County, (3) the Port of Walla Walla, (4) the Emergency Medical District (EMS), and (5) Library. The levy rate for each of these jurisdictions will be applied to the increased assessed valuation within the TIA and remitted to the City to pay debt service on the Bonds.

Project Description

Public Improvements within the TIA

The Public Improvements, costing \$18.9 million in total are expected to stimulate and support private development within the TIA by remedying inadequate infrastructure and providing regional transportation benefits. These projects, which have existed in the City’s Comprehensive Plan and Capital Facilities Plan for several years, are considered unlikely to be built by any single developer, and using tax increment financing for the Public Improvements will serve to expedite the City’s development vision. According to the Project Analysis, of the \$18.9 million total, \$10.7 million (57%) will be funded with a mix of federal and State grants, and contributions from the Stone Creek developer, the College Place School District and the City. The balance of \$8.2 million (43%) will be financed from the City’s issuance of the Bonds by early 2024. Please see the table below for details regarding the Public Improvements.

Table 1 – Sources and Uses of Public Improvements

Stone Creek and Downtown Tax Increment Area

Public Improvement	Description	Cost (MMs)	Grants & Contributions (MMs)	TIF Bonds (MMs)
Mojonnier Road	Road condition is inadequate to support traffic with development at the College Place HS/Sager MS campuses and the Stone Creek area	\$9.300	\$5.000	\$4.300
New East-West Road	New road needed to allow circulation into commercial development of the McKiernan Property and to connect the CPHS/SMS campuses with a new intermediate school at the far west end of the new East-West Road	\$7.100	\$5.164	\$1.936
Signalization at College Avenue and East/West road	Lining up the school parking lot entrance at the CPHS/SMS campuses with the new East-West road and installing signalization at the intersection will make for safer ingress and egress as well as support the increased vehicle and pedestrian traffic resulting from private development	\$1.100	\$0.550	\$0.550
Downtown Parking Lots	A lack of parking in the Downtown area along College Avenue has been cited as a deterrent to private investment. Land would be acquired to build three or four surface parking lots in the Downtown corridor providing up to 183 parking spaces	\$1.400	\$0.000	\$1.400
Total		\$18.900	\$10.714	\$8.186

Source: City of College Place

Private Development within the TIA

Within the Stone Creek area, the City envisions the construction of a mixed-use development containing 829 residential units (including senior housing), a 200-room hotel, and both small and large commercial retail stores totaling 280,000 square feet. Based on this full development plan, the City prepared a Baseline development scenario wherein roughly \$415 million of private assessed value is added to the TIA between 2028 and 2040. Relative to the \$22.45 million in TIA base value, the \$415 million is a 1,749% increase equivalent to a compound annual growth rate of 17.6% from 2022 through 2040.

**Table 2 – Projected Increased Real Property in the TIA
Baseline Development Scenario**

	Value Per Unit	Number of Units	Start Year	Build- Out/Years	Total Value
Phase 1 - North					
SF Homes - 5,200 Lot	\$676,554	130	2024	4 years	\$87,952,020
SF Homes - 7,800 Lot	\$817,148	44	2026	2 years	\$35,954,512
Sub-Total					\$123,906,532
Phase 2 - South					
Row Homes	\$448,880	50	2030	2 years	\$22,444,000
Cottage BTR	\$448,880	37	2032	2 years	\$16,608,560
SF Homes- 3850 Lot	\$524,635	24	2029	3 years	\$12,591,240
SF Homes - 5720 Lot	\$676,554	58	2030	2 years	\$39,240,132
SF Homes - 8640 Lot	\$817,148	20	2031	2 years	\$16,342,960
Sub-Total					\$107,226,892
Phase 3					
Apartments (Market)	\$225,000	176	2034	2 years	\$39,600,000
Apartments (Workforce)	\$175,000	120	2036	2 years	\$21,000,000
Sub-Total					\$60,600,000
Phase 4					
Senior Housing	\$200,000	170	2038	2 years	\$34,000,000
Sub-Total					\$34,000,000
McKiernan					
Hotel (Rooms)	\$150,000	200	2026	2 years	\$30,000,000
Retail - Large Format (SF)	\$150	200,000	2030	4 years	\$30,000,000
Retail/Restaurant (SF)	\$325	80,000	2026	10 years	\$26,000,000
Sub-Total					\$86,000,000
Downtown					
Retail/Restaurant (SF)	\$325	10,000	2024	5 years	\$3,250,000
Sub-Total					\$3,250,000
TOTAL					\$414,983,424

Source: City of College Place

In its analysis, the City acknowledged that the Baseline development scenario is the most aggressive development plan and prepared two alternative development scenarios to assess risks related to repayment of the Bonds. With Alternative 1, the build-out time in years for completion of all development identified in the Baseline is doubled and the projected single-family home value is reduced by 20%. Alternative 2 also doubled the build-out time for completion of Baseline development, reduced the projected single-family home value by 30%, reduced the number of senior housing units by 50%, and included only commercial development of the hotel (presumably also excluding the downtown retail development).

Assessed Value of Proposed TIA

The 2022 assessed valuation of the TIA for 2023 taxes is approximately \$42.8 million, well below both statutory limits of \$200 million in assessed valuation and 20% of the City's total assessed valuation of \$907.14 million. Based on the 2022 valuation, the TIA would represent 4.7% of the City's total assessed valuation. The magnitude and timing of real property development within the TIA will drive growth in incremental assessed value and therefore tax increment revenues. For the three development scenarios provided by the City, the incremental assessed value of the TIA is estimated by assigning market-based improvement prices reflecting the land use and size of the proposed development. The City assumed the TIA base value and the assessed values of newly developed properties both increase by 2.8% annually, but historical data was not provided as context for this assumption. Outside of planned development in the TIA, new construction within the City was assumed to represent no more than 2.9% of the City's assessed value.

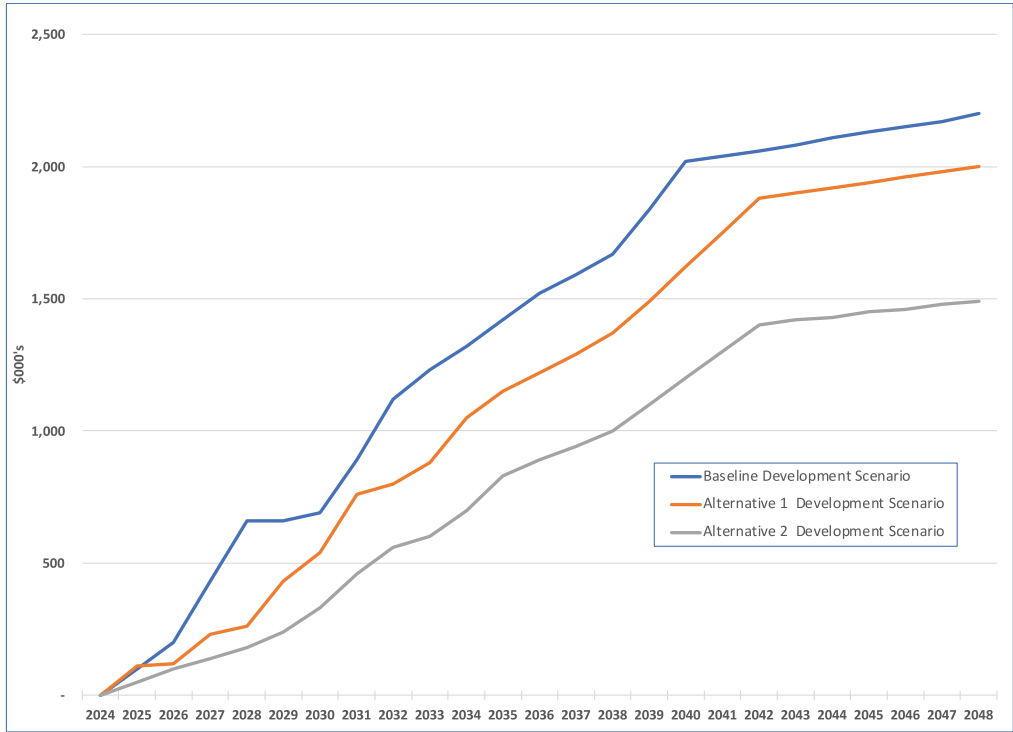
Tax Increment Revenue Projections

Of the TIA's \$42.8 million 2022 assessed valuation, \$22.5 million represents real (not personal/unsecured) property, which is used as the tax increment base value in the City's analysis. Based on the full development plan, the City prepared the Baseline development scenario that assumes roughly \$415 million of assessed value added to the TIA between 2028 and 2040. Acknowledging that the Baseline development scenario is the most aggressive development plan, the City also provided two alternative development scenarios, and noted that Alternative 1 is the likely development scenario.

Under the TIF legislation, only certain regular tax levies are available to the TIA. These taxes, applied as part of regular levies, must conform to the constitutional 1% limit, as well as the \$5.90 aggregate limit. Both parts of the State School levy, local school district excess levies, voted bond levies and levies of port districts for bond payments were excluded from the TIA levy rate. Based on the 2022 levy rates, an aggregate levy rate of \$4.17 would have been applied to the TIA in 2023. The TIA's annual levy rate can change from one year to the next based on factors including future incremental assessed value of the TIA, future assessed values of the five taxing districts, and relevant levy limits. For each of the three development scenarios, the City's analysis calculated the levy rate for each of these jurisdictions and applied the levy rates to the incremental assessed valuation within the TIA.

The City created a multi-year cash flow model to estimate the tax increment revenues for each of the three development scenarios, and the following chart provides a visual comparison. Collection of tax increment revenues is projected for the 2024-2048 period, with total projected revenues for the Baseline, Alternative 1 and Alternative 2 scenarios at \$34.3 million, \$28.7 million and \$20.8 million, respectively. The total increment revenues for the City's likely development scenario, Alternative 1, are equivalent to 84% of the Baseline scenario total, while the total for Alternative 2 represents 61% of the Baseline scenario total.

Figure 1 – Projected Tax Increment Revenues for Three Development Scenarios



Source: City of College Place

Financing Plan for Public Improvements

The City anticipates issuing \$8.2 million of Limited Tax General Obligation Bonds by early 2024 to finance the portion of Public Improvements not funded with grants or local contributions. While the City anticipates using tax increment revenues generated by the TIA to pay scheduled principal and interest on the Bonds, the Bonds will be secured by the full faith and credit of the City. The City’s base case structure for the Bonds assumes a 20-year term and an interest rate of 4.50% with annual debt service payments of \$630,000 from 2024 through 2043.

As stated in the Project Analysis, the City will need to pay the debt service on the Bonds with available resources regardless of whether assessed values increase within the TIA. The City acknowledged that increment revenues early in the TIF period are projected to be insufficient to cover debt service payments in each of the three development scenarios. As shown in Table 4, in the Alternative 1 (likely) development scenario, the City projects annual deficits between tax increment revenues and debt service in the first seven years of the Bonds, resulting in an accumulated deficit of \$2.7 million by 2030. The City expects to cover these annual shortfalls with other resources and pay down the balance over six years (from 2031-2036) using tax increment revenues projected to exceed annual debt service.

The project analysis discusses the possibility of adjusting the timing, amount and repayment structure of the Bonds based on revised development activity (i.e., delayed or multiple bond issuances, backloading debt repayment, and/or use of capitalized interest). As such, it is possible that the City’s bond issuance plans may be adjusted to reflect progress in private development and assessed value growth in the TIA.

Debt Capacity

Based on the City’s total 2023 assessed value of \$1,070,059,643, the City has \$16,050,895 in total non-voted debt capacity (1.5% of 2023 AV). The City currently has \$3,877,052 in outstanding non-voted debt, leaving sufficient net non-voted debt capacity of \$12,173,843 before the proposed \$8,186,000 financing.

Table 3 – Debt Capacity

2022 Assessed Valuation for 2023 Collections	\$1,070,059,643
Non-Voted Debt Capacity (1.5% of AV)	16,050,895
Less: Outstanding Non-Voted Debt	(3,877,052)
Remaining Non-Voted Debt Capacity	12,173,843
Less: Financing Proposed	(8,186,000)
Projected Remaining Non-Voted Capacity	\$3,987,843
Projected Remaining Non-Voted Capacity %	24.84%

Source: City of College Place

Projected Debt Service Coverage

Depending on the pace and final features of the completed private development, the magnitude of the shortfalls in tax increment revenues compared to the debt service on the Bonds which the City will be required to fund varies between the three development scenarios.

- In the Baseline scenario, the City would be required to fund TIF revenue shortfalls in years 2024 through 2027 from general revenues or reserves, with projections showing that it will be fully reimbursed for the \$1.79 million cumulative shortfall by the end of 2034.
- In the Alternative 1 scenario, the TIF revenue shortfalls extend through 2030, with the City being fully reimbursed for the \$2.72 million cumulative shortfall by the end of 2037.
- In the Alternative 2 scenario, the TIF revenue shortfalls extend through 2033, with the City being fully reimbursed for the \$3.64 million cumulative shortfall by the end of 2042.

Tables 4 and 5 below summarize the total tax increment revenues, revenue shortfalls and debt service coverage for the three development scenarios.

Table 4 – Summary of Tax Increment Revenue Shortfalls and Average Debt Service Coverage

Development Scenario	First Year Tax Increment Revenues Exceed TIF Debt Service	Year That Tax Increment Revenues Fully Reimburse Debt Service Shortfalls	Total Projected Tax Increment Revenue (\$MMs) ¹	Total Projected Debt Service (\$MMs)	Projected Cumulative Shortfall (\$MMs)	Total Surplus/ (Shortfall) (\$MMs)	Average Debt Service Coverage Ratio
Baseline	2028	2034	\$23.540	\$12.600	(\$1.790)	\$10.940	1.97x
Alternative 1	2031	2037	\$18.850	\$12.600	(\$2.720)	\$6.250	1.57x
Alternative 2	2034	2042	\$13.440	\$12.600	(\$3.640)	\$0.840	1.12x

1. Projected over the term of repayment of the Bonds, 2024-2043

Source: City of College Place

Table 5 – Annual Tax Increment Revenue Shortfalls and Average Debt Service Coverage

Year	Baseline (\$MMs)					Alternative 1 (\$MMs)					Alternative 2 (\$MMs)				
	Tax Increment Revenues	Debt Service on Bonds	Surplus (Shortfall)	Cumulative Surplus (Shortfall)	Debt Service Coverage	Tax Increment Revenues	Debt Service on Bonds	Surplus (Shortfall)	Cumulative Surplus (Shortfall)	Debt Service Coverage	Tax Increment Revenues	Debt Service on Bonds	Surplus (Shortfall)	Cumulative Surplus (Shortfall)	Debt Service Coverage
2024	-	630	(630)	(630)	0.16x	-	630	(630)	(630)	0.17x	-	630	(630)	(630)	0.08x
2025	100	630	(530)	(1,160)	0.32x	110	630	(520)	(1,150)	0.19x	50	630	(580)	(1,210)	0.16x
2026	200	630	(430)	(1,590)	0.68x	120	630	(510)	(1,660)	0.37x	100	630	(530)	(1,740)	0.22x
2027	430	630	(200)	(1,790)	1.05x	230	630	(400)	(2,060)	0.41x	140	630	(490)	(2,230)	0.29x
2028	660	630	30	(1,760)	1.10x	260	630	(370)	(2,430)	0.86x	180	630	(450)	(2,680)	0.38x
2029	660	630	30	(1,730)	1.41x	430	630	(200)	(2,630)	1.21x	240	630	(390)	(3,070)	0.52x
2030	690	630	60	(1,670)	1.78x	540	630	(90)	(2,720)	1.97x	330	630	(300)	(3,370)	0.73x
2031	890	630	260	(1,410)	1.95x	760	630	130	(2,590)	1.67x	460	630	(170)	(3,540)	0.89x
2032	1,120	630	490	(920)	2.25x	800	630	170	(2,420)	2.41x	560	630	(70)	(3,610)	0.95x
2033	1,230	630	600	(320)	2.10x	880	630	250	(2,170)	1.83x	600	630	(30)	(3,640)	1.11x
2034	1,320	630	690	370	2.10x	1,050	630	420	(1,750)	1.94x	700	630	70	(3,570)	1.32x
2035	1,420	630	790	1,160	2.41x	1,150	630	520	(1,230)	2.05x	830	630	200	(3,370)	1.41x
2036	1,520	630	890	2,050	2.52x	1,220	630	590	(640)	2.17x	890	630	260	(3,110)	1.49x
2037	1,590	630	960	3,010	2.65x	1,290	630	660	20	2.37x	940	630	310	(2,800)	1.59x
2038	1,670	630	1,040	4,050	2.92x	1,370	630	740	760	2.57x	1,000	630	370	(2,430)	1.75x
2039	1,840	630	1,210	5,260	3.21x	1,490	630	860	1,620	2.78x	1,100	630	470	(1,960)	1.90x
2040	2,020	630	1,390	6,650	3.24x	1,620	630	990	2,610	3.02x	1,200	630	570	(1,390)	2.06x
2041	2,040	630	1,410	8,060	3.27x	1,750	630	1,120	3,730	3.30x	1,300	630	670	(720)	2.22x
2042	2,060	630	1,430	9,490	3.30x	1,880	630	1,250	4,980	3.02x	1,400	630	770	840	2.25x
2043	2,080	630	1,450	10,940	1.97x	1,900	630	1,270	6,250	1.57x	1,420	630	790	840	1.12x
Total	23,540	12,600	10,940			18,850	12,600	6,250			13,440	12,600	840		

City of College Place Financials

The City stated that it has averaged approximately \$9 million in available General Fund reserves not allocated to any specific operating or capital expense over the last six years (2018 to 2023), and these unallocated funds would be available to pay debt service on the Bonds should tax increment revenues be insufficient. The City also noted it may reprioritize capital project expenditures to respond to any gaps between tax increment revenues and debt service. The City did not document these historic reserve levels in its analysis; however, provided below are actual and projected ending fund balances, classified as unassigned, assigned, and committed, as of 12/31/2020 through 12/31/2023 (projected). The 2020 figures are from the 2020 financial audit, the 2021 figures are sourced to the City's Dec. 2021 Financial Report, and the 2022 and 2023 years are from the City's adopted 2023 annual budget.

Table 6 – Ending Fund Balances of Certain City Funds for 12/31/2020--12/31/2023 (projected)

City Fund	Fund Balance Classification	Ending Fund Balances			
		12/31/2020	12/31/2021	12/31/2022	12/31/2023 (projected)
001 - Current Expense Fund	Unassigned	\$ 2,156,478	\$ 4,143,901	\$ 4,085,946	\$ 2,741,800
005 - Current Expense Reserve Fund	Committed	(1)	377,709	420,933	522,433
012 - Technology Reserve Fund	Committed	(1)	292,482	325,395	294,924
061 - Employee Benefit Reserve Fund	Committed	(1)	344,549	407,230	421,755
100 - Street Fund	Committed	305,359	269,299	250,360	286,454
305 - Capital Improvement Fund (REET)	Committed	323,252	468,994	534,772	434,581
306 - Capital Improvement Fund (REET 2)	Committed	583,592	1,252,322	1,429,130	369,790
311 - Street Improvement Fund	Committed	395,775	198,664	205,926	144,965
315 - Facility Maintenance Reserve Fund (CE)	Committed	232,667	477,136	675,991	654,115
320 - Equipment Reserve Fund	Committed	265,081	458,264	608,487	610,454
330 - Economic Development Fund	Committed	577,091	610,005	100,221	100,421
500 - Equipment Rental & Replacement	Assigned	190,937	225,537	210,891	132,562
		\$ 5,030,232	\$ 9,118,862	\$ 9,255,282	\$ 6,714,254
Data source:		2020 Audit	12/2021 Report	2023 Budget	2023 Budget
(1) 12/31/2020 balance included in Fund 001					

While the City has indicated a willingness to use reserves to cover cumulative deficits between tax increment revenues and Bond debt service, which are projected to range from \$1.79 million to \$3.64 million in the development scenarios, there is risk that the City may not receive full reimbursement of these amounts from tax increment revenues. Moreover, spending down City reserves for this purpose reduces the City's liquidity and financial flexibility, limiting its ability to weather future economic downturns.

Key Risks to the City

From our review of the Project Analysis, it is clear the anticipated Public Improvements and economic development could provide significant benefits to the City. Nonetheless, the financing plan comes with certain risks to the City, primarily related to the sufficiency of projected tax increment revenues to repay the Bonds that the City expects to issue to finance the Public Improvements.

During years with shortfalls, the City will be required to pay any difference between debt service due and tax increment revenues collected using general City revenues or reserves. While the City plans to reimburse itself for debt service payments made from general City revenues, it is important for decision makers to be aware of the potential magnitude and timing of such payments and reimbursements. Since the TIF legislation limits the ability to collect tax increment revenues to a period of 25 years, delays could reduce the overall amount of tax increment revenues which would be received by the City. Additional factors that could impact tax increment revenues are described below:

Escalation of Project Costs: With the Public Improvements projected to be completed between 2024 and 2030, inflation could have a significant impact on the projected cost of these projects, especially recognizing that the City assumed a 3% construction cost inflator in its analysis. This assumption does not provide the City with substantive flexibility to weather higher than expected escalation of construction costs.

Economic Conditions: The timing of tax increment revenues could be negatively impacted by a downturn in the economy. A variety of economic factors could negatively impact the demand for and timeline the development, jeopardizing the rate and scale of private development and potentially reducing tax increment revenues.

Permits: Unforeseen delays in permits could negatively impact the construction of the expected residential, commercial, and mixed-use properties within the TIA. Delays to either the Public Improvements or the private development could negatively impact the timing and/or amount of tax increment revenues.

Construction Delays: Any setback or delay in the private developers' ability to complete construction projects could negatively impact tax increment revenues. Whether the cost of the improvements themselves or some unforeseen change in developers' abilities to complete both their public improvements and private developments, the City will remain responsible for repaying the Bonds. Moreover, any delay in the City's ability to complete the Public Improvements necessary for private developers to close on contracts or initiate private developments exposes the project to risk of delayed timing and/or a reduced amount of tax increment revenues.

Assessed Valuations: As private developments are completed, tax increment revenues may be less than anticipated if the assessed value projections do not materialize or take more time to fully hit the tax rolls than is currently projected. If assessed valuations come in lower than or later than expected, projected tax increment revenues would be reduced.

Debt Capacity: While the amount of debt to be issued wouldn't exceed its legal debt limit, assuming the TIF related LTGO bonds are issued, only 24.8% of the City's non-voted debt capacity would remain (\$4 million). This would limit the City's ability to issue additional LTGO debt in the short term if an immediate capital need were to materialize.

Interest Rate Risk: The City is exposed to interest rate risk until the Bonds are sold. The key assumption of a 4.5% interest rate for the LTGO bonds offers a slight cushion to current market conditions. However, in the event interest rates rise to levels in excess of this assumption, debt service will exceed the amounts assumed in the project analysis.

Risk Summary: The general impact to the City from any of the risk factors outlined above could be lower than expected tax increment revenues and a greater reliance on general City revenues and reserves to pay the debt service on the Bonds issued to fund the Public Improvements in the TIA. Shortfalls in tax increment revenues would require the City to apply general fund revenues or reserves towards the repayment of the Bonds, reducing its ability to allocate those funds to other projects or operations. If severe enough, this could result in the City not being fully reimbursed for any debt service payments made from general City funds.

Recommendations

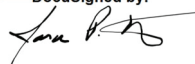
To help ensure the long-term financial success of the project and to minimize risk, we recommend the City carefully monitor the risks identified and consider the following measures:

1. We recommend that the City discuss how much risk exposure is appropriate for the project and how much potential debt service costs it is willing to cover to advance the project through potentially years of tax increment revenue shortfalls.
2. Prior to approving the TIA, we recommend that the City coordinate closely with other taxing districts impacted by the project, and the County Assessor's office, to ensure that all parties have an accurate understanding of how the TIA will impact them.
3. Based on the City's willingness to cover potential debt service, we recommend the City consider budgeting for and setting aside funds to cover potential tax increment revenue shortfalls.
4. As the project moves forward, coordinate closely with the County Assessor's Office to help ensure that the tax increment revenue projections match the County's assessment process and are as realistic as possible.
5. The City's interest rate assumptions contain a moderate amount of cushion compared to current market conditions. We recommend that the City consider using more conservative interest rate assumptions.
6. We recommend the City revisit public improvement cost projections frequently and utilize a publicly recognized inflation index to inform inflation projections.

Thank you for the opportunity to review the City's project analysis. Based upon the information provided to date in connection with this project, this concludes our review. If there are material changes in the scope, timing, or cost of the project, please let us know. We wish the City all the best with the project.

Respectfully,

Mike Pellicciotti
Washington State Treasurer

DocuSigned by:

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Jason Richter
Deputy Treasurer

TIF - Debt Issuance

Project	Project Total \$	TIF Portion	TIF Financing
Mojonier Road	7,921,000.00	0.543	4,301,103.00
Downtown Parking Lots	1,400,000.00	1.000	1,400,000.00
Stone Creek/ College Ave Interesction	1,170,437.00	0.500	585,218.50
Stone Creek East/West Road	7,120,461.00	0.272	1,936,765.39
Reservoir #4 Main (part of Mojonier Project)	1,699,000.00	0.25	424,750.00
	<u>19,310,898.00</u>		<u>8,647,836.89</u>
		Bond Financing	8,700,000.00

City of College Place, Washington
RESOLUTION NO. 24-003

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON
REGARDING ENGAGEMENT WITH NORTHWEST MUNICIPAL ADVISORS TO ASSIST IN
SELECTION OF FINANCING OF THE TIF BOND.**

Whereas, the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

Whereas, and the City of College Place can conduct investment transactions with financial institutions outlined in RCW 39.58; and

Whereas, and per the City of College Place Financial Policies adopted on July 10th, 2018 the City may engage the support services of outside professionals in regard to its financial program, so long as it can be determined or anticipated that these services produce a net financial advantage or necessary financial protection of the City's resources;

Now therefore, it is hereby resolved by the City Council of the City of College Place, Washington, as follows:

Section 1: Authorize the City Administrator to sign agreement with Northwest Municipal Advisors to select a TIF bond financing option as outlined in the exhibits within Agenda Bill 24022.

Clerical Corrections. The City Clerk is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

Effective Date. This resolution shall take effect and be in full force upon its passage as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 23rd day of January, 2024.

Attest:

Norma L. Hernández, Mayor

Sherri St. Clair, City Clerk

CITY OF COLLEGE PLACE, WASHINGTON
ENVIRONMENTAL CHECKLIST
POTENTIAL AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE
NOVEMBER 1, 2023

The State Environmental Policy Act (SEPA) requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. A standard environmental checklist must be completed to determine the impact of the proposal. The purpose of this checklist is to provide information to help identify impacts from the proposal (and to reduce or avoid impacts from the proposal if it can be done). The checklist must be completed even for non-project proposals that aren't specific to a certain site, such as the adoption of amendments to the City's Development Regulations.

This environmental review assesses the potential environmental impacts associated with potential amendments to the City's Unified Development Code (UDC) to implement recent changes to the State Laws governing local project reviews (ESB 5920) and accessory dwelling units (EHB 1337) as well as revisions to the minor new construction flexible thresholds authorized by the State. Amendments to the regulations governing mobile vendors and vendor food courts have been proposed, references to the International Building Codes have been updated, and several minor housekeeping amendments have been proposed including clarifying setback requirements and more appropriate gender references. As you will note, several sections of the environmental checklist do not apply to the proposed action, as the standard checklist was developed for site-specific projects. The responses to the environmental checklist are in italics below.

A. BACKGROUND

1. Name of proposed project, if applicable:

City of College Place Unified Development Code Amendments

2. Name of applicant:

City of College Place, WA

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

*Jon Rickard, Community Development Director
City of College Place
625 College Avenue
College Place, WA 99324
509-394-8524*

4. Date checklist prepared:

November 1, 2023

5. Agency requesting checklist:

City of College Place

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

CITY OF COLLEGE PLACE, WASHINGTON
ENVIRONMENTAL CHECKLIST
PROPOSED 2023 AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE
NOVEMBER 1, 2023

The City staff in consultation with the Planning Commission have reviewed and prepared potential amendments to the College Place Unified Development Code for consideration by the City Council in December of 2023 or possibly January of 2024 (See Exhibit A). The principal revisions include:

- a. *Amendments to CPMC 14.30 Permit Processing Procedures to implement state legislation effective July 23, 2023 (SSSB 5290) intended to further streamline the local project review process mandated by the Washington State Growth Management Act.*
- b. *Amendments to CPMC 14.60.170 Accessory Buildings, Structures, Dwelling Units, and Uses to implement recent state legislation (EHB 1337) to expand housing options by further removing barriers to the construction and use of accessory dwelling units.*
- c. *Amendments to CPMC 14.40.140 Categorical Exemptions to revise several of the flexible SEPA Thresholds for minor new construction as authorized by state law and in consideration of revisions adopted by the City of Walla Walla to provide for a uniform regional approach, including:*
 - (1) *Increasing the exemption for the construction or location of single family residences from nine(9) to fourteen (14).*
 - (2) *Exempting the construction or location of up to sixty (60) multi-family residential dwelling units.*
 - (3) *Clarifying that the exemption applicable to the construction of agricultural facilities does not apply to commercial feed lots.*
 - (4) *Increasing the exemption for landfill or excavation throughout the total lifetime of a project from 200 cubic yards to 1,000 cubic yards.*
- d. *Amendments to CPMC 14.60.140 Mobile Vendors and Vendor Food Courts and CPMC 14.60.145 Temporary Use of Sidewalks and Public Spaces to further streamline the permitting of food carts and food courts, to provide appropriate measures to protect the public health and safety, and in consideration of regulations adopted by the City of Walla Walla to provide for a more uniform regional approach.*
- e. *Amendments to CPMC 14.1209 Building and Construction to update the references to the International Building and related codes as adopted and implemented by the City in accordance with state law.*
- f. *Housekeeping amendments including:*
 - (1) *Clarifying the setback requirements applicable to corner lots.*
 - (2) *Updating gender references.*

The City will be requesting an expedited review of these proposed revisions by the Department of Commerce. It is anticipated that the City Planning Commission will conduct a public hearing on the proposed amendments to the Unified Development Code at its regularly scheduled meeting on Tuesday, November 21, 2023. The City Planning Commission will review then all comments received and make a recommendation to the City Council. Final action by the City Council is anticipated in December of 2023 or possibly January of 2024.

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

CITY OF COLLEGE PLACE, WASHINGTON
ENVIRONMENTAL CHECKLIST
PROPOSED 2023 AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE
NOVEMBER 1, 2023

The City has initiated a process with the City of Walla Walla and Walla Walla County to review and update the County-wide Planning Policies with a particular emphasis on affordable housing. It is anticipated that these updated planning policies will be used to guide the state mandated periodic review of the City's Comprehensive Plan and Unified Development Code that must be completed by June 30, 2025.

The City will continue to review the provisions of the Unified Development Code on an annual basis and may periodically consider revisions as appropriate.

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

Project specific reviews will be conducted for specific development proposals submitted subsequent to the adoption of these potential amendments to the Unified Development Code.

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.

No applications are pending for governmental approval.

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

The proposed amendments to the Unified Development Code are subject to review and approval by the City Council.

11. Please provide a brief, but 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.

In 2018 the City completed a GMA mandated review and update of its Comprehensive Plan. The City then initiated a public process to review and update its development regulations in accordance with the provisions of the updated Comprehensive Plan. As a part of this review process, the development regulations were consolidated and reformatted into a single chapter of the College Place Municipal Code, now referred to as the College Place Unified Development Code (UDC).

Once a year the City Staff in consultation with the Mayor, City Council and City Planning Commission identifies and prepares potential amendments to the UDC that may be necessary to address changes in state law, updated City priorities, and/or to clarify standards. In addition, the City solicits potential amendments from the public. As previously noted, the amendments that have been under review in 2023 address recent legislative enactments governing the local review of development proposals, further removing barriers to the construction of accessory dwelling units, and that authorizes revisions to the flexible thresholds for minor new construction under SEPA. The City is also proposing housekeeping measures to update references to the International Building Codes, to clarify the setback requirements for corner lots, and to provide more appropriate gender references.

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 amended College Place Unified Development Code will apply to all lands within the City's jurisdiction.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site:

The City of College Place is relatively flat although there is a drop off along the western boundary of the city. A topographical map of the City can be viewed on the Walla Walla County website.

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

N/A

- 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 prime farmland.

N/A

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

N/A

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A

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

No. The Unified Development Code includes standards that will govern future land clearing and development activities in a further effort to prevent erosion from occurring. No changes to these regulations are proposed.

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

N/A

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

The Unified Development Code includes standards to control erosion and to manage storm water runoff as well as standards to govern development activities near geological hazard areas. No changes to these regulations are proposed.

2. Air

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

N/A

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

N/A

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

The proposed Unified Development Code includes environmental review procedures that will protect air quality. No changes to these regulations are proposed.

3. Water

- a. Surface:

- 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.

Garrison Creek and Stone Creek run through the City.

- 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.

There are no jurisdictional shorelines in the City of College Place.

- 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.

N/A

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

N/A

CITY OF COLLEGE PLACE, WASHINGTON
ENVIRONMENTAL CHECKLIST
PROPOSED 2023 AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE
NOVEMBER 1, 2023

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

N/A

- 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.

N/A

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

N/A

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if. 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.

N/A

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.

N/A

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

N/A

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

N/A

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

The UDC contains provisions to protect critical aquifer recharge areas city-wide. In addition, the City has adopted the Eastern Washington Storm Water Manual prepared by the Washington State Department of Ecology. No changes to these regulations are proposed.

4. Plants

- a. List the types of vegetation found on the site:

N/A

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

N/A

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

N/A

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

The Unified Development Code includes provisions to encourage the design of new developments in a manner to avoid or minimize potential adverse impacts on environmentally sensitive areas. No changes to these regulations are proposed and the proposed master planned development provisions further support these provisions.

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

N/A

5. Animals

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

N/A

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

The U.S. Fish and Wildlife Service lists the following threatened and endangered species as potentially being present in Walla Walla County:

- *Western U.S. distinct population segment (DPS) yellow-billed cuckoo (Coccyzus Americanus) (Threatened). Note: The preferred habitat of this species is dense riparian forests, which are not present in the City.*
- *Columbia River DPS bull trout (Salvelinus Confluentus) (Threatened).*

The National Marine Fisheries Service lists several anadromous salmonid species as occurring in Walla Walla County, which is part of the Interior Columbia Domain; these include Snake River Sockeye (Endangered), Snake River Fall-Run Chinook (Threatened), Snake River Spring/Summer-Run Chinook (Threatened), Snake River Steelhead (Threatened), Upper Columbia River Spring-Run Chinook (Endangered), Upper Columbia River Steelhead (Threatened), and Middle Columbia River Steelhead (Threatened).

The Washington State Department of Fish and Wildlife Priority Habitats and Species website identifies records of federally listed species known to occur in the area. The Ferruginous Hawk is listed at the state level as Threatened.

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

The City is within the Pacific Flyway for migratory birds.

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

The proposed Unified Development Code includes updated regulations and procedures to protect critical Areas and wildlife habitat. No changes to these regulations are proposed and the proposed master planned development provisions further support these provisions.

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

N/A

6. Energy and natural resources

- 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.

N/A

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

N/A

- 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:

N/A

7. Environmental health

- 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.

N/A

- 1) Describe special emergency services that might be required.

N/A

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

CITY OF COLLEGE PLACE, WASHINGTON
ENVIRONMENTAL CHECKLIST
PROPOSED 2023 AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE
NOVEMBER 1, 2023

The Unified Development Code includes environmental review procedures to prevent or control environmental health hazards. No changes to these regulations are proposed.

b. Noise

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

N/A

- 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.

N/A

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

The Unified Development Code includes environmental review procedures to reduce or control noise impacts. No changes to these regulations are proposed.

8. Land and shoreline use

- 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 approximately 3,316 parcels in the City with approximately 67% being used for single family residences. Less than 10% of all parcels in the City are vacant. No significant adverse impacts that cannot be reasonably mitigated are anticipated. Project specific environmental reviews will be conducted to confirm this.

- 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 non-farm or non-forest use?

There are approximately 20 parcels in the City that are being used for agricultural purposes.

- 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:

N/A

- c. Describe any structures on the site.

N/A

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

N/A

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

The Unified Development Code implements the following zoning districts:

- *Single Family Residential.*
- *Manufactured Home Park.*
- *Multi-Family Residential.*
- *General Commercial.*
- *Light Industrial.*
- *Downtown Mixed-Use.*
- *University District; and*
- *Public Use.*

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

The City's Future Land Use Map contains the following designations:

- *Single Family Residential.*
- *Multiple Family Residential.*
- *Commercial.*
- *Light Industrial.*
- *College Avenue District.*
- *Walla Walla University; and*
- *Public Uses.*

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

There are no jurisdictional shorelines in the City of College Place.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

The following environmentally sensitive areas can be found in the City and are protected by the Unified Development Code. No changes to these regulations are proposed.

- *Critical aquifer recharge areas.*
- *Wetlands.*
- *Frequently flooded areas.*
- *Geologically hazardous areas; and*
- *Fish and wildlife habitat conservation areas.*

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

N/A

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

N/A

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

N/A

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

The proposed amendments implement recent state legislative enactments and/or are consistent with the City's Comprehensive Plan.

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

N/A

9. Housing

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

The proposed housing related amendments are intended to increase the supply of housing in the community with a particular emphasis on accessory dwelling units. The principal change increases the number of accessory dwelling units that may be permitted on a site from 1 to 2.

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

N/A

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

The proposed housing related amendments are intended to increase the supply of housing in the community with a particular emphasis on accessory dwelling units. The principal change increases the number of accessory dwelling units that may be permitted on a site from 1 to 2.

10. Aesthetics

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

N/A

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

N/A

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

N/A

11. Light and glare

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

N/A

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

N/A

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

N/A

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

The proposed Unified Development Code includes standards to prevent, reduce, or control light and glare impacts. No changes to these regulations are proposed.

12. Recreation

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

*-Kiwanis Park.
-Lions Park.
-Harvest Meadows Park; and
-Veterans Park at Homestead.*

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

N/A

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

N/A.

13. Historic and cultural preservation

- 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.

N/A

- 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.

N/A

- 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 archaeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

The Unified Development Code includes updated procedures and standards to protect historic and cultural resources including requirements for consultation with the Confederated Tribes of the Umatilla Indian Reservation. No changes to these regulations are proposed.

- 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 Unified Development Code includes updated procedures and standards to protect historic and cultural resources. No changes to these regulations are proposed.

a.

b.

c.

14. Transportation

- 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.

There is a transportation system map in the Comprehensive Plan.

- 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?

N/A

- c. 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).

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

- e. 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 non-passenger vehicles). What data or transportation models were used to make these estimates?

NA.

- f. 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.

No.

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

The Unified Development Code includes environmental review procedures and development standards to reduce or control transportation impacts. No changes to these regulations are proposed.

15. Public services

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

N/A

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

N/A

16. Utilities

- a. Identify utilities currently available at the site:

The City provides a full range of municipal services which are complemented by two electrical service providers, private telephone, and private natural gas providers.

- 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.

N/A

C. SIGNATURE

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: Jon Rickard

Position and Agency/Organization: Community Development Director, City of College Place

Date Submitted: November 1, 2023

D. SUPPLEMENTAL SHEET FOR NON-PROJECT ACTIONS

- 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?**

It would not.

Proposed measures to avoid or reduce such increases are:

The Unified Development Code includes updated environmental review procedures and development standards to prevent inappropriate discharge to water, unacceptable emissions to air, unacceptable noise levels, and to regulate the use of hazardous substances. No changes to these regulations are proposed.

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

No changes to the City's environmental regulations are proposed.

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

The Unified Development Code includes updated environmental review procedures and development standards to protect or conserve plants, animals, fish. No changes to these regulations are proposed.

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

It would not.

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

The Unified Development Code includes updated environmental review procedures and development standards to protect or conserve energy and natural resources. No changes to these regulations are proposed.

- 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?**

It would not.

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

The Unified Development Code includes environmental review procedures and development standards to protect environmentally sensitive areas and other areas designated for local, state, or federal government protection. No changes to these regulations are proposed.

- 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 proposed amendments are intended to support the development of additional housing in the community, streamline the processing of permits, and to clarify existing development standards.

CITY OF COLLEGE PLACE, WASHINGTON
ENVIRONMENTAL CHECKLIST
PROPOSED 2023 AMENDMENTS TO THE CITY'S UNIFIED DEVELOPMENT CODE
NOVEMBER 1, 2023

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

There are no jurisdictional shoreline areas within the City limits. The Unified Development Code includes environmental review procedures and development standards to promote compatible land uses and to avoid, minimize, or mitigate potential adverse land use impacts. No changes to these regulations are proposed.

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

The proposed amendments are not anticipated to increase demand for these services.

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

The Unified Development Code includes environmental review procedures and development standards to mitigate project specific impacts on transportation, public services, and utilities. No changes to these regulations are proposed.

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

No conflicts have been identified. The proposed amendments implement several recent state legislative enactments.

CITY OF COLLEGE PLACE, WA
NOTICE OF APPLICATION
COMPLIANCE WITH STATE ENVIRONMENTAL POLICY ACT
NOTICE OF PUBLIC COMMENT
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of College Place, Washington has prepared draft revisions to the City Development Regulations in accordance with the provisions of the Washington State Growth Management Act. In addition, an Environmental Checklist for this non-project action has been prepared in accordance with the provisions of the Washington State Environmental Policy Act. Copies of these documents are available for review on the City's website at:

<https://www.cpwa.us/public-notice>

It is anticipated that the City will issue a Determination of Non-Significance for this non-project action. As a result, a single integrated public review and comment period is being provided to receive comments on the draft Title 14 - Unified Development Regulations and the likely SEPA Threshold Determination in accordance with the Optional DNS process outlined in WAC 197-11-340(2). This may be the last opportunity to comment on the environmental impacts of this proposed non-project action and mitigation measures may be included under applicable codes regardless of whether an EIS is prepared. Comments on the environmental review must be submitted by **no later than 4:00PM on November 17, 2023** to Jon Rickard, College Place Community Development Director, 625 S College Avenue, College Place, WA 99324 or via email at jrickard@cpwa.us.

The Planning Commission will hold a public hearing live at 625 S College Avenue and via Zoom.us on **November 21, 2023 at 7:00 PM** to consider the draft Unified Development Regulations and any comments received.

Written comments on the draft Unified Development Regulations or likely SEPA Threshold Determination must be submitted, **no later than 5:00 PM on November 20, 2023** to Jon Rickard, College Place Community Development Director, 625 S College Avenue, College Place, WA 99324 or via email at jrickard@cpwa.us. Written comments may also be submitted during the public hearing portion of the meeting on November 21, 2023.

The Zoom attendee link is: <https://us06web.zoom.us/j/86174259971>

Zoom ID: 861 7425 9971

All comments received will be reviewed by the Planning Commission and will be included as a part of the public record that is forwarded to the College Place City Council.

It is anticipated that the City Council will review the Planning Commission's recommendation at their regularly scheduled workshop on December 5th and that action by the City Council is expected to be taken during the December 12th meeting. If you would like to receive notices regarding future meetings and public hearings on the Unified Development Regulations and/or to receive a copy of the SEPA Threshold Determination, or if you have questions regarding the update of the development code process, please call Jon Rickard at 509-394-8524 or email him at jrickard@cpwa.us.

Publish November 4, 2023 – Legal section of Union Bulletin



THANK YOU

We have received your amendment submission. Please allow 1-3 business days for review. Please keep the Submittal ID as your receipt and for any future questions. We will also send an email receipt to all contacts listed in the submittal.

Submittal ID: 2023-S-6599

Submittal Date Time: 11/03/2023

Submittal Information

Jurisdiction	City of College Place
Submittal Type	Request for Expedited Review / Notice of Intent to Adopt
Amendment Type	Amendment Development Regulation Amendment

Amendment Information

Brief Description

Proposed amendments to the College Place Unified Development Code for calendar year 2023.

☐ Yes, this is a part of the 10-year periodic update schedule, required under RCW 36.70A.130.

Anticipated/Proposed Date of Adoption 12/12/2023

Categories

Submittal Category
Administrative/Procedural
Development Regulations
Housing
State Environmental Policy Act (SEPA)
Zoning Code

Attachments

Attachment Type	File Name	Upload Date
Development Regulation Amendment - Draft	2023.11.01 SEPA GMA Public Review Draft UDC 11-01-23a.pdf	11/03/2023 12:58 PM

Contact Information

Prefix	Mr.
First Name	Jon
Last Name	Rickard
Title	Community Development Director
Work	(509) 394-8524
Cell	
Email	jrickard@cpwa.us

☐ Yes, I would like to be contacted for Technical Assistance.

Certification

■ I certify that I am authorized to submit this Amendment for the Jurisdiction identified in this Submittal and all information provided is true and accurate to the best of my knowledge.

Full Name	Jonathan J Rickard
Email	jrickard@cpwa.us

G. R. Dohrn and Associates

Memorandum

Date: November 15, 2023

To: College Place Planning Commission

From: Gregg Dohrn and Jon Rickard

Subject: November 21, 2023, Planning Commission Meeting

On Tuesday November 21, 2023, the Planning Commission will be conducting a public hearing to receive comments on potential amendments to the College Place Unified Development Code. A copy of these amendments is attached and in general terms includes the following:

1. Amendments to CPMC 14.30 Permit Processing Procedures to implement state legislation effective July 23, 2023 (SSSB 5290) intended to further streamline the local project review process mandated by the Washington State Growth Management Act.
2. Amendments to CPMC 14.60.170 Accessory Buildings, Structures, Dwelling Units, and Uses to implement recent state legislation (EHB 1337) to expand housing options by further removing barriers to the construction and use of accessory dwelling units.
3. Amendments to CPMC 14.40.140 Categorical Exemptions to revise several of the flexible SEPA Thresholds for minor new construction as authorized by state law and in consideration of revisions adopted by the City of Walla Walla to provide for a uniform regional approach, including:
 - a. Increasing the exemption for the construction or location of single family residences from nine(9) to fourteen (14).
 - b. Exempting the construction or location of up to sixty (60) multi-family residential dwelling units.
 - c. Clarifying that the exemption applicable to the construction of agricultural facilities does not apply to commercial feed lots.
 - d. Increasing the exemption for landfill or excavation throughout the total lifetime of a project from 200 cubic yards to 1,000 cubic yards.
4. Amendments to CPMC 14.60.140 Mobile Vendors and Vendor Food Courts and CPMC 14.60.145 Temporary Use of Sidewalks and Public Spaces to further streamline the permitting of food carts and food courts, to provide appropriate measures to protect the public health and safety, and in consideration of regulations adopted by the City of Walla Walla to provide for a more uniform regional approach.

G. R. Dohrn and Associates

5. Amendments to CPMC 14.1209 Building and Construction to update the references to the International Building and related codes as adopted and implemented by the City in accordance with state law.
6. Housekeeping amendments including:
 - a. Clarifying the setback requirements applicable to corner lots.
 - b. Updating gender references.

Following the public hearing, there will be an opportunity for the Planning Commission to discuss the public comments and to make a recommendation to the City Council.

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1337

68th Legislature
2023 Regular Session

Passed by the House April 14, 2023
Yeas 85 Nays 11

**Speaker of the House of
Representatives**

Passed by the Senate April 6, 2023
Yeas 39 Nays 7

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1337** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1337

AS AMENDED BY THE SENATE

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

2023 Regular Session

By Representatives Gregerson, Barkis, Berry, Christian, Duerr, Fitzgibbon, Taylor, Ramel, Reeves, Simmons, Walen, Graham, Bateman, Reed, Lekanoff, Doglio, Tharinger, Cortes, Macri, and Stonier

Read first time 01/16/23. Referred to Committee on Housing.

1 AN ACT Relating to expanding housing options by easing barriers
2 to the construction and use of accessory dwelling units; amending RCW
3 36.70A.696, 43.21C.495, and 36.70A.280; adding new sections to
4 chapter 36.70A RCW; adding a new section to chapter 64.34 RCW; adding
5 a new section to chapter 64.32 RCW; adding a new section to chapter
6 64.38 RCW; adding a new section to chapter 64.90 RCW; creating a new
7 section; and repealing RCW 35.63.210, 35A.63.230, 36.70A.400,
8 36.70.677, and 43.63A.215.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

10 NEW SECTION. **Sec. 1.** (1) The legislature makes the following
11 findings:

12 (a) Washington state is experiencing a housing affordability
13 crisis. Many communities across the state are in need of more housing
14 for renters across the income spectrum.

15 (b) Many cities dedicate the majority of residentially zoned land
16 to single detached houses that are increasingly financially out of
17 reach for many households. Due to their smaller size, accessory
18 dwelling units can provide a more affordable housing option in those
19 single-family zones.

20 (c) Localities can start to correct for historic economic and
21 racial exclusion in single-family zones by opening up these

1 neighborhoods to more diverse housing types, including accessory
2 dwelling units, that provide lower cost homes. Increasing housing
3 options in expensive, high-opportunity neighborhoods will give more
4 families access to schools, parks, and other public amenities
5 otherwise accessible to only the wealthy.

6 (d) Accessory dwelling units are frequently rented below market
7 rate, providing additional affordable housing options for renters.

8 (e) Accessory dwelling units can also help to provide housing for
9 very low-income households. More than 10 percent of accessory
10 dwelling units in some areas are occupied by tenants who pay no rent
11 at all; among these tenants are grandparents, adult children, family
12 members with disabilities, friends going through life transitions,
13 and community members in need. Accessory dwelling units meet the
14 needs of these people who might otherwise require subsidized housing
15 space and resources.

16 (f) Accessory dwelling units can meet the needs of Washington's
17 growing senior population, making it possible for this population to
18 age in their communities by offering senior-friendly housing, which
19 prioritizes physical accessibility, in walkable communities near
20 amenities essential to successful aging in place, including transit
21 and grocery stores, without requiring costly renovations of existing
22 housing stock.

23 (g) Homeowners who add an accessory dwelling unit may benefit
24 from added income and an increased sense of security.

25 (h) Accessory dwelling units provide environmental benefits. On
26 average they are more energy efficient than single detached houses,
27 and they incentivize adaptive reuse of existing homes and materials.

28 (i) Siting accessory dwelling units near transit hubs, employment
29 centers, and public amenities can help to reduce greenhouse gas
30 emissions by increasing walkability, shortening household commutes,
31 and curtailing sprawl.

32 (2) The legislature intends to promote and encourage the creation
33 of accessory dwelling units as a means to address the need for
34 additional affordable housing options.

35 **Sec. 2.** RCW 36.70A.696 and 2021 c 306 s 2 are each amended to
36 read as follows:

37 The definitions in this section apply throughout RCW 36.70A.697
38 ~~((and)),~~ 36.70A.698, and sections 3 and 4 of this act unless the
39 context clearly requires otherwise.

1 (1) "Accessory dwelling unit" means a dwelling unit located on
2 the same lot as a single-family housing unit, duplex, triplex,
3 townhome, or other housing unit.

4 (2) "Attached accessory dwelling unit" means an accessory
5 dwelling unit located within or attached to a single-family housing
6 unit, duplex, triplex, townhome, or other housing unit.

7 (3) "City" means any city, code city, and town located in a
8 county planning under RCW 36.70A.040.

9 (4) "County" means any county planning under RCW 36.70A.040.

10 (5) "Detached accessory dwelling unit" means an accessory
11 dwelling unit that consists partly or entirely of a building that is
12 separate and detached from a single-family housing unit, duplex,
13 triplex, townhome, or other housing unit and is on the same property.

14 (6) "Dwelling unit" means a residential living unit that provides
15 complete independent living facilities for one or more persons and
16 that includes permanent provisions for living, sleeping, eating,
17 cooking, and sanitation.

18 (7) "Gross floor area" means the interior habitable area of a
19 dwelling unit including basements and attics but not including a
20 garage or accessory structure.

21 (8) "Major transit stop" means:

22 (a) A stop on a high capacity transportation system funded or
23 expanded under the provisions of chapter 81.104 RCW;

24 (b) Commuter rail stops;

25 (c) Stops on rail or fixed guideway systems, including
26 transitways;

27 (d) Stops on bus rapid transit routes or routes that run on high
28 occupancy vehicle lanes; or

29 (e) Stops for a bus or other transit mode providing actual fixed
30 route service at intervals of at least fifteen minutes for at least
31 five hours during the peak hours of operation on weekdays.

32 ~~((+8))~~ (9) "Owner" means any person who has at least 50 percent
33 ownership in a property on which an accessory dwelling unit is
34 located.

35 ~~((+9))~~ (10) "Principal unit" means the single-family housing
36 unit, duplex, triplex, townhome, or other housing unit located on the
37 same lot as an accessory dwelling unit.

38 (11) "Short-term rental" means a lodging use, that is not a hotel
39 or motel or bed and breakfast, in which a dwelling unit, or portion

thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than 30 consecutive nights.

NEW SECTION. **Sec. 3.** A new section is added to chapter 36.70A RCW to read as follows:

(1)(a) Cities and counties planning under this chapter must adopt or amend by ordinance, and incorporate into their development regulations, zoning regulations, and other official controls the requirements of this section and of section 4 of this act, to take effect six months after the jurisdiction's next periodic comprehensive plan update required under RCW 36.70A.130.

(b) In any city or county that has not adopted or amended ordinances, regulations, or other official controls as required under this section, the requirements of this section and section 4 of this act supersede, preempt, and invalidate any conflicting local development regulations.

(2) Ordinances, development regulations, and other official controls adopted or amended pursuant to this section and section 4 of this act must only apply in the portions of towns, cities, and counties that are within urban growth areas designated under this chapter.

(3) Any action taken by a city or county to comply with the requirements of this section or section 4 of this act is not subject to legal challenge under this chapter or chapter 43.21C RCW.

(4) Nothing in this section or section 4 of this act requires or authorizes a city or county to authorize the construction of an accessory dwelling unit in a location where development is restricted under other laws, rules, or ordinances as a result of physical proximity to on-site sewage system infrastructure, critical areas, or other unsuitable physical characteristics of a property.

(5) Nothing in this section or in section 4 of this act prohibits a city or county from:

(a) Restricting the use of accessory dwelling units for short-term rentals;

(b) Applying public health, safety, building code, and environmental permitting requirements to an accessory dwelling unit that would be applicable to the principal unit, including regulations to protect ground and surface waters from on-site wastewater;

(c) Applying generally applicable development regulations to the construction of an accessory unit, except when the application of

1 such regulations would be contrary to this section or to section 4 of
2 this act;

3 (d) Prohibiting the construction of accessory dwelling units on
4 lots that are not connected to or served by public sewers; or

5 (e) Prohibiting or restricting the construction of accessory
6 dwelling units in residential zones with a density of one dwelling
7 unit per acre or less that are within areas designated as wetlands,
8 fish and wildlife habitats, flood plains, or geologically hazardous
9 areas.

10 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70A
11 RCW to read as follows:

12 (1) In addition to ordinances, development regulations, and other
13 official controls adopted or amended to comply with this section and
14 section 3 of this act, a city or county must comply with all of the
15 following policies:

16 (a) The city or county may not assess impact fees on the
17 construction of accessory dwelling units that are greater than 50
18 percent of the impact fees that would be imposed on the principal
19 unit;

20 (b) The city or county may not require the owner of a lot on
21 which there is an accessory dwelling unit to reside in or occupy the
22 accessory dwelling unit or another housing unit on the same lot;

23 (c) The city or county must allow at least two accessory dwelling
24 units on all lots that are located in all zoning districts within an
25 urban growth area that allow for single-family homes in the following
26 configurations:

27 (i) One attached accessory dwelling unit and one detached
28 accessory dwelling unit;

29 (ii) Two attached accessory dwelling units; or

30 (iii) Two detached accessory dwelling units, which may be
31 comprised of either one or two detached structures;

32 (d) The city or county must permit accessory dwelling units in
33 structures detached from the principal unit;

34 (e) The city or county must allow an accessory dwelling unit on
35 any lot that meets the minimum lot size required for the principal
36 unit;

37 (f) The city or county may not establish a maximum gross floor
38 area requirement for accessory dwelling units that is less than 1,000
39 square feet;

1 (g) The city or county may not establish roof height limits on an
2 accessory dwelling unit of less than 24 feet, unless the height
3 limitation that applies to the principal unit is less than 24 feet,
4 in which case a city or county may not impose roof height limitation
5 on accessory dwelling units that is less than the height limitation
6 that applies to the principal unit;

7 (h) A city or county may not impose setback requirements, yard
8 coverage limits, tree retention mandates, restrictions on entry door
9 locations, aesthetic requirements, or requirements for design review
10 for accessory dwelling units that are more restrictive than those for
11 principal units;

12 (i) A city or county must allow detached accessory dwelling units
13 to be sited at a lot line if the lot line abuts a public alley,
14 unless the city or county routinely plows snow on the public alley;

15 (j) A city or county must allow accessory dwelling units to be
16 converted from existing structures, including but not limited to
17 detached garages, even if they violate current code requirements for
18 setbacks or lot coverage;

19 (k) A city or county may not prohibit the sale or other
20 conveyance of a condominium unit independently of a principal unit
21 solely on the grounds that the condominium unit was originally built
22 as an accessory dwelling unit; and

23 (l) A city or county may not require public street improvements
24 as a condition of permitting accessory dwelling units.

25 (2)(a) A city or county subject to the requirements of this
26 section may not:

27 (i) Require off-street parking as a condition of permitting
28 development of accessory dwelling units within one-half mile walking
29 distance of a major transit stop;

30 (ii) Require more than one off-street parking space per unit as a
31 condition of permitting development of accessory dwelling units on
32 lots smaller than 6,000 square feet before any zero lot line
33 subdivisions or lot splits; and

34 (iii) Require more than two off-street parking spaces per unit as
35 a condition of permitting development of accessory dwelling units on
36 lots greater than 6,000 square feet before any zero lot line
37 subdivisions or lot splits.

38 (b) The provisions of (a) of this subsection do not apply:

39 (i) If a local government submits to the department an empirical
40 study prepared by a credentialed transportation or land use planning

expert that clearly demonstrates, and the department finds and certifies, that the application of the parking limitations of (a) of this subsection for accessory dwelling units will be significantly less safe for vehicle drivers or passengers, pedestrians, or bicyclists than if the jurisdiction's parking requirements were applied to the same location for the same number of detached houses. The department must develop guidance to assist cities and counties on items to include in the study; or

(ii) To portions of cities within a one mile radius of a commercial airport in Washington with at least 9,000,000 annual enplanements.

(3) When regulating accessory dwelling units, cities and counties may impose a limit of two accessory dwelling units, in addition to the principal unit, on a residential lot of 2,000 square feet or less.

(4) The provisions of this section do not apply to lots designated with critical areas or their buffers as designated in RCW 36.70A.060, or to a watershed serving a reservoir for potable water if that watershed is or was listed, as of the effective date of this section, as impaired or threatened under section 303(d) of the federal clean water act (33 U.S.C. Sec. 1313(d)).

NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A RCW to read as follows:

To encourage the use of accessory dwelling units for long-term housing, cities and counties may adopt ordinances, development regulations, and other official controls which waive or defer fees, including impact fees, defer the payment of taxes, or waive specific regulations. Cities and counties may only offer such reduced or deferred fees, deferred taxes, waivers, or other incentives for the development or construction of accessory dwelling units if:

(1) The units are located within an urban growth area; and

(2) The units are subject to a program adopted by the city or county with effective binding commitments or covenants that the units will be primarily utilized for long-term housing consistent with the public purpose for this authorization.

Sec. 6. RCW 43.21C.495 and 2022 c 246 s 3 are each amended to read as follows:

1 (1) Adoption of ordinances, development regulations and
2 amendments to such regulations, and other nonproject actions taken by
3 a city to implement: The actions specified in section 2, chapter 246,
4 Laws of 2022 unless the adoption of such ordinances, development
5 regulations and amendments to such regulations, or other nonproject
6 actions has a probable significant adverse impact on fish habitat;
7 and the increased residential building capacity actions identified in
8 RCW 36.70A.600(1), with the exception of the action specified in RCW
9 36.70A.600(1)(f), are not subject to administrative or judicial
10 appeals under this chapter.

11 (2) Adoption of ordinances, development regulations and
12 amendments to such regulations, and other nonproject actions taken by
13 a city or county consistent with the requirements of sections 3 and 4
14 of this act are not subject to administrative or judicial appeals
15 under this chapter.

16 **Sec. 7.** RCW 36.70A.280 and 2011 c 360 s 17 are each amended to
17 read as follows:

18 (1) The growth management hearings board shall hear and determine
19 only those petitions alleging either:

20 (a) That, except as provided otherwise by this subsection, a
21 state agency, county, or city planning under this chapter is not in
22 compliance with the requirements of this chapter, chapter 90.58 RCW
23 as it relates to the adoption of shoreline master programs or
24 amendments thereto, or chapter 43.21C RCW as it relates to plans,
25 development regulations, or amendments, adopted under RCW 36.70A.040
26 or chapter 90.58 RCW. Nothing in this subsection authorizes the board
27 to hear petitions alleging noncompliance ~~((with RCW 36.70A.5801))~~
28 based on a city or county's actions taken to implement the
29 requirements of sections 3 and 4 of this act within an urban growth
30 area;

31 (b) That the ~~((twenty-))~~ 20-year growth management planning
32 population projections adopted by the office of financial management
33 pursuant to RCW 43.62.035 should be adjusted;

34 (c) That the approval of a work plan adopted under RCW
35 36.70A.735(1)(a) is not in compliance with the requirements of the
36 program established under RCW 36.70A.710;

37 (d) That regulations adopted under RCW 36.70A.735(1)(b) are not
38 regionally applicable and cannot be adopted, wholly or partially, by
39 another jurisdiction; or

1 (e) That a department certification under RCW 36.70A.735(1)(c) is
2 erroneous.

3 (2) A petition may be filed only by: (a) The state, or a county
4 or city that plans under this chapter; (b) a person who has
5 participated orally or in writing before the county or city regarding
6 the matter on which a review is being requested; (c) a person who is
7 certified by the governor within (~~sixty~~) 60 days of filing the
8 request with the board; or (d) a person qualified pursuant to RCW
9 34.05.530.

10 (3) For purposes of this section "person" means any individual,
11 partnership, corporation, association, state agency, governmental
12 subdivision or unit thereof, or public or private organization or
13 entity of any character.

14 (4) To establish participation standing under subsection (2)(b)
15 of this section, a person must show that his or her participation
16 before the county or city was reasonably related to the person's
17 issue as presented to the board.

18 (5) When considering a possible adjustment to a growth management
19 planning population projection prepared by the office of financial
20 management, the board shall consider the implications of any such
21 adjustment to the population forecast for the entire state.

22 The rationale for any adjustment that is adopted by the board
23 must be documented and filed with the office of financial management
24 within ten working days after adoption.

25 If adjusted by the board, a county growth management planning
26 population projection shall only be used for the planning purposes
27 set forth in this chapter and shall be known as the "board adjusted
28 population projection." None of these changes shall affect the
29 official state and county population forecasts prepared by the office
30 of financial management, which shall continue to be used for state
31 budget and planning purposes.

32 NEW SECTION. **Sec. 8.** A new section is added to chapter 36.70A
33 RCW to read as follows:

34 (1) By December 31, 2023, the department must revise its
35 recommendations for encouraging accessory dwelling units to include
36 the provisions of sections 3 and 4 of this act.

37 (2) During each comprehensive plan review required by RCW
38 36.70A.130, the department must review local government comprehensive
39 plans and development regulations for compliance with sections 3 and

1 4 of this act and the department's recommendations under subsection
2 (1) of this section.

3 NEW SECTION. **Sec. 9.** A new section is added to chapter 64.34
4 RCW to read as follows:

5 (1) Except a declaration created to protect public health and
6 safety, and ground and surface waters from on-site wastewater, a
7 declaration created after the effective date of this section and
8 applicable to a property located within an urban growth area may not
9 impose any restriction or prohibition on the construction,
10 development, or use on a lot of an accessory dwelling unit that the
11 city or county in which the urban growth area is located would be
12 prohibited from imposing under section 4 of this act.

13 (2) For the purposes of this section, "urban growth area" has the
14 same meaning as in RCW 36.70A.030.

15 (3) A city or county issuing a permit for the construction of an
16 accessory dwelling unit may not be held civilly liable on the basis
17 that the construction of the accessory dwelling unit would violate a
18 restrictive covenant or deed restriction.

19 NEW SECTION. **Sec. 10.** A new section is added to chapter 64.32
20 RCW to read as follows:

21 (1) Except a declaration created to protect public health and
22 safety, and ground and surface waters from on-site wastewater, a
23 declaration created after the effective date of this section and
24 applicable to a property located within an urban growth area may not
25 impose any restriction or prohibition on the construction,
26 development, or use on a lot of an accessory dwelling unit that the
27 city or county in which the urban growth area is located would be
28 prohibited from imposing under section 4 of this act.

29 (2) For the purposes of this section, "urban growth area" has the
30 same meaning as in RCW 36.70A.030.

31 (3) A city or county issuing a permit for the construction of an
32 accessory dwelling unit may not be held civilly liable on the basis
33 that the construction of the accessory dwelling unit would violate a
34 restrictive covenant or deed restriction.

35 NEW SECTION. **Sec. 11.** A new section is added to chapter 64.38
36 RCW to read as follows:

(1) Except governing documents of associations created to protect public health and safety, and ground and surface waters from on-site wastewater, governing documents of associations created after the effective date of this section and applicable to a property located within an urban growth area may not impose any restriction or prohibition on the construction, development, or use on a lot of an accessory dwelling unit that the city or county in which the urban growth area is located would be prohibited from imposing under section 4 of this act.

(2) For the purposes of this section, "urban growth area" has the same meaning as in RCW 36.70A.030.

(3) A city or county issuing a permit for the construction of an accessory dwelling unit may not be held civilly liable on the basis that the construction of the accessory dwelling unit would violate a restrictive covenant or deed restriction.

NEW SECTION. **Sec. 12.** A new section is added to chapter 64.90 RCW to read as follows:

(1) Except declarations and governing documents of common interest communities created to protect public health and safety, and ground and surface waters from on-site wastewater, declarations and governing documents of common interest communities created after the effective date of this section and applicable to a property located within an urban growth area may not impose any restriction or prohibition on the construction, development, or use on a lot of an accessory dwelling unit that the city or county in which the urban growth area is located would be prohibited from imposing under section 4 of this act.

(2) For the purposes of this section, "urban growth area" has the same meaning as in RCW 36.70A.030.

(3) A city or county issuing a permit for the construction of an accessory dwelling unit may not be held civilly liable on the basis that the construction of the accessory dwelling unit would violate a restrictive covenant or deed restriction.

NEW SECTION. **Sec. 13.** The following acts or parts of acts are each repealed:

(1) RCW 35.63.210 (Accessory apartments) and 1993 c 478 s 8;

(2) RCW 35A.63.230 (Accessory apartments) and 1993 c 478 s 9;

(3) RCW 36.70A.400 (Accessory apartments) and 1993 c 478 s 11;

1 (4) RCW 36.70.677 (Accessory apartments) and 1993 c 478 s 10; and
2 (5) RCW 43.63A.215 (Accessory apartments—Development and
3 placement—Local governments) and 1993 c 478 s 7.

--- **END** ---

WAC 197-11-970 DETERMINATION OF NONSIGNIFICANCE (DNS)

Description of Proposal: *The City of College Place intends to make amendments to the City's Unified Development Code (CPMC Title 14) in accordance with the provisions of the Washington State Growth Management Act. The principal revisions include:*

- a. Amendments to CPMC 14.30 Permit Processing Procedures to implement state legislation effective July 23, 2023 (SSSB 5290) intended to further streamline the local project review process mandated by the Washington State Growth Management Act.*
- b. Amendments to CPMC 14.60.170 Accessory Buildings, Structures, Dwelling Units, and Uses to implement recent state legislation (EHB 1337) to expand housing options by further removing barriers to the construction and use of accessory dwelling units.*
- c. Amendments to CPMC 14.40.140 Categorical Exemptions to revise several of the flexible SEPA Thresholds for minor new construction as authorized by state law and in consideration of revisions adopted by the City of Walla Walla to provide for a uniform regional approach, including:*
 - (1) Increasing the exemption for the construction or location of single family residences from nine(9) to fourteen (14).*
 - (2) Exempting the construction or location of up to sixty (60) multi-family residential dwelling units.*
 - (3) Clarifying that the exemption applicable to the construction of agricultural facilities does not apply to commercial feed lots.*
 - (4) Increasing the exemption for landfill or excavation throughout the total lifetime of a project from 200 cubic yards to 1,000 cubic yards.*
- d. Amendments to CPMC 14.60.140 Mobile Vendors and Vendor Food Courts and CPMC 14.60.145 Temporary Use of Sidewalks and Public Spaces to further streamline the permitting of food carts and food courts, to provide appropriate measures to protect the public health and safety, and in consideration of regulations adopted by the City of Walla Walla to provide for a more uniform regional approach.*
- e. Amendments to CPMC 14.1209 Building and Construction to update the references to the International Building and related codes as adopted and implemented by the City in accordance with state law.*
- f. Housekeeping amendments including:*

(1) Clarifying the setback requirements applicable to corner lots.

(2) Updating gender references.

Proponent: City of College Place
Community Development Department
625 S College Ave
College Place, WA 99324

Location of Proposal: The City of College Place

Lead Agency: City of College Place
625 S. College Ave.
College Place, WA 99324

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

- ☐ **There is no comment period for this DNS.**
- ☐ **This DNS is issued after using the optional DNS process in WAC [197-11-355](#). There is no further comment period on the DNS.**
- ☒ **This DNS is issued under WAC [197-11-340](#)(2); the lead agency will not act on this proposal for 14 days from the date below. Comments must be submitted by: November 17, 2023**

Responsible official: Jonathan J Rickard

Position/title: Community Development Director

Phone: 509-394-8524

Address: 625 S College Ave, College Place WA 99324

November 3, 2023
Date


Signature

From: [Jon Rickard](#)
To: [Aaron Miles](#); [Albert Green \(albert.greeniii2@charter.com\)](#); [Alex Zitterkopf](#); [Andy Coleman \(acoleman@wallawallawa.gov\)](#); [Andy Gomez](#); [Angelica Escalante](#); [Angie Peters \(angie@valleytransit.com\)](#); [Ashley Morton \(AshleyMorton@ctuir.org\)](#); [Barb McKinney \(bmckinney@wwcountyroads.com\)](#); [Bryan Maas \(bmaas@columbiarea.coop\)](#); [Carl Merkle \(CarlMerkle@ctuir.org\)](#); [Casey Barney](#); [Catherine Dickson \(catherinedickson@ctuir.org\)](#); [Centurylink \(relocations@centurylink.com\)](#); [Chris Walker \(cwalker@noanet.net\)](#); [Christian Nauer](#); [Cindy Fazio \(Cfazio@co.walla-walla.wa.us\)](#); [Dave Karl \(david.karl@dfw.wa.gov\)](#); [Delano Saluskin \(delano_saluskin@yakama.com\)](#); [Don Gibbard \(dgibbard@pocketinet.com\)](#); [Don Sims \(dsims@co.walla-walla.wa.us\)](#); [Doug Case](#); [Doug Eaton \(deaton@wallawallawa.gov\)](#); [Elizabeth Brochu \(siskroad@msn.com\)](#); [Elizabeth Chamberlain \(echamberlain@wallawallawa.gov\)](#); [Elizabeth Sanchez](#); [Emergency Management Dept \(emd@co.walla-walla.wa.us\)](#); [Erendira Cruz](#); [Eric James \(eric.james@wallawalla.edu\)](#); [Grant Glaus \(gglaus@columbiarea.com\)](#); [Grant Glauser](#); [Green Tank Water Dist. # 11 \(glmccracken@hotmail.com\)](#); [Guy Moura \(HSY\)](#); [Hallie Ladd \(hladd461@ecy.wa.gov\)](#); [Holley Bryant \(holley.bryant@valleyadventistschools.org\)](#); [info@warmsprings.com](#); [Jacob Prilucik \(PrilucJ@wsdot.wa.gov\)](#); [Jaime Diaz \(Jaime@basindisposal.com\)](#); [Jaime Gardipe](#); [James Fry \(jfry@cpps.org\)](#); [James Payne \(james@fwwm.org\)](#); [Jennifer Ballard \(jballard@co.walla-walla.wa.us\)](#); [Jerry Meninck](#); [Jodi Wagner \(jodi.wagner@wallawalla.edu\)](#); [John McVay \(john.mcvay@wallawalla.edu\)](#); [Jonathan D. Maland \(jmaland@wallawallawa.gov\)](#); [Joy Bader](#); [Kate Valdez \(kate@yakama.com\)](#); [kbealey@ci.walla-walla.wa.us](#); [Keith Baird \(keithb@nezperce.org\)](#); [Kenneth Hutchinson \(khutchinson@bpa.gov\)](#); [Kristi Scherger](#); [Kyle Clemens](#); ["kyle.wright@pacificorp.com"](#); [Lauren Prentice \(lprentice@co.walla-walla.wa.us\)](#); [Lisa Wasson-Seilo](#); [Liz Jessee](#); [Mark Eberlein \(mark.eberlein@dhs.gov\)](#); [Michael Laughery](#); [Michael Rizzitiello](#); [Neal Chavre](#); [npotec@nezperce.org](#); [Pamela Cress \(pam.cress@wallawalla.edu\)](#); [Pat Reay \(pr@portwallawalla.com\)](#); [Paul Gerola](#); [Paul Gonseth \(Gonsetp@wsdot.wa.gov\)](#); [Phil Barber \(philip.barber@cngc.com\)](#); [Prakash Ramoutar \(prakash.ramoutar@wallawalla.edu\)](#); [Preston Frederickson \(pfred@wallawallawa.gov\)](#); [Randall Key \(Randall.Key@pacificorp.com\)](#); [Randy Kline \(randy.kline@parks.wa.gov\)](#); ["Randy.Swearingin@pacificorp.com"](#); [Rick George \(rickgeorge@ctuir.org\)](#); [Rob Whitlam \(Rob.Whitlam@dahp.wa.gov\)](#); [Robert Brunoe](#); [Robert McAndrews](#); [rodney.cawston.cbc@colvilletribes.com](#); [Roger Johnson](#); [ron.coffell@cngc.com](#); [Sandy L Shelin \(Sandy.L.Shelin@usace.army.mil\)](#); [Scott Hall](#); [Scott Rae \(scott.rae@valleyadventistschools.org\)](#); [Shawn Steinmetz](#); [Shawna Larsen](#); [swalker@co.walla-walla.wa.us](#); [Thomas Cochran](#); [Tim Erkel \(Tim.R.Erkel@usace.army.mil\)](#); [Tina Fisher \(tina.c.fisher@usps.gov\)](#); [Tobias Mears](#); [Todd Brandenburg \(todd@PockeTiNet.com\)](#); [Tom Schirm \(Thomas.Schirm@dfw.wa.gov\)](#); [Trevor Congleton \(trevor.congleton@wallawalla.edu\)](#); [Tri State Steelheaders](#); [Troy Baker](#); [US Army Corps of Engineers](#); [Walla Walla County Department of Community Health \(health@co.walla-walla.wa.us\)](#); [William Bloom \(William.bloom@cngc.com\)](#); [Wrandoll Brenes-Morua \(wbrenes@pocketinet.net\)](#)
Subject: NOA - Public Comment - DNS - 2023 Development Regulation Update
Date: Friday, November 3, 2023 12:39:57 PM
Attachments: [Public Notice.2023.11.04.pdf](#)
[DNS College Place Development Regs 2023.11.03.pdf](#)
[Final SEPA Checklist 11-01-23A.pdf](#)
[image001.png](#)

Notice is hereby given that the City of College Place, Washington has prepared draft revisions to the City Development Regulations in accordance with the provisions of the Washington State Growth Management Act. In addition, an Environmental Checklist for this non-project action has been prepared in accordance with the provisions of the Washington State Environmental Policy Act. Copies of these documents are available for review on the City's website at:

<https://www.cpwa.us/public-notice>

It is anticipated that the City will issue a Determination of Non-Significance for this non-project action. As a result, a single integrated public review and comment period is being provided to receive comments on the draft Title 14 - Unified Development Regulations and the likely SEPA Threshold Determination in accordance with the Optional DNS process outlined in WAC 197-11-340(2). This may be the last opportunity to comment on the environmental impacts of this proposed non-project action and mitigation measures may be included under applicable codes regardless of whether an EIS is prepared. Comments on the environmental review must be submitted by **no later than 4:00PM on November 17, 2023** to Jon Rickard, College Place Community Development Director, 625 S College Avenue, College Place, WA 99324 or via email at jrickard@cpwa.us.

The Planning Commission will hold a public hearing live at 625 S College Avenue and via Zoom.us on **November 21, 2023 at 7:00 PM** to consider the draft Unified Development Regulations and any

comments received.

Written comments on the draft Unified Development Regulations or likely SEPA Threshold Determination must be submitted, **no later than 5:00 PM on November 20, 2023** to Jon Rickard, College Place Community Development Director, 625 S College Avenue, College Place, WA 99324 or via email at jrickard@cpwa.us. Written comments may also be submitted during the public hearing portion of the meeting on November 21, 2023.

The Zoom attendee link is: <https://us06web.zoom.us/j/86174259971>

Zoom ID: 861 7425 9971

All comments received will be reviewed by the Planning Commission and will be included as a part of the public record that is forwarded to the College Place City Council.

It is anticipated that the City Council will review the Planning Commission's recommendation at their regularly scheduled workshop on December 5th and that action by the City Council is expected to be taken during the December 12th meeting. If you would like to receive notices regarding future meetings and public hearings on the Unified Development Regulations and/or to receive a copy of the SEPA Threshold Determination, or if you have questions regarding the update of the development code process, please call Jon Rickard at 509-394-8524 or email him at jrickard@cpwa.us.

Jon Rickard
Community Development Director
City of College Place
509-394-8524



* * * SPECIAL PUBLIC DISCLOSURE NOTICE TO RECIPIENT(S): Information contained in any communication to or from the City of College Place, including attachments, may be subject to the disclosure requirements of Washington's Public Records Act, Ch. 42.56 RCW.

WAC 197-11-800 Categorical exemptions. The proposed actions contained in Part Nine are categorically exempt from threshold determination and EIS requirements, subject to the rules and limitations on categorical exemptions contained in WAC 197-11-305.

Note: The statutory exemptions contained in chapter 43.21C RCW are not included in Part Nine. Chapter 43.21C RCW should be reviewed in determining whether a proposed action not listed as categorically exempt in Part Nine is exempt by statute from threshold determination and EIS requirements.

(1) Minor new construction - Flexible thresholds.

(a) The exemptions in this subsection apply to all licenses required to undertake the construction in question. To be exempt under this subsection, the project must be equal to or smaller than the exempt level. For a specific proposal, the exempt level in (b) of this subsection shall control, unless the city/county in which the project is located establishes an exempt level under (c) of this subsection. If the proposal is located in more than one city/county, the lower of the agencies' adopted levels shall control, regardless of which agency is the lead agency. The exemptions in this subsection apply except when the project:

- (i) Is undertaken wholly or partly on lands covered by water;
- (ii) Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383;
- (iii) Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or
- (iv) Requires a land use decision that is not exempt under WAC 197-11-800(6).

(b) The following types of construction shall be exempt:

- (i) The construction or location of four attached or detached single family residential units.
- (ii) The construction or location of four multifamily residential units.
- (iii) The construction of a barn, loafing shed, farm equipment storage building, produce storage or packing structure, or similar agricultural structure, covering 10,000 square feet, and to be used only by the property owner or his or her agent in the conduct of farming the property. This exemption shall not apply to feed lots.
- (iv) The construction of an office, school, commercial, recreational, service or storage building with 4,000 square feet of gross floor area, and with associated parking facilities designed for 20 automobiles. This exemption includes parking lots for 20 or fewer automobiles not associated with a structure.

(v) Any fill or excavation of 100 cubic yards throughout the total lifetime of the fill or excavation and any excavation, fill or grading necessary for an exempt project in (i), (ii), (iii), or (iv) of this subsection shall be exempt.

(c) Cities, towns or counties may raise the exempt levels up to the maximum specified in (d) of this subsection by implementing ordinance or resolution. Such levels shall be specified in the agency's SEPA procedures (WAC 197-11-904). Separate maximum optional thresholds are established in (d) of this subsection applying to both incorporated areas and unincorporated urban growth areas in fully planning jurisdictions under RCW 36.70A.040; other unincorporated areas in fully planning counties; and jurisdictions in all other counties. Agencies may adopt the maximum level or a level between the minimum and maximum level. An agency may adopt a system of several exempt levels, such as different levels for different geographic areas, and mixed use projects.

At a minimum, the following process shall be met in order to raise the exempt levels.

(i) Documentation that the requirements for environmental analysis, protection and mitigation for impacts to elements of the environment (listed in WAC 197-11-444) have been adequately addressed for the development exempted. The requirements may be addressed in specific adopted development regulations, and applicable state and federal regulations. The city, town, or county must document the result of its outreach with the department of transportation on impacts to state-owned transportation facilities, including consideration of whether mitigation is necessary for impacts to state-owned transportation facilities.

(ii) Description in the findings or other appropriate section of the adopting ordinance or resolution of the locally established notice and comment opportunities for the public, affected tribes, and agencies regarding permitting of development projects included in these increased exemption levels.

(iii) Before adopting the ordinance or resolution containing the proposed new exemption levels, the agency shall provide a minimum of 60 days notice to affected tribes, agencies with expertise, affected jurisdictions, the department of ecology, and the public and provide an opportunity for comment.

(iv) The city, town, or county must document how specific adopted development regulations and applicable state and federal laws provide adequate protections for cultural and historic resources when exemption levels are raised. The requirements for notice and opportunity to comment for the public, affected tribes, and agencies in (c)(i) and (ii) of this subsection and the requirements for protection and mitigation in (c)(i) of this subsection must be specifically documented. The local ordinance or resolution shall include, but not be limited to, the following:

- Use of available data and other project review tools regarding known and likely cultural and historic resources, such as inventories and predictive models provided by the Washington department of archaeology and historic preservation, other agencies, and tribal governments.

- Planning and permitting processes that ensure compliance with applicable laws including chapters 27.44, 27.53, 68.50, and 68.60 RCW.

- Local development regulations that include at minimum preproject cultural resource review where warranted, and standard inadvertent discovery language (SIDL) for all projects.

(d) The maximum exemption levels applicable to (c) of this subsection are:

	Fully planning GMA counties			All other counties
Project types	Incorporated UGA	Unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Single family residential	30 units	30 units	20 units	20 units
Single family residential with the total square footage less than 1,500 square feet	100 units	30 units	20 units	20 units
Multifamily residential	200 units	60 units	25 units	25 units

	Fully planning GMA counties			All other counties
Project types	Incorporated UGA	Unincorporated UGA	Other unincorporated areas	Incorporated and unincorporated areas
Barn, loafing shed, farm equipment storage, produce storage or packing structure	40,000 square feet	40,000 square feet	40,000 square feet	40,000 square feet
Office, school, commercial, recreational, service, storage building, parking facilities	30,000 square feet and 90 parking spaces	30,000 square feet and 90 parking spaces	12,000 square feet and 40 parking spaces	12,000 square feet and 40 parking spaces
Fill or excavation	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards	1,000 cubic yards

(2) **Other minor new construction.**

(a) The exemptions in this subsection apply to all licenses required to undertake the following types of proposals except when the project:

- (i) Is undertaken wholly or partly on lands covered by water;
- (ii) Requires a license governing discharges to water that is not exempt under RCW 43.21C.0383;
- (iii) Requires a license governing emissions to air that is not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8); or
- (iv) Requires a land use decision that is not exempt under WAC 197-11-800 (6).

(b) The construction or designation of bus stops, loading zones, shelters, access facilities, pull-out lanes for taxicabs, transit and school vehicles, and designation of transit only lanes.

(c) The construction or installation of commercial on-premise signs, and public signs and signals, including those for traffic control and wayfinding.

(d) The construction or installation of minor road and street improvements by any agency or private party that include the following:

(i) Safety structures and equipment: Such as pavement marking, adding or removing turn restrictions, speed limit designation, physical measures to reduce motor vehicle traffic speed or volume, freeway surveillance and control systems, railroad protective devices (not including grade-separated crossings), grooving, glare screen, safety barriers, energy attenuators;

(ii) Transportation corridor landscaping (including the application of state of Washington approved herbicides by licensed personnel for right of way weed control as long as this is not within watersheds controlled for the purpose of drinking water quality;

(iii) Temporary traffic controls and detours;

(iv) Correction of substandard curves and intersections within existing rights of way, widening of a highway by less than a single lane width where capacity is not significantly increased and no new right of way is required;

(v) Adding auxiliary lanes for localized purposes, (weaving, climbing, speed change, etc.), where capacity is not significantly increased and no new right of way is required;

(vi) Channelization, rechannelization, elimination of sight restrictions at intersections, street lighting, guard rails and barricade installation;

(vii) Installation of catch basins and culverts for the purposes of road and street improvements;

(viii) Reconstruction of existing roadbed (existing curb-to-curb in urban locations), including adding or widening of shoulders where capacity is not increased and no new right of way is required;

(ix) Addition of bicycle lanes, paths and facilities, and pedestrian walks and paths including sidewalk extensions, but not including additional automobile lanes.

(e) Grading, excavating, filling, septic tank installations, and landscaping necessary for any building or facility exempted by subsections (1) and (2) of this section, as well as fencing and the construction of small structures and minor facilities accessory thereto.

(f) Additions or modifications to or replacement of any building or facility exempted by subsections (1) and (2) of this section when such addition, modification or replacement will not change the character of the building or facility in a way that would remove it from an exempt class.

(g) The demolition of any structure or facility, the construction of which would be exempted by subsections (1) and (2) of this section, except for structures or facilities with recognized historical significance such as listing in a historic register.

(h) The installation or removal of impervious underground or above-ground tanks, having a total capacity of 10,000 gallons or less except on agricultural and industrial lands. On agricultural and industrial lands, the installation or removal of impervious underground or above-ground tanks, having a total capacity of 60,000 gallons or less.

(i) The vacation of streets or roads, converting public right of way, and other changes in motor vehicle access.

(j) The installation of hydrological measuring devices, regardless of whether or not on lands covered by water.

(k) The installation of any property, boundary or survey marker, other than fences, regardless of whether or not on lands covered by water.

(1) The installation of accessory solar energy generation equipment on or attached to existing structures and facilities whereby the existing footprint and size of the building is not increased.

(3) **Repair, remodeling and maintenance activities.** The following activities shall be categorically exempt: The repair, remodeling, maintenance, or minor alteration of existing private or public structures, facilities or equipment, including utilities, recreation, and transportation facilities involving no material expansions or changes in use beyond that previously existing; except that, where undertaken wholly or in part on lands covered by water, only minor repair or replacement of structures may be exempt (examples include repair or replacement of piling, ramps, floats, or mooring buoys, or minor repair, alteration, or maintenance of docks). The following maintenance activities shall not be considered exempt under this subsection:

(a) Dredging of over 50 cubic yards of material;

(b) Reconstruction or maintenance of groins and similar shoreline protection structures;

(c) Replacement of utility cables that must be buried under the surface of the bedlands; or

(d) Repair/rebuilding of major dams, dikes, and reservoirs shall also not be considered exempt under this subsection.

(4) **Water rights.** Appropriations of one cubic foot per second or less of surface water, or of 2,250 gallons per minute or less of groundwater, for any purpose. The exemption covering not only the permit to appropriate water, but also any hydraulics permit, shoreline

permit or building permit required for a normal diversion or intake structure, well and pumphouse reasonably necessary to accomplish the exempted appropriation, and including any activities relating to construction of a distribution system solely for any exempted appropriation.

(5) **Purchase or sale of real property.** The following real property transactions by an agency shall be exempt:

(a) The purchase or acquisition of any right to real property.

(b) The sale, transfer or exchange of any publicly owned real property, but only if the property is not subject to a specifically designated and authorized public use established by the public landowner and used by the public for that purpose.

(c) Leasing, granting an easement for, or otherwise authorizing the use of real property when the property use will remain essentially the same as the existing use for the term of the agreement, or when the use under the lease, easement or other authorization is otherwise exempted by this chapter.

(6) **Land use decisions.** The following land use decisions shall be exempt:

(a) Land use decisions for exempt projects, except that rezones must comply with (c) of this subsection.

(b) Other land use decisions not qualified for exemption under subsection (a) (such as a home occupation or change of use) are exempt provided:

(i) The authorized activities will be conducted within an existing building or facility qualifying for exemption under WAC 197-11-800 (1) and (2); and

(ii) The activities will not change the character of the building or facility in a way that would remove it from an exempt class.

(c) Where an exempt project requires a rezone, the rezone is exempt only if:

(i) The project is in an urban growth area in a city or county planning under RCW 36.70A.040;

(ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and

(iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.

(d) Except upon lands covered by water, the approval of short plats or short subdivisions pursuant to the procedures required by RCW 58.17.060, and short plats or short subdivisions within the original short subdivision boundaries provided the cumulative divisions do not exceed the total lots allowed to be created under RCW 58.17.020. This exemption includes binding site plans authorized by RCW 58.17.035 up to the same number of lots allowed by the jurisdiction as a short subdivision.

(e) Granting of variance based on special circumstances, not including economic hardship, applicable to the subject property, such as size, shape, topography, location or surroundings and not resulting in any change in land use or density.

(f) Alteration of property lines as authorized by RCW 58.17.040(6).

(7) **Open burning.** Opening burning and the issuance of any license for open burning shall be exempt. The adoption of plans, programs, objectives or regulations by any agency incorporating general standards respecting open burning shall not be exempt.

(8) **Clean Air Act.** The granting of variances under RCW 70.94.181 extending applicable air pollution control requirements for one year or less shall be exempt.

(9) **Water quality certifications.** The granting or denial of water quality certifications under the Federal Clean Water Act (Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1341) shall be exempt.

(10) **Activities of the state legislature.** All actions of the state legislature are exempted.

(11) **Judicial activity.** The following shall be exempt:

(a) All adjudicatory actions of the judicial branch.

(b) Any quasi-judicial action of any agency if such action consists of the review of a prior administrative or legislative decision. Decisions resulting from contested cases or other hearing processes conducted prior to the first decision on a proposal or upon any application for a rezone, conditional use permit or other similar permit not otherwise exempted by this chapter, are not exempted by this subsection.

(12) **Enforcement and inspections.** The following enforcement and inspection activities shall be exempt:

(a) All actions, including administrative orders and penalties, undertaken to enforce a statute, regulation, ordinance, resolution or prior decision. No license shall be considered exempt by virtue of this subsection; nor shall the adoption of any ordinance, regulation or resolution be considered exempt by virtue of this subsection.

(b) All inspections conducted by an agency of either private or public property for any purpose.

(c) All activities of fire departments and law enforcement agencies except physical construction activity.

(d) Any action undertaken by an agency to abate a nuisance or to abate, remove or otherwise cure any hazard to public health or safety. The application of pesticides and chemicals is not exempted by this subsection but may be exempted elsewhere in these guidelines. No license or adoption of any ordinance, regulation or resolution shall be considered exempt by virtue of this subsection.

(e) Any suspension or revocation of a license for any purpose.

(13) **Business and other regulatory licenses.** The following business and other regulatory licenses are exempt:

(a) All licenses to undertake an occupation, trade or profession.

(b) All licenses required under electrical, fire, plumbing, heating, mechanical, and safety codes and regulations, but not including building permits.

(c) All licenses to operate or engage in amusement devices and rides and entertainment activities including, but not limited to, cabarets, carnivals, circuses and other traveling shows, dances, music machines, golf courses, and theaters, including approval of the use of public facilities for temporary civic celebrations, but not including licenses or permits required for permanent construction of any of the above.

(d) All licenses to operate or engage in charitable or retail sales and service activities including, but not limited to, peddlers, solicitors, second hand shops, pawnbrokers, vehicle and housing rental agencies, tobacco sellers, close out and special sales, fireworks, massage parlors, public garages and parking lots, and used automobile dealers.

(e) All licenses for private security services including, but not limited to, detective agencies, merchant and/or residential patrol

agencies, burglar and/or fire alarm dealers, guard dogs, locksmiths, and bail bond services.

(f) All licenses for vehicles for-hire and other vehicle related activities including, but not limited to, taxicabs, ambulances, and tow trucks: Provided, That regulation of common carriers by the utilities and transportation commission shall not be considered exempt under this subsection.

(g) All licenses for food or drink services, sales, and distribution including, but not limited to, restaurants, liquor, and meat.

(h) All animal control licenses including, but not limited to, pets, kennels, and pet shops. Establishment or construction of such a facility shall not be considered exempt by this subsection.

(i) The renewal or reissuance of a license regulating any present activity or structure so long as no material changes are involved.

(14) **Activities of agencies.** The following administrative, fiscal and personnel activities of agencies shall be exempt:

(a) The procurement and distribution of general supplies, equipment and services authorized or necessitated by previously approved functions or programs.

(b) The assessment and collection of taxes.

(c) The adoption of all budgets and agency requests for appropriation: Provided, That if such adoption includes a final agency decision to undertake a major action, that portion of the budget is not exempted by this subsection.

(d) The borrowing of funds, issuance of bonds, or applying for a grant and related financing agreements and approvals.

(e) The review and payment of vouchers and claims.

(f) The establishment and collection of liens and service billings.

(g) All personnel actions, including hiring, terminations, appointments, promotions, allocations of positions, and expansions or reductions in force.

(h) All agency organization, reorganization, internal operational planning or coordination of plans or functions.

(i) Adoptions or approvals of utility, transportation and solid waste disposal rates.

(j) The activities of school districts pursuant to desegregation plans or programs; however, construction of real property transactions or the adoption of any policy, plan or program for such construction of real property transaction shall not be considered exempt under this subsection.

(k) Classification of land for current use taxation under chapter 84.34 RCW, and classification and grading of forest land under chapter 84.33 RCW.

(15) **Financial assistance grants.** The approval of grants or loans by one agency to another shall be exempt, although an agency may at its option require compliance with SEPA prior to making a grant or loan for design or construction of a project. This exemption includes agencies taking nonproject actions that are necessary to apply for federal or other financial assistance.

(16) **Local improvement districts and special purpose districts.** The formation of local improvement districts and special purpose districts, unless such formation constitutes a final agency decision to undertake construction of a structure or facility not exempted under WAC 197-11-800 and 197-11-880. A special district or special purpose district is a local government entity designated by the Revised Code of Washington (RCW) and is not a city, town, township, or county.

(17) **Information collection and research.** Basic data collection, research, resource evaluation, requests for proposals (RFPs), and the conceptual planning of proposals shall be exempt. These may be strictly for information-gathering, or as part of a study leading to a proposal that has not yet been approved, adopted or funded; this exemption does not include any agency action that commits the agency to proceed with such a proposal. (Also see WAC 197-11-070.)

(18) **Acceptance of filings.** The acceptance by an agency of any document or thing required or authorized by law to be filed with the agency and for which the agency has no discretionary power to refuse acceptance shall be exempt. No license shall be considered exempt by virtue of this subsection.

(19) **Procedural actions.** The proposal, amendment or adoption of legislation, rules, regulations, resolutions or ordinances, or of any plan or program shall be exempt if they are:

(a) Relating solely to governmental procedures, and containing no substantive standards respecting use or modification of the environment.

(b) Text amendments resulting in no substantive changes respecting use or modification of the environment.

(c) Agency SEPA procedures.

(20) **Reserved.**

(21) **Adoption of noise ordinances.** The adoption by counties/cities of resolutions, ordinances, rules or regulations concerned with the control of noise which do not differ from regulations adopted by the department of ecology under chapter 70.107 RCW. When a county/city proposes a noise resolution, ordinance, rule or regulation, a portion of which differs from the applicable state regulations, SEPA compliance may be limited to those items which differ from state regulations.

(22) **Review and comment actions.** Any activity where one agency reviews or comments upon the actions of another agency or another department within an agency shall be exempt.

(23) **Utilities.** The utility-related actions listed below shall be exempt, except for installation, construction, or alteration on lands covered by water. The exemption includes installation and construction, relocation when required by other governmental bodies, repair, replacement, maintenance, operation or alteration that does not change the action from an exempt class.

(a) All communications lines, including cable TV, but not including communication towers or relay stations.

(b) All stormwater, water and sewer facilities, lines, equipment, hookups or appurtenances including, utilizing or related to lines 12 inches or less in diameter.

(c) All electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 55,000 volts or less; the overbuilding of existing distribution lines (55,000 volts or less) with transmission lines (up to and including 115,000 volts); within existing rights of way or developed utility corridors, all electric facilities, lines, equipment or appurtenances, not including substations, with an associated voltage of 115,000 volts or less; and the undergrounding of all electric facilities, lines, equipment or appurtenances.

(d) All natural gas distribution (as opposed to transmission) lines and necessary appurtenant facilities and hookups.

(e) All developments within the confines of any existing electric substation, reservoir, pump station vault, pipe, or well: Additional appropriations of water are not exempted by this subsection.

(f) Periodic use of chemical or mechanical means to maintain a utility or transportation right of way in its design condition: Provided, the chemicals used are approved by Washington state and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.

(g) All grants of rights of way by agencies to utilities for use for distribution (as opposed to transmission) purposes.

(h) All grants of franchises by agencies to utilities.

(i) All disposals of rights of way by utilities.

(24) **Natural resources management.** In addition to the other exemptions contained in this section, the following natural resources management activities shall be exempt:

(a) Issuance of new grazing leases covering a section of land or less; and issuance of all grazing leases for land that has been subject to a grazing lease within the previous 10 years.

(b) Licenses or approvals to remove firewood.

(c) Issuance of agricultural leases covering 160 contiguous acres or less.

(d) Issuance of leases for Christmas tree harvesting or brush picking.

(e) Issuance of leases for school sites.

(f) Issuance of leases for, and placement of, mooring buoys designed to serve pleasure craft.

(g) Development of recreational sites not specifically designed for all-terrain vehicles and not including more than 12 campsites.

(h) Periodic use of chemical or mechanical means to maintain public park and recreational land: Provided, That chemicals used are approved by the Washington state department of agriculture and applied by licensed personnel. This exemption shall not apply to the use of chemicals within watersheds that are controlled for the purpose of drinking water quality.

(i) Issuance of rights of way, easements and use permits to use existing roads in nonresidential areas.

(j) Establishment of natural area preserves to be used for scientific research and education and for the protection of rare flora and fauna, under the procedures of chapter 79.70 RCW.

(25) **Wireless service facilities.**

(a) The siting of wireless service facilities are exempt if:

(i) The collocation of new equipment, removal of equipment, or replacement of existing equipment on existing or replacement structures that does not substantially change the physical dimensions of such structures; or

(ii) The siting project involves constructing a wireless service tower less than 60 feet in height that is located in a commercial, industrial, manufacturing, forest, or agricultural zone.

(b) For the purposes of this subsection:

(i) "Wireless services" means wireless data and telecommunications services, including commercial mobile services, commercial mobile data services, unlicensed wireless services, and common carrier wireless exchange access services, as defined by federal laws and regulations.

(ii) "Wireless service facilities" means facilities for the provision of wireless services.

(iii) "Collocation" means the mounting or installation of equipment on an existing tower, building, structure for the purposes of either transmitting or receiving, or both, radio frequency signals for communication purposes.

(iv) "Existing structure" means any existing tower, pole, building, or other structure capable of supporting wireless service facilities.

(v) "Substantially change the physical dimensions" means:

(A) The mounting of equipment on a structure that would increase the height of the structure by more than 10 percent, or 20 feet, whichever is greater; or

(B) The mounting of equipment that would involve adding an appurtenance to the body of the structure that would protrude from the edge of the structure more than 20 feet, or more than the width of the structure at the level of the appurtenance, whichever is greater.

(c) This exemption does not apply to projects within a critical area designated under GMA (RCW 36.70A.060).

(26) **State transportation projects.** The following Washington department of transportation projects and activities shall be exempt: The repair, reconstruction, restoration, retrofitting, or replacement of any road, highway, bridge, tunnel, or transit facility (such as a ferry dock or bus transfer station), including ancillary transportation facilities (such as pedestrian/bicycle paths and bike lanes), that is in operation, as long as the action:

(a) Occurs within the existing right of way and in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards or environmental permit requirements; and

(b) The action does not result in addition of automobile lanes, a change in capacity, or a change in functional use of the facility.

(27) **Structurally deficient city, town and county bridges.** The repair, reconstruction, restoration, retrofitting, or replacement of a structurally deficient city, town or county bridge shall be exempt as long as the action:

(a) Occurs within the existing right of way and in a manner that substantially conforms to the preexisting design, function, and location as the original except to meet current engineering standards or environmental permit requirements; and

(b) The action does not result in addition of automobile lanes, a change in capacity, or a change in functional use of the facility.

"Structurally deficient" means a bridge that is classified as in poor condition under the state bridge condition rating system and is reported by the state to the national bridge inventory as having a deck, superstructure, or substructure rating of four or below. Structurally deficient bridges are characterized by deteriorated conditions of significant bridge elements and potentially reduced load-carrying capacity. Bridges deemed structurally deficient typically require significant maintenance and repair to remain in service, and require major rehabilitation or replacement to address the underlying deficiency.

[Statutory Authority: RCW 43.21C.110 and 2022 c 246. WSR 23-01-119 (Order 22-08), § 197-11-800, filed 12/20/22, effective 1/20/23. Statutory Authority: RCW 43.21C.110. WSR 16-13-012 (Order 15-09), § 197-11-800, filed 6/2/16, effective 7/3/16. Statutory Authority: RCW 43.21C.110 and 43.21C.100 [43.21C.170]. WSR 14-09-026 (Order 13-01), § 197-11-800, filed 4/9/14, effective 5/10/14. Statutory Authority: RCW

43.21C.110. WSR 13-02-065 (Order 12-01), § 197-11-800, filed 12/28/12, effective 1/28/13. Statutory Authority: RCW 43.21A.090, chapter 43.21C RCW, RCW 43.21C.035, 43.21C.037, 43.21C.038, 43.21C.0381, 43.21C.0382, 43.21C.0383, 43.21C.110, 43.21C.222. WSR 03-16-067 (Order 02-12), § 197-11-800, filed 8/1/03, effective 9/1/03. Statutory Authority: 1995 c 347 (ESHB 1724) and RCW 43.21C.110. WSR 97-21-030 (Order 95-16), § 197-11-800, filed 10/10/97, effective 11/10/97. Statutory Authority: RCW 43.21C.110. WSR 84-05-020 (Order DE 83-39), § 197-11-800, filed 2/10/84, effective 4/4/84.]

**City of College Place, Washington
Unified Development Code
December 13, 2022**

***Proposed 2023 Amendments - SEPA/GMA Public Review Draft
November 1, 2023***

**As approved by the College Place City Council through the adoption
of Ordinance 19-21 November 12, 2019.**

With Scrivener's Error Corrections December 10, 2019.

Amended by Ordinance 20-021 November 24, 2020.

Amended by Ordinance 20-022 November 24, 2020.

Amended by Ordinance 21-017 November 23, 2021.

Amended by Ordinance 22-024 December 13, 2022.

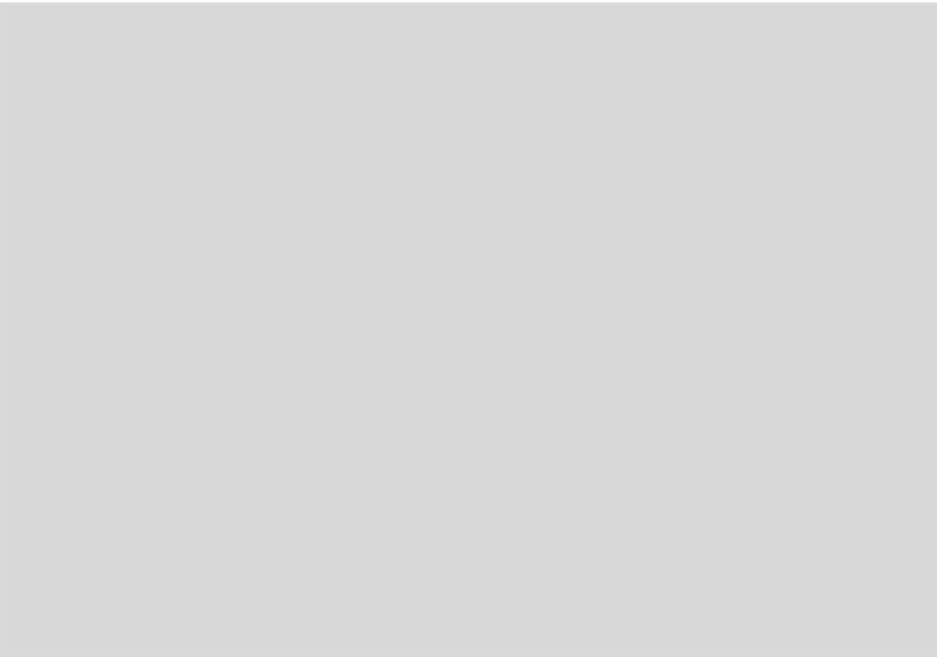
Related Actions by the City Council Include:

Adoption of Ordinance 18-023 Adopting the Updated College Place Comprehensive Plan
October 9, 2018.

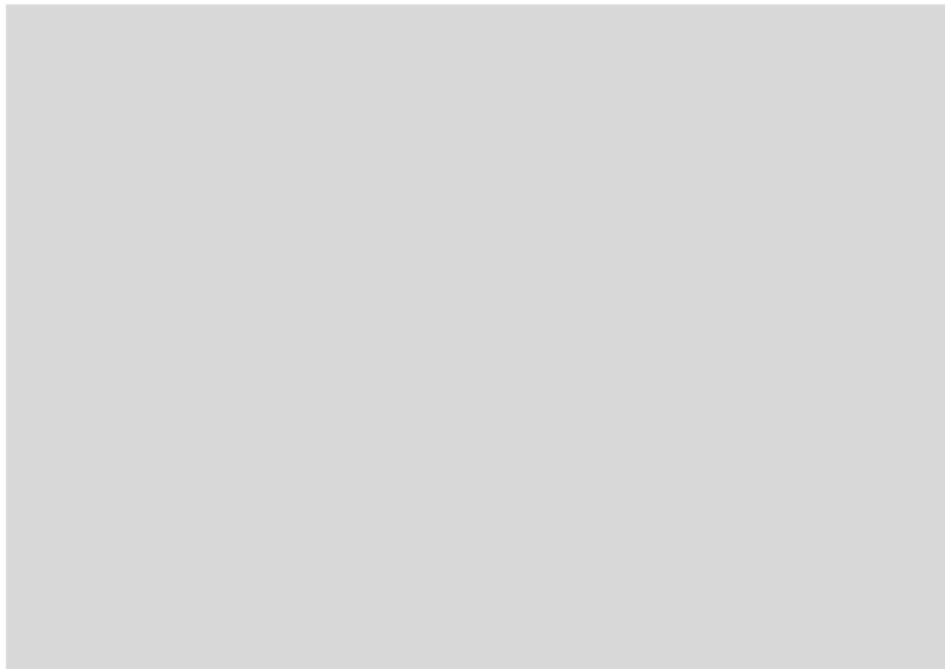
Adoption of Ordinance 19-019 Repealing and Replacing College Place Municipal Code Chapter
2.32 Establishing the College Place Planning Commission November 12, 2019.

Adoption of Ordinance 19-020 Repealing and Replacing College Place Municipal Code Chapter
2.50 Establishing the College Place Hearing Examiner November 12, 2019.

Adoption of Ordinance 21-016 Amending the College Place Comprehensive Plan November 23,
2021.



**City of College Place, Washington
Unified Development Regulations
College Place Municipal Code Title 14**



City of College Place, WA Unified Development Code - Effective January 1, 2020

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Chapter 14.10 Administration of the Unified Development Code

Sections:

14.10.010	Introduction.
14.10.020	Administrative Roles and Responsibilities.
14.10.030	Administrative Interpretations.
14.10.040	General Provisions.
14.10.050	Reasonable Use Exception.
14.10.060	Fees.
14.10.070	Financial Protections.
14.10.080	Development Agreements.
14.10.090	Liability.
14.10.100	Severability.

14.10.010 Introduction. The City of College Place has consolidated the primary regulations governing the use and development of land into a single unified development code. College Place Municipal Code Title 14, also known as the College Place Unified Development Code, includes a single set of definitions, procedures, and standards and is intended to be the principal source of information for business and property owners, developers, residents, and interested citizens. If you have questions about this document, please don't hesitate to contact the City of College Place Planning Department.

A. The following is a brief summary of key planning roles in the City of College Place:

1. The College Place City Council is the legislative body of the City and is the only body which can adopt or amend an ordinance, which includes amendments to the City Comprehensive Plan and Development Regulations. The City Council also confirms the appointment by the Mayor of the City Administrator, the Hearing Examiner, Planning Commissioners, Historic Preservation Commissioners, and members of the Economic Development, Tourism, and Events Commission. In addition, the City Council appoints the members of the Parks, Arbor, and Recreation Board.
2. The Mayor is the chief executive officer and ceremonial head of the City. The Mayor appoints the City Administrator and sees that all laws and ordinances are faithfully enforced.
3. The City Administrator assists the Mayor in the performance of his/her/their duties and supervises the various City departments. The City Administrator functions as the chief administrative officer, serves as the personnel officer for the City, designates city staff responsible for the performance of duties identified in this Title, and performs other administrative duties as assigned.

4. The Community Development Director, as authorized by the City Administrator, serves as the lead staff person responsible for the administration of this Title, overseeing the implementation of all planning requirements and activities in the City, making administrative decisions on certain land use applications, and interpreting the provisions of this Code.
5. The City Building Official, as authorized by the Community Development Director, administers, and enforces the International Building and related codes, as adopted by the City.
6. The City Fire Marshal, as authorized by the City Fire Chief, administers and enforces the International Fire Code, and related codes, as adopted by the City, including but not limited to inspection of structures and land uses for compliance.
7. The City Public Works Director, as authorized by the City Administrator, is responsible for the operation and maintenance of essential City services including water, sanitary sewer, storm water management, and streets. In this capacity, the Public Works Director participates in the review and approval of development permits and the enforcement of City standards.
8. The City Engineer, including any City contract engineer; (hereinafter referred to as “City Engineer”) as authorized by the Public Works Director, is responsible for the implementation of the City of College Place Engineering Design Standards, In this capacity the City Engineer participates in the review and approval of development applications, the review and approval of the design and construction of infrastructure improvements, approving financial protections, and the enforcement of City standards.
9. The City Hearing Examiner is authorized to receive and examine available information, conduct public hearings, prepare a record thereof, enter findings of fact and conclusions based upon those facts, make recommendations, and prepare a record of decision for certain land use applications and appeals.
10. The City Attorney advises the Mayor, City Administrator, City Council, City boards and commissions, and City staff regarding the legal interpretations, applications, and the enforcement of this Title. In addition, the City Attorney may initiate code enforcement actions on behalf of the City.
11. The City Planning Commission is the planning advisory body to the Mayor and City Council and makes recommendations on long range planning matters, supports current planning activities as specified in this Title, and performs other duties as assigned by the City Council. For more information about the College Place Planning Commission see College Place Municipal Code Chapter 2.32.

12. The Historic Preservation Commission has been established to promote awareness and preservation of the city's history. One major responsibility of the Historic Preservation Commission is reviewing proposed changes to the College Place Register of Historic Places. The Commission also serves as the local review board for special valuation of historic properties as provided in RCW 84.26. For more information about the College Place Historic Preservation Commission see Chapter 14.110.
13. The Parks, Arbor and Recreation Board makes recommendations to the Mayor and City Council on the acquisition, control, improvement, beautification, and planning of all public parks and recreation facilities. For more information about the College Place Parks, Arbor, and Recreation Board see College Place Municipal Code Chapter 2.62.
14. The Economic Development, Tourism, and Event Commission provides special knowledge and expertise to the Mayor and City Council relative to monitoring, assessing and strengthening existing economic development strategies and developing new strategies. For more information about the College Place Economic Development, Tourism, and Event Commission see College Place Municipal Code Chapter 2.3.

14.10.020 Administrative Roles and Responsibilities.

- A. Unless otherwise provided by the City Administrator, the Community Development Director, and his/her/their designees, are hereby authorized to perform, the following:
 1. Establish and maintain such application forms and administrative procedures as may be necessary to implement this Title.
 2. Interpret ordinances, codes, and requirements and determine the applicability of this Title to proposed uses, projects and development activities.
 3. Prepare and upon approval by the City Council, implement a fee schedule for all land use, development, and building permit activities.
 4. Serve as the SEPA Responsible Official.
 5. Review and approve or deny land use, shoreline, building permit, and related permits in accordance with the provisions of this Title.
 6. Inspect and examine any structure or tract of land and within the sole discretion of the City, to order in writing the remediation of any condition found to exist or reasonably likely to occur in violation of any provision of the College Place Municipal Code.

7. Enforce City ordinances, codes, and regulations including the approval of compliance plans, the imposition of fines for violations, the issuance of stop work orders, and/or the imposition of penalties.
 8. Manage the activities of City staff and liaison with consultants involved in planning and land use activities; and
 9. Represent the City in working with other local, county, state, and federal planning and natural resource management agencies, and the like.
- B. Unless otherwise provided, the Building Official is authorized to perform such activities as may be necessary to administer the International Building and related codes as adopted by the City. This may include, but is not limited to:
1. Review building plans and building permit applications.
 2. Issue or deny building permits.
 3. Inspect construction; and
 4. Issue Certificates of Occupancy.
- C. The Office of the Hearing Examiner is established along with the authority and duties of the position in College Place Municipal Code Chapter 2.50.

14.10.030 Administrative Interpretations.

- A. In their interpretation and application, the provisions of this Title are intended to be minimum requirements. Nothing in this Title is intended to impair, annul or abrogate any easement, covenant or other agreements between parties, public or private, nor is it in any way intended to interfere with any existing regulations previously adopted pursuant to law, relating to the use of land; provided, however, that when the requirements of this Title appear to be inconsistent with the requirements of any lawfully adopted rules, regulations or ordinances, the City may make an administrative code interpretation to resolve any potential inconsistency.
- B. Any person may submit a reasonable written request to the City for a formal interpretation of the provisions of this Title, or those codes referenced by this Title. The request shall identify the specific provision(s) in question and shall include relevant background information and supporting documentation. If accepted by the City, the request shall be processed in accordance with the applicable provisions of this Title.

14.10.040 General Provisions.

A. Except as provided in this Title, the following general provisions apply:

1. No land, building, structure, or premises shall be used, designed, or intended to be used for any purpose or in any manner other than in a use listed in this Title or amendment thereto as permitted in the zone in which such land, building, structure, or premises is located.
2. No designated yards or open spaces surrounding any building or structure shall be encroached upon or reduced in any manner except in conformity with the building site, area and yard requirements established by this Title, nor shall any yard or open space associated with any building or structure for the purpose of complying with the requirements of this Title or amendments thereto be considered as providing a yard or open space for any other building or structure.
3. No building or structure shall be erected or moved onto a site and no existing building or structure shall be altered, enlarged, or reconstructed except in conformity with this Title. Nor shall any building or structure be erected or structurally altered to exceed in height the limit established by this Title or amendment thereto for the zone in which such building or structure is located.
4. No buildings or permanent structures shall be permitted over a utility easement.
5. All new buildings and development activities that require water and sewer service shall connect to the City systems if available, in accordance with the provisions of the Laws of Washington State.

B. Nothing contained in this Title shall require any change in any existing building or structure, construction or planned use of a proposed building, which would conform to the zoning regulations then in effect and for which building permit plans are on file in City Hall prior to the effective date of the ordinance codified in this Title and the construction of which building or structure shall have been started within the time requirements of such building permit and diligently worked upon to its completion, unless by some other operation of applicable law.

C. No land use in violation of local, state, or federal law shall be allowed in any zone within the City of College Place and are hereby expressly prohibited.

D. In cases where multiple lots under common ownership will be used for one building site, and in particular those cases where a structure is proposed to be built across a lot line or within lot setbacks, the lots shall be consolidated into one lot.

1. The consolidation shall be prepared by the owner(s) or their representative and subject to review and approval by the City in the same manner as a boundary/lot line adjustment; and

2. Upon approval, the consolidation shall be recorded at the Office of the County Auditor.
- E. Upon discovery of any human remains, artifacts, or evidence of potential archaeological or cultural resources all construction activities or uses authorized under this Title shall be suspended pending authorization to proceed from the City, and/or the Washington State Department of Archaeology and Historic Preservation, in accordance with the provisions of state and federal law, including, but not limited to RCWs 68.50.645, 27.44.055, and 68.60.055.
1. If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the Washington State Department of Archaeology and Historic Preservation (DAHP) provides notice to proceed. The finding of human skeletal remains will be reported to the College Place Police Department and the Walla Walla County Coroner in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The County Coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the County Coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the Confederated Tribes of the Umatilla Indian Reservation. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.
 2. If ground disturbing activities encounter artifacts, or evidence of potential archaeological or cultural resources during construction, then all activity will cease that may cause further disturbance to those items. The Project Sponsor shall immediately contact the College Place Department of Community Development to determine how best to secure the site and to consult with the Confederated Tribes of the Umatilla Indian Reservation and the DAHP.

14.10.050 Reasonable Use Exception. In the event that the strict and literal interpretation of this Title serves to deny a property owner all reasonable use of their property, the property owner may apply for a reasonable use exception and may request the minimal relief necessary to enable the reasonable use of their property. Only valid and complete requests will be processed pursuant to this Title.

- A. Reasonable use exceptions may be granted when:

1. Application of this Title would deny all reasonable economic use of the property.
2. There are no other practical alternatives to the proposed use that would have less impact.
3. The inability to derive reasonable economic use of the property is not the result of subdivision or other actions by the Applicant.
4. No other reasonable economic use has less adverse impact(s).
5. The proposal protects and mitigates impacts to the functions and values of critical areas to the greatest extent feasible, consistent with the best available science.
6. The proposal does not pose a threat to the public health, safety, or welfare on or off the development proposal site; and
7. The proposal is consistent with other applicable regulations and standards.

B. Burden of Proof. The burden of proof shall be on the Applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.

14.10.060 Fees. Fees and charges for administering the provisions of this Title shall be set by action of the City Council.

- A. Applicants for ~~permits and approvals~~ permits/approvals/actions shall be responsible for reimbursing the City for the cost of professional consultant services, if the City determines such services are necessary to complete its review of the application submittal.
1. The City may require the applicant to deposit an estimated amount with the City, to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement to the City for such costs. This may include the execution of a formal cost recovery agreement.
 2. Any unused funds will be returned to the Applicant upon completion and/or finalization of project.

14.10.070 Financial Protections. During the review of any application for a land use, zoning, building, or other development activity, a Project Sponsor may propose, subject to City review and approval, and/or the City may require that a bond(s) or similar forms of financial guarantee or protection be posted to ensure continued compliance with any conditions imposed, including the

construction of required improvements, the adherence to city standards, and/or maintenance, repair, or replacement of such improvements.

A. Financial protection for performance.

1. The acceptance of financial protection in lieu of completion of required improvements on developments and projects shall be at the sole discretion of the City.
2. Conditions for financial protection on subdivisions, developments, projects, or phases thereof with a residential component shall be as follows:
 - a. Financial guarantees shall not be accepted in lieu of required improvements until:
 - (1) The requesting party demonstrates ownership by means acceptable to the City.
 - (2) Permanent slope retention improvements (cut, fill, retaining walls, etc.) and permanent measures and improvements necessary to mitigate floodplain, stormwater and groundwater concerns have been completed with erosion control measures in place and maintenance bonds, where required, are provided in an amount and term acceptable to the City, to ensure the long-term integrity of the improvements.
 - (3) The party requesting a financial guarantee executes and records an agreement with the City with language acceptable to the City that runs with the land such that:
 - (a) The requesting party acknowledges that no structures will be occupied, and no occupancy permits shall be issued by the City until all improvements approved for construction, including financially guaranteed improvements are completed to City satisfaction.
 - (b) All purchase and sales agreements include language notifying prospective buyers that occupancy will not be granted until all infrastructure is complete to City satisfaction.
 - (c) All purchase and sales agreements shall include blanket construction access easements to allow construction of required improvements after sale of property and an indemnification clause to protect the city against issues related to construction access, improvements, and corrections on sold properties until final acceptance.

- (d) City shall be reimbursed for all costs related to addressing buyer concerns over incomplete and/or unapproved infrastructure where reimbursement shall be required prior to issuance of occupancy permits.
 - (e) The requesting party warrants all improvements for a period of two years after the final improvement is approved.
- (4) Additionally, the following requirements shall apply to all subdivisions:
 - (a) Lot pins on all property corners and where necessary to establish ownership are established by a surveyor licensed to practice in the state of Washington.
 - (b) Conditions of approval include requirement to note on the plat that no occupancy permits shall be issued by the city until all improvements approved for construction, including financially guaranteed improvements are completed to City satisfaction.
- b. No occupancy permit for a structure other than a temporary contractor's office or temporary storage building, or a single model home shall be issued for a structure on a lot or parcel within an approved subdivision or within a development, project, or phase prior to:
 - (1) Final inspection and approval of all required infrastructure improvements approved for construction including financially guaranteed improvements, and
 - (2) Provision of any financial guarantees for maintenance where required by special council resolution.
- c. Partial financial protection releases shall be allowed for approved infrastructure upon the following conditions:
 - (1) Requestor provides a list of all improvements requested for release with originally guaranteed amounts.
 - (2) Requestor reimburses the City for partial release inspection and review at three percent of total requested release to include the costs of incomplete or unapproved items previously requested for release if included in the request. Reimbursement shall be made in advance of review.
 - (3) Release of requested infrastructure shall be at City discretion based on whether or not the infrastructure has been approved.

- (4) Request for final release of all improvements where some improvements are not approved, shall be considered a partial release.
- 3. Conditions for financial protection on subdivisions, developments, projects, or phases thereof without a residential component shall be established by the City on a case-by-case basis.
- 4. Applicants applying to financially guarantee improvements shall submit an itemized estimate of all improvements to be financially guaranteed. Estimates shall either be prepared and stamped by a professional engineer licensed to practice in the state of Washington or shall meet alternative requirements satisfactory to the City Engineer.
- 5. The City Engineer shall review and modify the submitted estimate to ensure adequate City protection in event of default of the applicant and shall set the financial protection amount at 125 percent of the final estimate.

B. Improvement warranty required.

- 1. All public improvements or improvements with a public nexus such as water, sewer and stormwater lines, streets, sidewalks, permanent slope retention improvements (cut, fill, retaining walls, etc.) and permanent measures and improvements necessary to mitigate floodplain, stormwater and groundwater concerns approved by the City shall be warranted for a period of two years. Alternatively, staff may recommend financial protection for maintenance of critical improvements for a period not to exceed two years.
- 2. The warranty period shall start upon final approval of all improvements.

C. Financial protection options.

- 1. Performance Bond. A performance bond shall be obtained from a surety bonding company authorized to do business in the state. The bond shall be payable to the City and shall be in an amount sufficient to cover the cost of the improvements as estimated by the City Engineer. The duration of the bond shall be until such time the improvements are accepted by the City.
- 2. Financial Institution Financing. If this type of financial protection is selected by the subdivider, the following steps shall be taken:
 - a. The subdivider shall provide, from a bank or other reputable lending institution or an individual subject to the approval of the City, a letter of credit. This letter shall be deposited with the City and shall certify that:

- (1) The lending institution does guarantee funds in an amount equal to the estimate prepared by the City Engineer.
 - (2) In the case of failure on the part of the applicant to complete the specified improvements within the required time period, the lending institution shall pay to the city immediately within legal action time limits and notification, and without further action, such funds as are necessary to finance the completion of those improvements up to the limit of the funds so guaranteed.
 - (3) These funds may not be withdrawn or reduced in amount until released by the City.
 - (4) The subdivider executes a security agreement in which the funds so guaranteed shall be listed as security with appropriate financing statements filed in accordance with Washington's Uniform Code (RCW 62A. 9-401).
- b. List all work in payable items, e.g., quantity, description, unit, it cost and amount.
 - c. Payment for the work done by the subdivider may be made in one lump payment upon completion of all of the work and acceptance thereof, or in smaller payments covering a completed segment or segments of work and acceptance thereof. In either case, at the subdivider's request, the City ~~Engineer~~ and a representative of the lending institution involved will inspect the work and release funds for payment of acceptable work. The lending institution shall make arrangements so that disbursements will be made to contractors whose work has been accepted, and the contractor shall certify that the work was done on the project, and that he/she/they waives his/her/their lien against the project. The contractor shall further certify that the wages of his employees as they pertain to the project have been paid in full. The financial institution shall also honor drafts drawn by the City for work done on the project by the city. The subdivider would qualify as a contractor if he/she/they did a portion of the work.
 - d. The percent of the funds shall be retained in the account until the City has accepted the entire development.
3. Personal Fund Financing. If this type of financial protection is selected by the subdividers, he/she/they shall take the following steps.
 - a. The subdividers shall deposit cash, or other instrument readily convertible into cash at face value, either with the city or in escrow with a bank or other reputable financial institution. The use of the instrument other than cash, and in the case of an escrow account, the financial institution with which the funds are to be deposited, shall be subject to the approval of the City. The amount of the deposit shall not be less than the cost estimate of the improvements as prepared by the

City Engineer. In the case of an escrow account, the subdivider shall file with the City an agreement between the financial institution and himself/herself/theirself guaranteeing the following:

- (1) That the funds of said escrow account shall be held in trust until released by the City Engineer and may not be used or pledged by the subdivider as security in any other matter during that period.
 - (2) That in the case of failure on the part of the subdivider to complete said improvements in the specified time, then the financial institution shall immediately make the funds in said account available to the City for use in completion of those improvements.
- b. List all work in payable items, e.g., quantity, description, unit, it cost and amount.
 - c. Payment for the work done by the subdivider may be made in one lump payment upon completion of all of the work and acceptance thereof, or in smaller payments covering a completed segment or segments of work and acceptance thereof. In either case, at the subdivider's request, the City Engineer and a representative of the lending institution involved will inspect the work and release funds for payment of acceptable work. The lending institution shall make arrangements so that disbursements will be made to contractors whose work has been accepted, and the contractor shall certify that the work was done on the project, and that he/she/they waives his/her/their lien against the project. The contractor shall further certify that the wages of his/her/their employees as they pertain to the project have been paid in full. The financial institution shall also honor drafts drawn by the City for work done on the project by the City. The subdivider would qualify as a contractor if he/she/they did a portion of the work.
 - d. Any interest accrued to the funds in escrow shall be credited to the subdivider to be used as desired.
 - e. The percent of the funds shall be retained in the account until the City has accepted the entire development.
3. Any other financial arrangement having features which will guarantee performance without loss to the City and reimbursement in the event of default on completion of work as specified.

14.10.080 Development Agreements.

- A. The City may, in accordance with the provisions of RCW 36.70B.170-210, enter into a development agreement with a person(s) having ownership or control of real property

within its jurisdiction, or outside its boundaries as part of a proposed annexation or a utility service agreement.

1. The execution of a development agreement is a proper exercise of the City's police power and contract authority.
 2. A development agreement may obligate a party to fund or provide services, infrastructure, or other facilities.
 3. A development agreement shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety.
- B. A development agreement must set forth the development standards and other provisions that shall apply to, govern, and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement, provided that:
1. The development agreement shall be consistent with all applicable development regulations.
 2. The provisions of this Section do not affect the validity of a contract rezone, concomitant agreement, annexation agreement, or other agreement in existence or adopted under separate authority.
 3. For the purposes of this section, "development standards" include, but are not limited to:
 - a. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes.
 - b. The amount and payment of impact and mitigation fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions or other financial contributions by the property owner, inspection fees, or dedications.
 - c. Mitigation measures, development conditions, and other requirements under RCW [43.21C](#).
 - d. Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features.
 - e. Affordable housing.
 - f. Parks and open space preservation.

- g. Phasing.
 - h. Review procedures and standards for implementing decision.
 - j. A build-out or vesting period for applicable standards; and
 - k. Any other appropriate development requirement or procedure.
- C. Development agreements applicable to properties within the boundaries City are limited to a ten-year timeframe. An extension of one to ten years may be exercised upon mutual approval of both the developer and the City. Development agreements applicable to properties outside of the City boundaries may continue in effect until a date as specified in the agreement. Agreements outside the City may contain variable expiration dates for some, or all, of the standards listed in this Section.
- D. Upon approval, a development agreement shall be recorded with the Walla Walla County Auditor.
- 1. During the term of a development agreement, it is binding on the parties and their successors.
 - 2. Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement.
 - 3. Any permit or approval issued by the City after the execution of a development agreement must be consistent with the terms of the development agreement.
 - 4. A development agreement and the development standards incorporated in the agreement govern during the term of the agreement, or for all or that part of the build-out period specified in the agreement and may not be subject to an amendment to a zoning ordinance or development standard or regulation or a new zoning ordinance or development standard or regulation adopted after the effective date of the agreement.

14.10.090 Liability. ~~The granting of approval or the issuance of a permit or denial thereof for any structure or use does not constitute a representation, guarantee, or warranty of any kind or nature whatsoever, by the City or any City employee, official, or agent, on the practicality, feasibility, or safety of any structure or proposed use and does not create liability upon or cause of action of any kind or nature whatsoever against the City, City employee, official, or agent for any death and/or damage(s) of any nature that may result therefrom.~~

~~A. None of the provisions of this Title are intended to create a cause of action or provide the basis for a claim against the City, its officials, employees, or agents for the performance or failure to perform an action, duty, or obligation running to a specific entity, individual or~~

~~individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public.~~

~~B. This Title shall not be construed to hold the City, or any officer or employee thereof, responsible for any death or damages to persons, group, or property by reason of the certification, inspection or non-inspection of any building, equipment, construction, system, or the like, or property.~~

A. ~~Interpretation~~, enforcement, and all other actions or inactions taken pursuant to this Title by the City and its employees, volunteers, and agents, are general governmental functions creating a duty to the public as a whole and not to any one person, group, other governmental or regulatory agency, or entity, including to third-parties and no claim, liability, or cause of action may arise from the City's acts or inactions.

B. The City assumes no responsibility and is not liable for any injury, death, or damages of any kind whatsoever resulting from any act or inaction taken by the City pursuant to this Title.

C. No City action or inaction relieves a person, group, or entity of responsibility for all injury, death or damages, of any kind whatsoever arising out of the person, group, or entity's acts or omissions.

D. The denial or issuance of a permit, approval or denial of use, inspection, ~~non-inspection~~, certification, approval, disapproval, charge or acceptance of payment, security, or proof of insurance, or other review or action by the City is not a ~~represneatation~~representation, guarantee, promise, or warranty, expressed or implied, of any kind or nature whatsoever that any structure, component, material, device, service, installation, equipment, facilities and the like, improvement, property, land, or use is appropriate, safe, functional, or complies with all applicable laws. Nor is it permission to use or not use land in a way that does not comply with all applicable laws and duty of care.

E. Use of land in College Place is done at the sole risk of the user.

14.10.100 Severability. If any provision of this Title, or its application to any person or legal entity, is held to be invalid, the remainder of this Title or the application of this Title or the application of the provision to other persons or entities or circumstances shall not be affected.

Chapter 14.20 Definitions

Sections:

14.20.010 Introduction.

14.20.020 Interpretations.

14.20.030 Definitions.

14.20.010 Introduction. Certain terms and words used in this Title may have special meaning as defined in this Chapter.

14.20.020 Interpretations.

- A. Except where specifically defined in this Chapter, all words used in this Title shall carry their customary meanings. Words used in the present tense include the future; the plural includes the singular and vice versa; the word "shall" is mandatory; "may" is permissive; the words "used or occupied" are considered as though followed by the words "or intended, arranged, or designed to be used or occupied"; and the word "lot" includes the words "plot, tract, or parcel."
- B. Any word not specifically defined in this Chapter shall have the meaning as defined by and determined by the City in accordance with the provisions of:
 1. The Revised Code of Washington (RCW).
 2. The Washington Administrative Code (WAC).
 3. North American Industry Classification System (NAICS), 2017 Edition or as subsequently updated.
 4. Webster's Dictionary; and
 5. Administrative code interpretations by the City.
- C. Any question or uncertainty about the meaning of a word used in this Title may, at the sole discretion of the City, be resolved by an administrative code interpretation.
- D. References to the International Codes shall include the International Building Code, the International Residential Code, and related codes as adopted, or subsequently amended, by the City Council.
- E. References to the City of College Place Engineering and Design Standards shall include the following documents, as approved, or subsequently amended by the City Council:

1. The City of College Place Standard Specifications and Drawings; and
2. The City of College Place Stormwater Facility Standards.

F. References in the College Place Municipal Code to Titles 15, 16, 17 18, or 19 shall refer to the comparable provisions in Title 14, as determined by the City.

14.20.030 Definitions.

A. The following words and phrases are hereby defined as follows, unless otherwise determined by the City through an administrative code interpretation:

"Accessory building" means a building or structure, the use of which is incidental and subordinate to the principal or main building or use on the same lot, including a private garage or carport. If an accessory building is attached to the main building by a common wall or roof, the accessory building shall be considered a part of the main building. Garden houses, tool sheds, playhouses or greenhouses are examples of accessory buildings.

"Accessory use" means a use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use.

"Adjacent" in the context of administering the critical areas protections in Chapter 14.70 shall mean any activity or development located:

- a. On a site immediately adjoining a critical area.
- b. A distance equal to or less than the required critical area buffer width and building setback.
- c. A distance equal to or less than 200 feet upland from a stream, wetland, or water body.
- d. Bordering or within the floodway, floodplain, or channel migration zone; or
- e. A distance equal to or less than 200 feet from a critical aquifer recharge area.

"Adult home" or **"Adult family home"** means a residential home, licensed by Washington State, to provide personal care to up to six adults.

"Base flood" means a flood event having a one percent chance of being equaled or exceeded in any given year, also referred to as the 100-year flood. Designations of base flood areas on flood insurance map(s) always include the letters A or V.

"Bed and breakfast inn" means a hotel or similar lodging facility offering from one to eight overnight lodging units to travelers or guests.

"Boarding, rooming and lodging house" means a dwelling unit having only one kitchen within which is provided not more than two guest rooms providing lodging (with or without provision of meals) for compensation. A boarding, rooming, and lodging house containing three or more guest rooms shall be considered a hotel. Boarding, rooming, and lodging houses shall not be construed to mean convalescent, nursing, adult family, or retirement homes.

"Camper" means a structure designed to be mounted upon a motor vehicle which provides facilities for human habitation or for temporary outdoor or recreational lodging and which is five feet or more in overall length and five feet or more in height from its floor to its ceiling when fully extended, but shall not include motor homes as defined in RCW [46.04.305](#).

"Child day care center" means an agency that regularly provides child day care and early learning services for a group of children for periods of less than 24 hours.

"Child day care, home facility" means a facility licensed by Washington State where care is provided for not more than 12 children in the provider's home living quarters.

"Closed record appeal" means an administrative appeal on the record to a local government body or officer, including the legislative body, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

"Co-housing" means a residential development that combines individual owned dwelling units clustered around shared space. Units may have smaller kitchens with a larger community kitchen and dining room intended for communal use on a regular basis. The development may also provide other facilities for communal use and interaction, and in which residents may agree to share in the provision of regular communal services such as cooking meals or providing childcare.



(Source: strongtowns.org / cohousing.org)

“Cottage housing” means a grouping of small, single-family dwelling units clustered around a common area and developed with a coherent plan for the entire site.



“Critical aquifer recharge area” means areas designated by WAC 365-190-080 that are determined to have a critical recharging effect on aquifers used for potable water as defined by WAC 365-190-030(3).

"Dwelling" means a building designed for residential purposes that contains complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

“Dwelling, multiple residential units” or **"Multiple family dwelling"** means a building containing three or more dwelling units. This definition includes "row house" and may include condominiums.

"Dwelling, single residential unit " or **“single-family residence”**, means a building containing one dwelling unit. Single residential dwelling units may be site-built or manufactured off-site, such as modular housing.

"Dwelling, two residential units" or “duplex”, means a building on a lot containing two dwelling units.

“Dwelling unit, accessory (ADU)” means a dwelling unit that is use incidental and subordinate to a principal use that is located on the same lot or in the same building as the principal use.

"Early learning" includes but is not limited to programs and services for childcare; state, federal, private, and nonprofit preschool; childcare subsidies; childcare resource and referral; parental education and support; and training and professional development for early learning professionals.

“Fish and wildlife habitat conservation area” means areas necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created as designated by WAC 365-190-080(5). These areas are guided by the state's priority habitats and species list and include the following:

- a. Areas with which state or federally designated endangered, threatened, and sensitive species have a primary association.
- b. Habitats of local importance, including but not limited to areas designated as priority habitat by the department of fish and wildlife, areas that provide important habitat for neotropical migratory songbirds, areas that provide important habitat for wintering birds of prey, and areas that provide unique habitats within the city.
- c. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds.
- d. Waters of the state, including lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the State of Washington.
- e. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.
- f. State natural area preserves and natural resource conservation areas; and
- g. Land essential for preserving connections between habitat blocks and open spaces.

“Floodplain” means the total land area adjoining a river, stream, watercourse, or lake subject to inundation by the base flood.

“Floodway” or “zero rise floodway” means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the surface water elevation more than one foot.

~~“Food cart” means a mobile vehicle, such as a food truck, trailer, or cart, from which service of food and/or beverages is provided to walk-up customers.~~

~~“Food cart pod” means a site containing one or more food carts and associated amenities on private property.~~

“Frequently flooded areas” means lands in the floodplain subject to a one percent or greater chance of flooding in any given year and those lands that provide important flood storage, conveyance, and attenuation functions, as determined by the [city official] in accordance with WAC 365-190-080(3). Frequently flooded areas perform important hydrologic functions and may present a risk to persons and property. Classifications of frequently flooded areas include, at a minimum, the 100-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program.

“Functions and values” mean the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, ground water recharge and discharge, erosion control, wave attenuation, protection from hazards, historical and archaeological and aesthetic value protection, and recreation. These beneficial roles are not listed in order of priority.

“Geologically hazardous areas” mean areas that may not be suited to development consistent with public health, safety, or environmental standards, because of their susceptibility to erosion, sliding, earthquake, or other geological events as designated by WAC 365-190-080(4). Types of geologically hazardous areas include erosion, landslide, seismic, mine, and volcanic hazards.

“Group home” means a residential facility designed and operated to serve persons with disabilities, mental or physical.

“Habitats of local importance” mean areas that include a seasonal range or habitat element with which a given species has a primary association, and which, if altered may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alterations such as cliffs, talus, and wetlands. (WAC 365-190-030).

“Hazardous substance” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

“Hemp production” refers to planting, cultivation, growing, or harvesting of hemp, including seed hemp, as licensed by the State of Washington.

"Home business" means a commercial enterprise operated within a dwelling or accessory building, which use is distinctly incidental and secondary to the dwelling purposes and does not change the character thereof.

“Hydric soil” means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual, as amended.

“Impervious surface” means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.

“Injection well”, or "underground injection control well", or “UIC well” means a well that is used to discharge fluids into the subsurface. A UIC well is one of the following: (1) A bored, drilled, or driven shaft, or dug hole whose depth is greater than the largest surface dimension; (2) an improved sinkhole; or (3) a subsurface fluid distribution system. UIC wells are regulated by the State of Washington and subject to the provisions of WAC 173-218.

“Inter-rill” means an area subject to sheetwash.

"Kennel" means a place where four or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs or cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic.

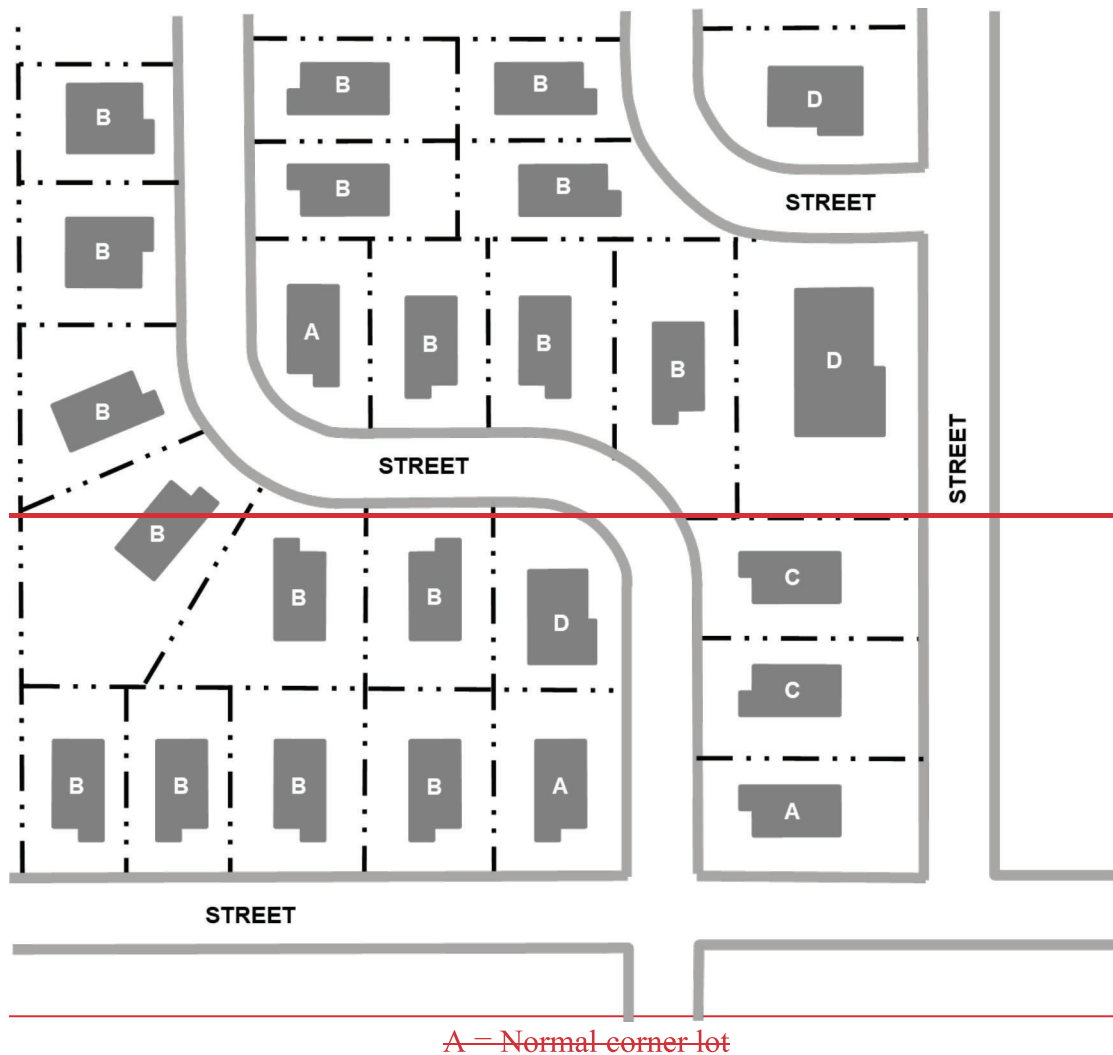
“Landfills” includes the underground storage of hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste.

“Landslide hazard area” means an area that is potentially subject to risk of mass movement due to a combination of geologic landslide resulting from a combination of geologic, topographic, and hydrologic factors. These areas are typically susceptible to landslides because of a combination of factors including bedrock, soil, slope gradient, slope aspect, geologic structure, ground water, or other factors.

“Lot” means a fractional part of divided lands having fixed, legal boundaries, established in conformance with the applicable state and local laws in effect at the time it was created. The term shall include tracts or parcels.

- a. Lots being of sufficient area and dimension to meet minimum zoning requirements for width and area may be considered legal, conforming lots.
- b. Lots with dimensions that do not comply with current minimum zoning requirements but did comply with minimum zoning requirements at the time they were created may be considered legal, non-conforming lots.

~~“Lot Interior, normal corner, through and reversed frontage”. The following diagram illustrates terminology used in this Title with reference to interior, normal corner, through and reversed frontage lots:~~



~~B = Interior lot~~
~~C = Through lot~~
~~D = Reversed~~

- ~~a. — Normal Corner Lot. A lot located on the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.~~
- ~~b. — Interior Lot. A lot other than a corner lot with only one frontage on a street. Interior lot lines between two or more lots under the same ownership may be built upon and across by buildings and structures. For the purpose of this definition, if interior lot lines between two or more lots under the same ownership are built across, the entire ownership is deemed to be one lot.~~
- ~~c. — Through Lot. A lot other than a corner lot with frontage on more than one street.~~
- ~~d. — Reversed Frontage (Corner) Lot. A lot on which the frontage is at right angles or approximate right angles (interior angle less than 135 degrees) to the general layout of lots in the area.~~

"**Manufactured home**" means a structure, designed and constructed to be transportable in one or more sections, and is built on a permanent chassis, and designed to be used as a single-family dwelling with or without a permanent foundation when connected to required utilities (plumbing, heating, and electrical systems, built in accordance with regulations adopted under the National Manufactured Housing Construction and Safety Standards Act, of 1974.

"**Marijuana medical cooperative**" or "**marijuana cooperative**" means a group of more than one, but no more than four, qualified medical marijuana patients and/or designated providers registered with the Washington State Liquor and Cannabis Board who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative, in accordance with the Laws of Washington State.

"**Marijuana processing**" or "**marijuana processor**" means a person licensed by the Washington State Liquor and Cannabis Board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers, in accordance with the Laws of Washington State.

"**Marijuana production**" or "**marijuana producer**" means a person licensed by the Washington State Liquor and Cannabis Board to produce and sell marijuana at wholesale

to marijuana processors and other marijuana producers, in accordance with the Laws of Washington State.

“Marijuana retail sales” or **“marijuana retailer”** means a person licensed by the Washington State Liquor and Cannabis Board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet, in accordance with the Laws of Washington State.

"Mini-warehouse" or **“self-storage”** means a fully enclosed building or group of buildings in a compound that contains individual, compartmentalized and controlled-access stalls, lockers, or units for the storage of customer’s tangible personal property.

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to standards other than the National Manufactured Housing Construction and Safety Standards Act, of 1974, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state of Washington.

"Mobile home lot" or **"mobile home space"** means a portion of a mobile home park or manufactured housing community designated as the location of one mobile home, manufactured home, tiny home on wheels, or park model and its accessory buildings, and intended for the exclusive use as a primary residence by the occupants of the mobile home, manufactured home, or park model.

"Mobile home park," "manufactured housing community," or **"manufactured mobile home community"** means any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

“Mobile vendor” means a vendor or seller of merchandise or food from a motorized or trailered vehicle or other motorized or trailered conveyance upon the public streets, alleys, public property of the city, or upon private property.

“Mobile vendor food court” means a site where two or more mobile food vendors congregate to offer food or beverages for sale to the public as the principal use of the land.

"Modular home" means a factory-assembled structure designed primarily for use as a dwelling when connected to the required utilities that include plumbing, heating, and electrical systems contained therein, does not contain its own running gear, and must be mounted on a permanent foundation. A modular home does not include a mobile home or manufactured home.

"Motel" or "hotel" means a building or group of buildings containing six or more individual sleeping units or guest rooms, where lodging with or without provision of meals is provided for compensation. Motels are designed to temporarily accommodate the automobile tourist or transient with parking facilities conveniently located near each unit. The term includes tourist, motor and automobile courts and motor lodges.

"Non-project permit" or "non-project permit application" does not include the following:

- a. Building permit.
- b. Accessory dwelling unit permit.
- c. Special use permit.
- d. Boundary or lot line adjustment.
- e. Interior alterations to approve site plans including construction activities that do not modify the exiting site layout or its current use and involve no exterior work adding to the building footprint in accordance with the applicable provisions of state law including RCW 36.70B.130.
- f. Adoption or amendment of a comprehensive plan, subarea plan, or development regulations.
- g. Landmark designations.
- h. Street vacations.
- i. Approvals relating to the use of public right of ways, areas or facilities.

j. Other permits, approvals, and actions, as determined by the City not subject to RCW 36.70B.060 through RCW 36.70B.090 and RCW 36.70B.130 through RCW 36.70B.130.

"Open record hearing" means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information, under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government's decision on a project permit to be known as an "open record pre-decision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record pre-decision hearing has been held on the project permit.

“Ordinary high-water mark (OHM)” means that mark which is found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, that the soil or vegetation has a character distinct from that of the abutting upland.

“Park Model” or “Park Trailer” means a park trailer as defined in the American national standards institute A119.5 standard for park trailers.

“Primary association area” means area used on a regular basis by, is in close association with, or is necessary for the proper functioning of the habitat of a critical species. Regular basis means that the habitat area is normally, or usually known to contain a critical species, or based on known habitat requirements of the species, the area is likely to contain the critical species. Regular basis is species and population dependent. Species that exist in low numbers may be present infrequently yet rely on certain habitat types.

“Priority habitat” means habitat types or elements with unique or significant value to one or more species as classified by the department of fish and wildlife. A priority habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element. (WAC 173-26-020(34))

“Project permit” or “project permit application” means any land use or environmental permit, or license required for a project action, including but not limited to subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, or site-specific rezones that do not require a comprehensive plan amendment.

“Public utilities” means an organization performing some public service and subject to government regulation, the services of which are paid for by the recipients thereof. The services include but are not limited to electrical substation; pumping lift stations or similar regulatory appurtenances for the transmission or distribution of electricity, natural gas, water and sewer, oil or steam and storage tanks for any of incinerators and sanitary landfills; radio, television and telephone stations, exchanges, transmitting, receiving or relay structures; and wireless communications.

“Qualified professional” means a person with required applicable education, training, and experience in the field or profession and who holds the necessary license(s), certificate(s), registration(s), or permit(s) necessary to qualify to provide services therein. The City shall determine whether a particular person or entity is a Qualified Professional for the purposes of this Title.

- a. For the purposes of administering the regulations to protect environmentally sensitive areas a qualified professional shall include a person with experience and

training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology or related field, and two years of related work experience.

(1) A qualified professional for habitats or wetlands must be a professional wetland scientist with at least two years of full-time work experience as a wetland professional, including delineating wetlands using the state or federal manuals, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans.

(2) A qualified professional for a geological hazard must be a professional geologist (preferred) or engineer, licensed in the State of Washington.

(3) A qualified professional for critical aquifer recharge areas means a ~~currently~~ licensed Washington State geologist holding a current specialty license in hydrogeology.

- b. For purposes of administering the International Codes a qualified professional shall include a design professional, architect, engineers, and land surveyors licensed under the provisions of RCW 18.08, WAC 308-12, or RCW 18.43.
- c. For purposes of administering the land use regulations and development standards a qualified professional may include urban planners, architects, landscape architects, attorneys, civil engineers, and traffic engineers, and GIS specialists.

"Recreational vehicle" means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes.

"Retail sales, large scale" means a retail establishment, or any combination of retail establishments in a single building with:

- a. A building footprint of fifty thousand (50,000) square feet or more (including outdoor display and sales areas).
- b. A gross square footage of eighty thousand (80,000) square feet or more (including outdoor display and sales areas); or
- c. Multiple retail establishments in separate but abutting buildings, reviewed as one site plan, with a combined building footprint of one hundred thousand (100,000)

square feet or more (including outdoor display and sales areas) (also known as "Big Box" Retail or "Superstores").

"Riparian habitat" means an area adjacent to surface water which possesses elements of both aquatic and terrestrial ecosystems that mutually influence each other. The width of these areas extends from the OHM to that portion of the terrestrial landscape that directly influences the aquatic ecosystem by providing shade, fine or large woody material, nutrients, organic and inorganic debris, terrestrial insects, or habitat for riparian-associated wildlife. It includes the entire extent of the floodplain and the extent of vegetation adapted to wet conditions as well as adjacent upland plant communities that directly influence aquatic ecosystem. Riparian habitat areas include those riparian areas severely altered or damaged due to human development activities.

"Secure community transition facility" means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative in accordance with the provisions of RCW 71.09. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services.

"Service station" means a drive-up type of business in which service can be provided with or without the customer's leaving the vehicle. Service to vehicles can also include the following:

- a. The servicing of motor vehicles and operations incidental thereto limited to the retail sale of petroleum products and automotive accessories; tire changing and repair (excluding recapping); battery service, charging and replacement and installation of accessories.
- b. Operations, including but not limited to the following, if conducted within a building: lubrication of motor vehicles; brake servicing limited to servicing and replacement of brake cylinders, lines, and brake shoes; wheel balancing; testing, adjustment, replacement, and servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses, minor engine repair and wiring.
- c. This does not include auto body and wrecking activities, painting or seal coating, major engine repair and overhaul, machine shop functions, steam and pressure cleaning and use of oxyacetylene and electric welding and cutting.

"Sexually oriented business" and **"sexually oriented business and services"** include, but is not limited to movie theaters, bookstores, video stores, adult-only hotels/motels or other temporary hourly or overnight accommodations, massage parlors, peep shows, and erotic dancing establishments and any other service or business that caters to adults only and is in sexually oriented as determined by the City.

"Short subdivision" or **"short plat"** means the division of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale or lease.

"Sign" means any device for visual communications that is used for the purpose of bringing the subject thereof to the attention of the public.

"Special flood hazard area" means the land in the floodplain within an area subject to a one percent or greater chance of flooding in any given year. Designations of special flood hazard areas on flood insurance map(s) always include the letters A or V.

"Species, priority" means a fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the department of fish and wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance.

"Species, threatened" means a fish or wildlife species that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

"Street vendor" means a vendor selling food, nonalcoholic beverages, and/or other goods or services within a public or private parking lot, pedestrian plaza, public street, alley, sidewalk, public right-of-way, or public property using a nonmotorized cart or temporary structure.

"Subdivision" means the division of land into ten or more lots, tracts, parcels, sites, or divisions for the purpose of sale or lease and includes all re-subdivision of land into ten or more parcels.

"Tiny house" and **"tiny house with wheels"** means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code.

"Townhouse" means a building constructed in a group of two or more attached dwelling units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Townhouses may be constructed on one lot or on more than one lot as a zero-lot line residential structure.

"Vacation rental" or **"short-term rental"** refers to the use of real property for less than 30 consecutive days, such as a bed and breakfast inn or a vacation rental by owner. Under the Laws of Washington State, a vacation rental or short-term rental involves a license to use real property, as opposed to the use of real property for 30 or more consecutive days,

which is considered a lease or rental of real estate and is taxed differently. Guests, residents, or other occupants of short-term rentals are considered transient tenants.

“Wetland” means an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. For identifying and delineating a wetland, local government shall use the Washington State Wetland Identification and Delineation Manual, as amended.

“Wetland, high quality” means a wetland that meet the following criteria:

- a. No, or isolated, human-caused alteration of the wetland topography.
- b. No human-caused alteration of the hydrology or the wetland appears to have recovered from the alteration.
- c. Low cover and frequency of exotic plant species.
- d. Relatively little human-related disturbance of the native vegetation, or recovery from past disturbance.
- e. If the wetland system is degraded, it still contains a viable and high-quality example of a native wetland community; and
- f. No known major water quality problems.

“Wireless communication facility, minor” is wireless communication facility that consists of antennas equal to or less than ten feet in height or up to one meter (39.37 inches) in diameter and with an area not more than thirty square feet in the aggregate that is affixed to an existing structure that is not considered a component of the facility.

“Wireless communication facility, major” is an attached wireless communication facility that consists of antennas greater than ten feet in height, one meter (39.37 inches) in diameter and with an area greater than 30 square feet in the aggregate that is affixed to an existing structure or any size antenna or related equipment that is attached to a lattice tower or monopole.

“Wireless communication facility, academic” means the facilities, structures, and equipment associated with providing educational, experimental, and/or instructional activities within the designated boundaries of an academic institution.

Chapter 14.30 Permit Processing Procedures

Sections:

14.30.010	Introduction.
14.30.020	Project <u>Application</u> Review Classifications.
14.30.030	Pre-application Conferences.
14.30.040	Consultation with the Confederated Tribes of the Umatilla Indian Reservation.
14.30.050	Project <u>Application</u> Classification Table.
14.30.060	Procedures for Type 1 Review.
14.30.070	Procedures for Type 2 Review.
14.30.080	Procedures for Type 3 Review.
14.30.090	Procedures for Type 4 Review.
14.30.100	Completeness Review and Determination of Completeness.
14.30.110	Notice of Application.
14.30.120	SEPA Threshold Determination.
14.30.130	Determination of Consistency.
14.30.140	Site Plan Review.
14.30.150	Permit Processing.
14.30.160	Conditional Use Permit.
14.30.170	Special Use Permits.
14.30.180	Variances.
14.30.190	Notice of Decision.
14.30.200	Appeals.
14.30.210	Amendments.
14.30.220	Performance.
14.30.230	Public Notice Requirements.

14.30.010 Introduction. This Chapter provides for effective and efficient review of project and non-project applications with consistent procedures for similar ~~projects~~ types of actions and combines procedural and substantive environmental reviews with the review of project permit applications under other applicable requirements. This Chapter also provides a framework within which the consistency of project permit applications with the City Comprehensive Plan and Development Regulations can be determined.

14.30.020 Application ~~Project~~ Review Classifications. Four classes of review are established for the purposes of administering this Title. The permits/approvals/actions included in each class, the public notice requirements, hearing body, decision maker, and appellate body are summarized in Table 14.30.050.

- A. The Community Development Director or his/her/their designee is authorized to determine the classification of review for any permit, action, or approval not identified on the following table.

~~B. For purposes of administering this Chapter and complying with the provisions of State Law including but not limited to RCW 36.70B.060 through 36.70B.090 and 36.70B.110 through 36.70B.130, the following shall apply:~~

~~2. "Project permit" or "project permit application" means any land use or environmental permit or license required for a project action, including but not limited to subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, or site-specific rezones that do not require a comprehensive plan amendment.~~

~~2. "Project permit" or "project permit application" does not include the following as determined by the City:~~

~~a. Building permit~~

~~b. ADU Permit.~~

~~c. Special Use Permit.~~

~~d. The adoption or amendment of a comprehensive plan, subarea plan, or development regulations.~~

~~e. Landmark designations.~~

~~f. Street vacations.~~

~~g. Approvals relating to the use of public areas or facilities.~~

~~h. Boundary or lot line adjustments.~~

~~i. Interior alterations to approved site plans including construction activities that do not modify the existing site layout or its current use and involve no exterior work adding to the building footprint in accordance with the applicable provisions of state law including RCW 36.70B.~~

~~j. Other permits and approvals as determined by the City not subject to the provisions of RCW 36.70B.060 through RCW 36.70B.090 RCW 36.70B.130 through RCW 36.70B.130.~~

~~B.C. It is the City's goal is of the City to consolidate the permit processing for projects and/or non-projects or development activities that require two or more permits or approvals/actions. The Community Development Director or his/her/their designee shall~~

determine the appropriate means of consolidating the processing of all permits, ~~and~~ approvals, and actions and shall assign the highest-class review classification of the individual permits being sought to the consolidated permit application (with Type 4 being the highest followed by Type 3, 2, and 1). This consolidation, sometimes referred to as a “master” application, may include integrating public hearings, establishing unified comment periods, and/or concurrent reviews. The Community Development Director or his/her/their designee is authorized to make modifications to the procedural requirements of this Title in order to effectively consolidate project reviews.

1. Except for the appeal of a SEPA Determination of Significance as provided in RCW 43.21C.075, no more than one open record public hearing and no more than one closed record appeal may occur on a single permit application or master application.

C. When determining the timeframes referenced in this Section, the following shall apply:

1. The date that a determination or decision is made shall be Day 0 (zero) and the next day shall be Day 1. For instance, if a Notice of Decision is published on a Thursday, then the next day (Friday) shall be Day 1.

2. The number of days shall be calculated by counting every calendar day.

14.30.030 Pre-application Conferences. Prior to formal submittal of a Type 2, 3, or 4 project permit applications, all Applicants shall, unless waived by the City, schedule and participate in a pre-application conference with City staff and representatives of appropriate public agencies. The date, time and place of such conferences shall be at the mutual agreement of the participants. Such conferences are intended as an informal discussion and review of possible applications to assist the Applicant in identifying applicable regulations, standards, application materials, and review processes that may be required. A pre-application conference does not vest a proposed project permit application.

14.30.040 Consultation with the Confederated Tribes of the Umatilla Indian Reservation. It is the intent of the City to establish policies and procedures for consultation with the Confederated Tribes of the Umatilla Indian Reservation during the review of project applications under this Title. This consultation may occur during the pre-application review process or during the review of applications for Type 1, 2, 3 or 4 project permits or approvals.

14.30.050 Permit Classification Table.

	Types of Permit /Approval / Action	Public Notice	Public Hearing	Decision Maker	Appellate Body
Type 1 Review	• ADU Permit • Administrative Interpretation • Boundary Line Adjustment • Building Permit • Certificate of Occupancy • Certificate of Appropriateness (and waiver) (1) • Certificate of Design Review • Certificate of Zoning Compliance • Clearing and Grading Permit • Code Enforcement Action • Critical Area Authorization • Landscaping Plan Approval • Permit, Minor Amendment • Plats, Final (10+ lots) • SEPA Action (no public notice required) • Sign Permit • Site Plan Approval • Special Property Tax Valuation (1) • Special Use Permit	None	None	Community Development Director or <u>his/her/their</u> designee (unless otherwise noted)	Hearing Examiner
Type 2 Review	• Binding Site Plan • Critical Area Permit • SEPA Action (public notice required) • Short Plat (9 lots or less) • Variance with Type 1/2 Permit	Yes	None, but written comments may be submitted	Community Development Director	Hearing Examiner
Type 3 Review	• Conditional Use Permit • Master Planned Development • Plat, Preliminary (10+ lots) • Permit, Major Amendment • Reasonable Use Exception • Rezone, Site Specific • Variance with Type 3 Permit	Yes	Hearing Examiner	Hearing Examiner	Superior Court

	Types of Permit /Approval / Action	Public Notice	Public Hearing	Decision Maker	Appellate Body
Type 4 Review	• Comprehensive Plan Text Amendment • Development Agreement (5) • Future Land Use Map Amendment • Rezone, General • Shoreline Master Program Amendment (2) • Unified Development Code Amendment (4)	Yes	Planning Commission	City Council	Superior Court (3)

Permit Classification Table Footnotes:

- (1) Decisions on applications for Certificates of Appropriateness, Waivers of Certificates of Appropriateness, and Special Property Tax Valuations shall be made by the Historic Preservation Commission.
- (2) Decisions made by the City Council to adopt or amend a Shoreline Master Program are subject to approval by the Washington State Department of Ecology.
- (3) Appeals of decisions authorized through the Growth Management Act, which may include amendments to the College Place Comprehensive Plan, Future Land Use Map, Unified Development Code, and the Official Zoning Map, may be appealed to the Washington State Growth Management Board, and in some instances, directly to Walla Walla Superior Court. Please refer to RCW 36.70A-C for more details.
- (4) The required public hearing for proposed amendments to the Unified Development Code may be heard directly by the City Council. This may include but is not limited to matters pertaining to the International Codes and the administration of this Title.
- (5) The required public hearing shall be conducted by the City Council unless delegated to the City Hearing Examiner or Planning Commission. Appeals shall be filed in accordance with the provisions of RCW 36.70C, as appropriate.

14.30.060 Procedures for Type 1 Review. Applications subject to a Type 1 review involve administrative action by the Community Development Director or his/her/their designee without public notice or an open record public hearing. The City Hearing Examiner shall conduct an open record public hearing for appeals of decisions on Type 1 permits unless otherwise noted in this Title.

- A. Applications for Type 1 permits shall be processed by the City in accordance with the following general procedures unless the Applicant is otherwise notified in writing:
1. Determination of Completeness.
 2. Determination of Consistency:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review, as appropriate.
 3. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 4. SEPA Threshold Determination, if required.
 5. Notification to the Applicant of approval or denial of the application.
- B. A decision on a Type 1 application shall be effective upon issuance unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.070 Procedures for Type 2 Review. Applications subject to a Type 2 review involve administrative action by the Community Development Director or his/her/their designee following distribution of a public notice and the opportunity to submit written comments. The City Hearing Examiner shall conduct an open record public hearing for appeals of decisions on Type 2 permits unless otherwise noted in this Title.

- A. Applications for Type 2 permits shall be processed by the City in accordance with the following general procedures unless the Applicant is otherwise notified in writing:
1. Pre-application conference, if appropriate.
 2. Determination of Completeness.
 3. Notice of Application.
 4. Determination of Consistency:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and

- c. Site plan and design review, as appropriate.
 - 5. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 - 6. SEPA Threshold Determination, if required.
 - 7. Review of public comments.
 - 8. Notice of Decision.
- B. A decision on a Type 2 application shall be effective at the conclusion of a 15-day notice period unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.080 Procedures for Type 3 Review. The City Hearing Examiner shall conduct an open record public hearing prior to making a decision on a Type 3 permit application.

- A. Applications for Type 3 permits shall be processed by the City in accordance with the following general procedures, unless the Applicant is otherwise notified in writing:
- 1. Pre-application conference.
 - 2. Determination of Completeness.
 - 3. Notice of Application.
 - 4. Preliminary staff Determination of Consistency including:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review, as appropriate.
 - 5. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 - 6. SEPA Threshold Determination.
 - 7. Preparation of a City staff report containing preliminary determination of consistency and recommendations, including potential mitigating measures. This report shall be available for public review ten days prior to the open record public hearing.

8. An open record public hearing shall be conducted by the Hearing Examiner, in accordance with adopted administrative procedures. This may include:
 - a. A presentation by City staff including submittal of staff report and application materials for record, as well as any written comments received prior to the hearing.
 - b. Presentation by the Applicant and the submittal of any additional information for the record.
 - c. Public comments and the submittal of any additional information for the record.
 - d. Questions from the Hearing Examiner.
 - e. Rebuttal, response, or clarifying statements by City staff and Applicant.
9. Hearing Examiner review of the record, preparation of findings and conclusions, and the issuance of a Notice of Decision in accordance with adopted administrative procedures. This shall include a decision to approve, deny, or approve subject to conditions, the application(s) based on findings that:
 - a. The proposal is or is not consistent with the provisions of the College Place Comprehensive Plan and Unified Development Code.
 - b. The proposal is or is not in the public interest.
 - c. Potential adverse environmental impacts have or have not been adequately considered.
 - d. The proposal does or does not lower the level of service standards established in the College Place Comprehensive Plan and/or the City's concurrency standards have been met.
 - e. Adequate provisions have or have not been made to protect the public health, safety, and welfare. Such provisions may include, but are not limited to open space, drainage ways, streets and other public ways, transit stops, water supply, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds, and pedestrian and bicycle ways.
 - f. That mitigating measures and dedications are or are not reasonably related and proportional to the impacts created by the proposal.

- B. A decision on a Type 3 application shall be effective at the conclusion of a 15-day notice period unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.090 Procedures for Type 4 Review. Decisions on all Type 4 permit applications shall be made by the City Council following an open record public hearing.

- A. Applications for Type 4 permits shall be processed by the City in accordance with the following procedures, unless the Applicant is otherwise notified in writing:
 - 1. Pre-application conference.
 - 2. Determination of Completeness.
 - 3. Notice of Application.
 - 4. Preliminary staff Determination of Consistency including:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review.
 - 5. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 - 6. SEPA Threshold Determination.
 - 7. Distribution of the proposed amendments to state and local agencies, as appropriate, for review and comment.
 - 8. Preparation of a City staff report containing preliminary determination of consistency and recommendations, including potential mitigating measures. This report shall be forwarded to the designated hearing body and available for public review ten days prior to the open record public hearing.
 - 9. An open record public hearing shall be conducted by the designated hearing body, in accordance with established procedures. This may include:
 - a. A presentation by City staff including submittal of staff report and application materials for record, as well as any written comments received prior to the hearing.

- b. Presentation by the Applicant and the submittal of any additional information for the record.
 - c. Public comments and the submittal of any additional information for the record.
 - d. Questions from the Planning Commissioners.
 - e. Rebuttal, response or clarifying statements by City staff and the Applicant.
10. A review of the complete record by the Planning Commission and the preparation of a recommendation to the City Council, as applicable.
 11. The recommendation of the Planning Commission along with a complete copy of the record shall be provided to the City Council for review prior to their decision, as applicable.
 12. City Council review and action.
 13. Issuance of a Notice of Decision.
- B. A decision on a Type 4 application shall be effective upon approval unless otherwise provided, and/or unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.100 Applications and Determination of Completeness.

- A. ~~All applications must~~ shall be submitted in the manner required by the City on such forms and all information required by the City must be provided with the application (procedural submission requirements) ~~shall provide such information as may be prescribed by the City,~~ provided that:
1. All applications shall be signed by the property owner or show owner consent of the application by the agent acting on the owner's behalf.
 2. Applicable fees shall be submitted at the time of application unless otherwise specified.
 3. The Applicant shall be responsible for the preparation of all application materials including all special studies and reports, this may include, but is not limited to the following, which shall be prepared by a qualified professional:
 - a. Environmental checklist.
 - b. Critical area reports.

- c. Survey and site plan.
 - d. Landscaping plans.
 - e. Stormwater modeling.
 - f. Fire flow calculations.
 - g. Transportation studies and traffic impact analysis; and
 - h. Preliminary civil plans.
- B. Upon acceptance of a project permit application, the City will review all materials received from the Applicant to determine if the application is complete and ready for processing. Within twenty-eight (28) days after receiving a project permit application, the City shall ~~mail, email, or provide in-person written notification~~ a written determination to the Applicant. This written determination must state either:
1. The City has determined the application to be complete; (Notice of Completeness). The Notice of Completeness will state ~~establishing~~ the date that the application is ready for processing. This notification may also include:
 - a. A description of the process to review the application(s) and projected timeframes.
 - b. A preliminary determination of those development regulations that will be used for project mitigation.
 - c. To the extent known by the City, other agencies that may also have jurisdiction over the application and/or other permits or approvals that may be required.
 - d. Additional information that may be required to complete the review of the application.
 - e. A preliminary determination of consistency.
 2. The City has determined the application to be incomplete and ~~that the procedural submission requirements have not been met. This determination shall outline~~ what is necessary to make the application procedurally complete, ~~and as well as~~ the timeframes for submitting additional information.
 - a. Upon receipt of the required additional information within the stated required timeframes, the City shall notify the Applicant within 14 days if the application is complete or ~~if that~~ additional information is required and state the timeframe for submitting the required additional information.

- b. The Applicant may request a time extension to submit the requested information. The City may grant or deny the request or grant a time extension different than requested. All time extensions must be made in writing.
- c. If the Applicant fails to respond or to submit the requested information in the established time-frames, the City shall notify the Applicant in writing that the application has lapsed and become void.

~~d.C. _____ The issuance of a Determination of a Completeness shall not preclude the City from requesting additional information from or actions by the Applicant in order to complete the processing of an application.~~

- ~~3. A project permit application is complete for the purposes of this Section when it meets the procedural submission requirements of the City. Additional information or studies may be required, or project modifications may be undertaken subsequent to the procedural review of the application by the City. The Determination of Completeness shall not preclude the City from requesting additional information or studies either at the time of the Notice of Completeness or subsequently if new information is required or substantial changes in the proposed action occur. However, if the procedural submission requirements, as outlined on the project permit application have been provided, the need for additional information or studies may not preclude a completeness determination.~~
- ~~4. A project application shall be deemed procedurally complete on the 29th day after the City has received the application if the City has not provided a written determination to the Applicant that the application is procedurally incomplete. This provision does not preclude the City from seeking additional information or studies as provided above.~~

14.30.110 Notice of Application. Within 14 days of the issuance of a Determination of a Completeness, the City shall issue a Notice of Application for all Type 2, 3, and 4 permit applications, in accordance with the provisions of Section 14.30.230 Public Notice requirements.

A. Notices of Application ~~must~~^{shall} include:

- ~~1. The date of application, the date of the Notice of Completion for the application, and the date of the Notice of Application.~~
- ~~2. A description of the proposed project action, a list of the project permits included in the application and, if applicable, a list of any studies requested by the City.~~

3. Identification of the permits not included in the application to the extent known by the City. ~~and approvals that may be required and opportunities for public review and comment,~~
4. The identification of existing environmental documents that evaluate the proposed project and the location where the application and any studies can be reviewed.
5. A statement of the public comment period, which shall be not less than fourteen nor more than thirty days following the date of Notice of Application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. The City may accept public comments at any time prior to the closing of the record of an open record pre-decision hearing, if any, or, if no open record pre-decision hearing is provided prior to the decision on the project permit.
6. The date, time, place, and type of hearing, if applicable and if scheduled at the date of Notice of the Application.
7. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency; and
- ~~SEPA actions taken or Preliminary SEPA Threshold Determinations, if any.~~
8. Any other information determined appropriate by the City.

- B. A preliminary SEPA Threshold Determination or Preliminary SEPA action may be included with Notice of Application if such preliminary actions have been made at the time the Notice of Application is issued. A preliminary SEPA Threshold Determination, or preliminary SEPA action, does not substitute, or in any way circumvent, the process for making a final SEPA Threshold Determination or in taking a SEPA action. Preliminary SEPA determinations are intended to encourage early public comment on project applications.

14.30.120 SEPA Threshold Determinations. SEPA Threshold Determinations shall result in a Determination of Non-significance (DNS), or a Determination of Significance (DS), provided that the City may also issue a Mitigated Determination of Non-Significance (MDNS) based on conditions required by the City, or on changes to or clarifications of, the proposal made by the Applicant.

- A. After submission of an environmental checklist and prior to a Threshold Determination, the City shall notify the Applicant if it is considering issuing a DS. As a result, the Applicant may clarify or change features of the proposal to mitigate the impacts which make the DS likely. If a proposal continues to have a probable significant adverse

environmental impact, even with the mitigating measures, an environmental impact statement (EIS) shall be prepared.

- B. If a preliminary SEPA Threshold Determination was not made in conjunction with a Notice of Application, and no probable significant adverse impacts are anticipated, a Determination of Non-Significance shall be issued, and a 15-day comment period may be required.
- C. If a pre-decision open record public hearing is required, the SEPA Threshold Determination must be issued at least 15 days before the hearing.
- D. If the City makes a SEPA Determination of Significance concurrently with the Notice of Application, the Notice of Application shall be combined with the Determination of Significance and Scoping Notice.
- E. Whenever the City makes a Threshold Determination, it shall seek to include the public notice for the SEPA action with the Notice of Application or Notice of Decision for any associated land use application(s) or permits, provided that:
 - 1. If no public notice is required for the permit or approval, the City shall give notice of the DNS or DS by publishing a notice in the City's Newspaper of Record.
 - 2. Whenever the City issues a DS, all public notices shall state the scoping procedure for the required EIS; and
 - 3. Whenever the City issues a draft EIS (DEIS), or Supplemental EIS (SEIS), notice of the availability of those documents shall be given by at least 2 of the following methods:
 - a. Indicating the availability of the DEIS or SEIS in any public notice required for an associated land use application or permit.
 - b. Posting the property, for site-specific proposals.
 - c. Posting on the City's website.
 - d. Publishing notice in the City's Newspaper of Record; and/or
 - e. Notifying the news media.
- F. Mitigation measures incorporated in the MDNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit or enforced in any manner specifically prescribed by the City.

- G. Nothing in this Section shall limit the authority of the City in its review or mitigation of a project to adopt or otherwise rely on environmental analyses and requirements under other laws, as provided by Chapter 43.21C RCW the State Environmental Policy Act.

14.30.130 Determination of Consistency. As part of all project and application reviews, the City shall determine if a proposed project or development activity is consistent with the provisions of the College Place Unified Development Code, or in the absence of applicable development regulations, the Vision, Values, Goals, and Policies, ~~and Objectives~~ of the College Place Comprehensive Plan. ~~Goals, Policies, and Objectives of the College Place Comprehensive Plan and the provisions of the College Place Unified Development Code.~~

- A. The Determination of Consistency shall include a review to verify that the proposed action will not cause levels of service to fall below the level of service standards established in the College Place Comprehensive Plan.
1. This shall include locally adopted regulations, procedures, and methods for determining concurrency in accordance with the provisions of WAC 365-196-840.
 2. In the case of transportation, proposed developments that would cause the level of service on a locally owned transportation facility to decline below the adopted standards shall not be approved unless improvements or strategies to accommodate the impacts of development are made concurrent with the development.
 - a. These strategies may include increased public transportation service, ride sharing programs, demand management, pro-rated financial contributions toward future improvements, and other transportation systems management strategies.
 - b. "Concurrent with development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.
 2. The City may require that any outstanding code enforcement actions be addressed, or unpaid fees, fines, or taxes paid before a final Determination of Consistency is made.

14.30.140 Site Plan Review. The purpose of a site plan review is to is to determine whether new development activities will or will not have an adverse effect on the public health, safety, and welfare of residents of College Place, and that new development activities are compatible with existing patterns of development and the provisions of the College Place Comprehensive Plan.

- A. A site plan review is required for all proposed development activities in the Multi-Family Residential (MFR), General Commercial (GC), Light Industrial (LI), and the Downtown Mixed-Use zone (DMU), as well as for manufactured home and mobile home parks, unless waived in writing by the City.

1. Development activities subject to a site plan review shall be determined by the City and may include new construction, modifications to existing uses or structures that increase the size of the building or the intensity of the use, and/or changes of use.
 2. The site plan review shall include the whole site including subsequent phases of development without regard to existing or proposed lot lines as well as nearby infrastructure.
 3. A site plan review permit is separate from and does not replace other required permits such as a conditional use permit or a shoreline substantial development permit. A site plan review may be combined and reviewed concurrently with other ~~permits and approvals~~permits/approvals/actions, as determined by the City.
- B. A site plan review application, prepared by a qualified professional, shall be submitted in a format prescribed by the City, and should include, but is not limited to, the following:
1. An accurate scaled drawing(s) depicting:
 - a. The location and dimension of the lot(s).
 - b. Existing topography and natural features.
 - c. The nature, location, dimensions of critical areas, shorelines, and their associated buffers, if any, on or adjacent to the site.
 - d. The footprint of existing and proposed structures, proposed building heights, proposed building setbacks, and the proposed uses.
 - e. The location of existing and proposed utilities including but not limited to water, hydrants, irrigation, sanitary sewer, electrical, light poles, and cable.
 - f. Existing and proposed easements.
 - g. The location of existing and proposed roads, driveways, parking facilities, loading areas, curbs, sidewalks, pedestrian facilities, bike lanes and facilities, and signage.
 - h. Existing and proposed walls, fences, and landscaping.
 - i. Existing and proposed open space, parks, plazas, public spaces, and public art.

- j. Proposed grading and drainage facilities in accordance with the provisions of College Place Municipal Code Chapter 13.86 Stormwater Management and the City of College Place Engineering Design Standards.
 - k. Other items as may be required by the City in writing.
 - 2. Technical reports prepared by a qualified professional. This may include, but is not limited to:
 - a. Critical area reports.
 - b. Landscaping plans.
 - c. Geo-technical reports.
 - d. Preliminary stormwater report.
 - e. Traffic impact analysis; and
 - f. Parking studies.
 - 3. Any additional information deemed necessary by the City.
- C. The City may approve a proposed site plan in whole or in part, with or without conditions, based on a finding that:
- 1. The project is consistent with the College Place Comprehensive Plan and meets the requirements and intent of the College Place Municipal Code, including the type of land use and the intensity/density of the proposed development.
 - 2. The physical location, size, and placement of the development on the site and the location of the proposed uses within the project avoid or minimize impacts to any critical resource or flood plain area to the greatest extent possible or are compatible with the character and intended development pattern of the surrounding properties.
 - 3. The project makes adequate provisions for water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health, welfare, and safety.
 - 4. Public access and circulation including non-motorized access and emergency vehicle access, as appropriate, are adequate to and on the site.
 - 5. Adequate setbacks and buffering have been provided. Any reduction to setbacks or buffer widths is the minimum necessary to allow for reasonable economic use of the

- lot and does not adversely impact the functional value of the critical resource area or adjoining land uses.
6. The physical location, size, and placement of proposed structures on the site and the location of proposed uses within the project are compatible with and relate harmoniously to the surrounding area.
 7. The project adequately mitigates impacts identified through the SEPA review process, if required.
 8. The project would not be detrimental to the public interest, health, safety, or general welfare.
- D. Approval of a Site Plan shall be valid for five years after the effective date and shall lapse at that time unless a building permit or other associated permits, as determined by the City, has been issued. The City may extend the Site Plan approval if it finds that the facts on which the site plan review is approved have not changed substantially.

14.30.150 Application Permit Processing.

~~A. Applications determined to be complete shall be processed in accordance with the procedures in this Chapter, provided that:~~

- ~~1. The City may request additional information from the Applicant at any time and may suspend the processing of an application(s) pending the receipt of requested information.~~
 - ~~a. Such requests shall be made in writing and shall identify the additional information required, the reason for the information, and the timeframes for submitting the additional information.~~
 - ~~b. If the Applicant does not respond to the request for additional information within sixty days, the application may be terminated.~~

A. For project permit applications submitted after January 1, 2025, the time periods for the City to issue a final decision for each type of complete project permit application or project type subject to this Chapter should not exceed the following time periods:

1. For project permits subject to a Type 1 Review a final decision must be issued within 65 days of the Determination of Completeness.
2. For project permits subject to a Type 2 Review a final decision must be issued within 100 days of the Determination of Completeness.

3. For project permits subject to a Type 3 Review a final decision must be issued within 170 days of the Determination of Completeness.

B. The following time periods shall not be counted when determining the number of days required to make a final decision:

1. Any period between the day ~~that~~ the City ~~has~~ notified the Applicant, in writing, that additional information is required to ~~further~~ process the application and the day when responsive information must be ~~is~~ submitted or resubmitted by the Applicant.

2. Any period after an Applicant informs the City, in writing, that they would like to temporarily suspend review of the project permit application until the time that the Applicant notifies the City, in writing, that they would like to resume the review of the application. The City may set, by written policy, conditions for the temporary suspension of a permit application.

3. Any period after an administrative appeal is filed until the administrative appeal is resolved and any additional time period provided by the administrative appeal has expired.

C. The time periods for the City to process a project permit shall start over if an Applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the City.

D. If, at any time, an Applicant informs the City in writing, that the Applicant would like to temporarily suspend the review of the project for more than 60 days, or if an Applicant is not responsive for more than 60 consecutive days after the City has notified the Applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for the City to issue a final decision for each type of project permit that is subject to this Chapter.

1. Any written notice from the City to the Applicant that additional information is required to further process the application must include a notice that non-responsiveness for 60 consecutive days may result in 30 days being added to the time for review.

2. For the purposes of this subsection, "non-responsiveness" means that an Applicant is not making demonstrable progress on providing additional requested information to the City, or that there is no ongoing communication from the Applicant to the City on the Applicant's ability or willingness to provide the additional information.

E. The City may approve, approve subject to conditions, or deny an application based on the information included in the record.

1. In approving an application, the City may impose such conditions and safeguards as may be required to comply with the provisions of this Title and to protect the health, safety, and welfare. These conditions and safeguards may include, but are not limited to, the following:
 - a. Measures identified during the environmental review process.
 - b. Measures necessary to comply with the provisions of the College Place Comprehensive Plan.
 - c. Measures necessary to comply with provisions of the College Place Municipal Code; and/or
 - d. Measures necessary to ensure compatibility of the proposed development activity with neighboring land uses, and consistency with the intent and character of the zoning district. This may include, but is not limited to:
 - (1) Increasing the required lot size, setback, or yard dimensions.
 - (2) Limiting the height of buildings or structures.
 - (3) Controlling the number and location of vehicular access points.
 - (4) Requiring the dedication of additional rights-of-way for future public street improvements identified in an adopted transportation plan.
 - (5) Requiring the designation of public use and utility easements and the recording of same.
 - (6) Increasing or decreasing the number of required off-street parking and/or loading spaces as well as designating the location, screening, drainage, surfacing or other improvement of a parking area.
 - (7) Frontage improvements or infrastructure improvements.
 - (8) Limiting the number, size, height, shape, location, and lighting of signs.
 - (9) Requiring view-obscuring fencing, landscaping, or other facilities to protect adjacent or nearby properties.
 - (10) Requiring site reclamation upon discontinuance of use and/or expiration or revocation of the project permit.

(11) Limiting hours and size of operation; and

(12) Controlling the siting of the use and/or structures on the property.

2. The City may deny an application based on finding that the proposed action:

- a. Would endanger the public health, safety, and welfare.
- b. Would have a probable, significant, adverse impact on the environment that cannot be reasonably mitigated.
- c. Is not consistent with the Goals and Policies of the College Place Comprehensive Plan.
- d. Does not comply with the provisions of the College Place Municipal Code; or
- e. Information required by the City in order to complete the processing was not provided in accordance with the provisions of this Title.

14.30.160 Conditional Use Permits. Certain uses may only be permitted in a zoning district through the issuance of a Conditional Use Permit.

A. The approval of a conditional use permit shall be based on a finding by the City that:

- 1. The use will not endanger the public health, safety, or welfare.
- 2. The location and character of the use if developed according to the plan as submitted and approved or conditionally approved will be compatible and in harmony with the area in which it is to be located.
- 3. The proposed use is in general conformity with the City's Comprehensive Plan; and
- 4. The use meets all required conditions and specifications set forth in the zone where it is proposed to be located unless a variance has been granted by the City.

B. The City shall have the authority to require and approve specific plans and to increase the requirements set forth in this Title. Any reduction in the requirements of this Title shall only be granted through the approval of a variance.

C. If the potential adverse impacts of a proposed development activity cannot be adequately mitigated through conditions of approval, the City may deny the application for a Conditional Use Permit.

14.30.170 Special Use Permits. ~~Certain Temporary~~ uses ~~in a zoning district or activities~~ may be permitted for a specific period of time through the issuance of a Special Use Permit. ~~Limited duration activities on public property may also be permitted through a Special Event Permit or a Right-of-Way Use Permit.~~

A. Applicability. ~~The Uses or activities~~ that may be permitted through a Special Use Permit are identified in the Table of Permitted Uses (CPMC 14.30.050), provided that:

1. The City may approve additional uses based on a finding that they are compatible with neighboring uses.
2. Uses that are specifically prohibited in a Zoning District may not be permitted through the issuance of a Special Use Permit in that district.
3. The City may authorize the use of a public sidewalk or a parking space in the public right-of-way by an adjoining business in accordance with the provisions of CPMC 14.60.145.

~~B. Approval Criteria.~~ The City may approve, approve with conditions, or deny ~~a request for approval of~~ an application for a Special Use Permit subject to compliance with the following criteria:

1. ~~The~~ Applicant owns the property to be used or has provided proof of the property owner's permission to use his/her/their property.
2. The proposed site is adequate ~~in size and shape with appropriate screening, landscaping, and/or mitigating measures~~ to accommodate the ~~temporary or special use and appropriate measures to mitigate impact on neighboring without detriment to the use and enjoyment of other properties~~ and uses are taken or exist on the property to be used in the project vicinity.
3. ~~The proposed site is a~~ Adequate to accommodate the use while providing for appropriate protection of the public health, safety, and welfare as determined by the City, which may include, but is not limited to, appropriate traffic control measures, emergency service access, potable water supply and sanitation facilities, provisions have been made for access and circulation, water supply, stormwater control drainage, sanitary sewage disposal, and solid waste management, recycling, emergency services, adverse weather conditions, and environmental protection, and the protection of the public health, safety, and welfare, as determined by the City; and
4. ~~The proposed site has a~~ Adequate parking or public transportation available for the use to accommodate vehicular traffic to be generated by the temporary or special use will be available either on-site or at alternate locations acceptable to the City.

5. The proposed site and use comply with all other City requirements imposed in the interest of public safety and welfare~~operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a threat to the public health, safety, or general welfare.~~

14.30.180 Variances. This Section shall govern the issuance of variances to reduce or modify certain provisions of this Title.

- A. A variance may be granted to the density, dimension, height, setback, and development standards, provided that all other provisions of this Title can be met. A variance of a numerical standard, such as a setback or density, shall not exceed 20%. For example, a 10' setback could be reduced up to 2'.
- B. Under no circumstances shall the City grant a variance to allow a use not permissible under the terms of this Title in the zoning district involved, or any use expressly or by implication prohibited in the zoning district by the terms of this Title.
- C. Variances shall be processed in conjunction with associated ~~permits—and approvals~~permits/approvals/actions. For example, a variance request submitted with a short plat application, will be processed in accordance with the Type 2 Review procedures, a variance request submitted with a subdivision application will be processed in accordance with the Type 3 procedures.
- D. Variances may be approved by the City based on a finding that such variance will not be contrary to the public interest and the Comprehensive Plan or where literal enforcement of the provisions of this Title would result in undue hardship. A variance shall not be granted unless the City further finds that the Applicant has demonstrated all of the following:
 1. That special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, do exist; and
 2. That because of such special circumstances, strict application of this Title would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity under identical zoning district classification; and
 3. That the granting of the variance will not be materially detrimental to the public health, safety, and welfare or injurious to the property or improvements in the vicinity and zoning district classification in which the property is situated; and
 4. That the special circumstances do not result from the actions of the Applicant; and
 5. That the granting of a variance will be in harmony with the general purpose and intent of this Title, the specific zoning district, and the City Comprehensive Plan.

14.30.190 Notice of Decision. A Notice of Decision shall be issued for all Type 2, 3 and 4 permit applications. A Notice of Decision may not be issued until the expiration of the comment period on the Notice of Application.

A. Notices of Decision shall include:

1. A description of the decision or actions taken.
2. Any mitigation or conditions of approval required under applicable development regulations or under SEPA.
3. If a SEPA threshold determination has not been issued previously, the Notice of Decision shall state this determination.
4. A description of applicable appeal procedures; and
5. Notification that affected property owners may request a change in valuation for property tax purposes.

14.30.200 Appeals.

A. Standing to initiate an appeal of Type 1, 2, 3 and 4 Reviews is limited to the Applicant, Project Sponsor, or owner of the property in which the project permit is proposed, parties of record, affected agencies or tribes, or any person aggrieved by the final decision and who will suffer direct and substantial impacts from approval or denial of the project. A person is aggrieved or adversely affected within the meaning of this Section, only when all of the following conditions are present:

1. The land use decision has prejudiced or is likely to prejudice that person.
2. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision.
3. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
4. The petitioner has exhausted his/~~or~~ her/their administrative remedies to the extent required by law.

B. All appeals of interpretations or actions regarding Type 1 and 2 Reviews shall be filed in a format prescribed by the City along with the required fee, within 14 days of the date of the interpretation or action. If the deadline to file an appeal falls on a weekend or on a City Holiday, the deadline shall become the next business day. The City shall mail written notice to all parties of record to apprise them of all open and closed record public appeal hearings

and shall place a public notice in the City's Newspaper of Record at least fourteen days before the open record appeal hearing.

1. The Notice of Appeal shall specify the claimed error(s) and issue(s) which the Appellate Body is asked to consider and shall specifically state all grounds for such appeal. Issues or grounds of appeal which are not so identified need not be considered by the Appellate Body.
 2. The Appellants and any Respondents to the Notice of Appeal shall have the opportunity to present oral and written arguments during open record appeal hearings. For all closed record appeals, the record shall be limited to information presented during the preceding open record hearing. Oral argument shall be confined to the established record and to any alleged errors in the decision.
 3. Following an appeal hearing, the Appellate Body may affirm, reverse, or modify the decision of record and shall adopt its own written findings and conclusions in support of its decision; and
 4. The City may require an Applicant and/or the Appellant to reimburse the City for the cost of preparing materials to be used during open record public hearings or closed record appeals, including but not limited to the cost of copying, taping, and/or transcribing a certified record of the proceedings.
 5. Appeals of SEPA threshold Determinations or SEPA actions shall be combined with any appeals of associated applications or permits. If the final decision incorporates the SEPA threshold determination subject to a fourteen-day comment period, a joint twenty-one-calendar-day appeal period shall be provided on both the project decision and the SEPA threshold determination.
- C. All Type 3 and Type 4 land use decisions and the decisions of the Hearing Examiner on appeals of Type 1 and 2 permits may be appealed by a party with standing to file a land use petition in Washington State Superior Court, unless otherwise specified, in accordance with the provisions of Chapter 36.70C RCW. Such petition must be filed within twenty-one days of issuance of the decision. This process shall be the exclusive means of judicial review except for local land use decisions reviewable by a quasi-judicial body created by state law, such as the shorelines hearings board.

14.30.210 Amendments. The purpose of this Section is to establish the process for amending project specific ~~permits and approvals~~permits/approvals/actions, as well as the City's Comprehensive Plan and the Unified Development Code and related maps.

- A. Project Specific ~~Permits and Approvals~~Permits/approvals/actions - Minor Amendments.

1. Proposed amendments to project specific ~~permits—and approvals~~permits/approvals/actions may be determined by the City to be minor amendments, and subject to the provisions of this Section, provided that the proposed amendments do not:
 - a. Alter the overall character of the project.
 - b. Increase the number of lots, dwelling units, or density.
 - c. Decrease the quality or amount of open space.
 - d. Significantly increase the demand for public utilities or services.
 - e. Trigger the need for a new or supplemental environmental review; or
 - f. Introduce a new use that is prohibited in the zone or that may only be permitted through a conditional use permit.
2. Minor amendments shall be processed in accordance with the provisions of Section 14.30.080 and may be approved, modified with conditions of approval by the City, or denied, provided that:
 - a. A proposed change to a condition of approval does not modify the intent of the original condition; and
 - b. The perimeter boundaries of the original site shall not be extended by more than five percent of the original lot area; and
 - c. The proposal does not add more than ten percent gross square footage of structures on the site; and
 - ~~d. The proposal does not increase the overall impervious surface on the site by more than ten percent; and~~
 - e.d. Proposed changes to yard and height requirements are limited to ten percent of the required dimension.
3. Any additions or expansions approved through minor amendments that would cumulatively exceed the requirements of this Section shall be reviewed as a major amendment.

B. Project Specific ~~Permits and Approvals~~Permits/approvals/actions - Major Amendments.

1. Proposed amendments to project specific ~~permits—and approvals~~permits/approvals/actions that do not meet the criteria for a minor

- amendment, as determined by the City, shall be considered a major amendment and subject to the provisions of this Section.
2. Major amendments shall be subject to processing in the same manner as the original permit or approval, as determined by the City.
- C. Amendments to the College Place Comprehensive Plan. Proposed amendments to the Comprehensive Plan including, but not limited to the Goals and Policies, Level of Service Standards, and the Future Land Use Map shall be processed as a Type 4 review, in accordance with the provisions of Section 14.30.080, provided that:
1. Applications from the public shall only be accepted for review in accordance with the provisions of the public participation plan adopted by the City to guide the annual review of Comprehensive Plan amendments.
 2. The City may propose amendments at any time.
 3. Amendments shall be considered by the City Council no more frequently than once a year, except when the proposed amendment:
 - a. Is for the initial adoption of a sub-area plan.
 - b. Adopts or amends a Shoreline Master Program; or
 - c. Amends the capital facilities element concurrent with the adoption of the City's budget.
- D. Amendments to the Unified Development Code and/or Official Zoning Map. Applications to amend Title 14 of the College Place Municipal Code, also known as the Unified Development Code and/or a general, non-site-specific amendment to the Official Zoning Map, also known as a general rezone, may be submitted at any time, in a format prescribed by the City. These applications shall be processed as a Type 4 review, in accordance with the provisions of Section 14.30.080, provided that:
1. Site specific rezone applications that require an amendment to the Comprehensive Plan or Future Land Use Map, shall be processed in conjunction with those amendments, and shall be subject to the annual limitations for processing proposed amendments to the Comprehensive Plan.
 2. Amendments to the Unified Development Code may be held by the City for processing in conjunction with the annual review of Comprehensive Plan amendments.

3. The diagrams and illustrations contained in the Unified Development Code are provided as a resource to the reader and may be changed by City staff without formally amending the code.
- E. Upon review of the application materials, the City staff report, environmental documents, written comments from the public as well as from local, state, and federal agencies, and testimony presented at the required public hearing, the Planning Commission shall make a recommendation to the City Council to approve, approve subject to conditions, or deny the Application. The recommendation of the Planning Commission shall be based on the official record of their proceedings and deliberations and shall include written findings addressing the following:
1. The need for the proposed rezone.
 2. Whether the proposed rezone is in the public interest.
 3. Consistency with the College Place Comprehensive Plan and related documents.
 4. Consistency with the College Place Future Land Use Map.
 5. Compliance with the provisions of the College Place Unified Development Code; and
 6. Compliance with the provisions of the Laws of Washington State including, but not limited to, the Washington State Growth Management Act and the Washington State Environmental Policy Act.
 7. The City Council shall make a decision to approve, approve subject to conditions, or deny the application(s) based on a review of the record provided by the Planning Commission, provided that the City Council may also remand proposed amendments to the Planning Commission for further research, review, and deliberations.
- F. Nothing in this Chapter shall preclude the City Council from adopting Moratoria or Interim Zoning Controls in accordance with the provisions of RCW 36.70A. 390 or as subsequently amended.

14.30.220 Performance.

- A. Any development activity authorized through a permit or approval issued in accordance with the provisions of this Title shall be completed within two years from the date of approval, unless otherwise specified by the City.
1. Failure to meet the time limit set shall void the permit or approval.

2. The City, at its sole discretion, may authorize a time extension upon request, provided such extension request is filed in writing prior to the required completion date. Such extension request shall detail unique and special circumstances that prohibited the completion of the use authorized.
- B. If the City finds the conditions and safeguards made part of the terms under which the project permit was granted have not be complied with or are not being maintained, the City shall prescribe a reasonable time for correction, and if corrections are not made within the time limit, the permit may be suspended or revoked.
 - C. The City may revoke a project permit issued pursuant to this Title, based on a finding that:
 1. The application included any false information material to the project permit approval, or the permit was obtained by fraud.
 2. The conditions and safeguards required in the permit have not been complied with or are not now being maintained.
 3. The use for which a conditional use permit was granted has at any time ceased for one-year or more; or
 4. The required fees were not paid, or documents were not recorded, in a timely manner.
 - D. The suspension or revocation of a permit may be appealed to the City Hearing Examiner in order to show cause why such permit approval should not be suspended or revoked.
 - E. An application for a permit previously revoked under this Section cannot be submitted until all remedial actions required of the Applicant/Project Sponsor/ Property Owner have been completed and all fines, penalties, and fees paid.
 - F. Violation of such conditions and safeguards, when made part of the terms under which the project permit is granted, shall be considered a violation of this Title, and may result in suspension or revocation of the permit and/or enforcement actions in accordance with the provisions of the College Place Municipal Code.

14.30.230 Public Notice Requirements.

- A. These public notice requirements shall apply to the following unless otherwise specified:
 1. Notices of Application.
 2. Public hearing notices.
 3. SEPA Threshold Determinations.

4. Notices of Decisions; and

5. Notices of Appeals.

B. Prior to any public comment period and at least fifteen days prior to the date of any open record public hearing ~~and/or any public comment periods~~ the City shall:

1. Publish the notice in the general newspaper of record.

2. Post the notice on the City website and at City Hall.

3. Place a sign that displays the public notice on each street frontage in accordance City specifications and installation requirements; and

4. Mailed to the:

a. Applicant.

b. Owners of all parcels within 300 feet of the boundaries of the parcel in question and any adjacent parcels under the ownership or control of the Project Sponsor.

c. Agencies with jurisdiction.

d. Parties who have provided oral or written testimony on the permit and requested to be on the mailing list.

e. Parties who have submitted written requests to receive notice; and

f. Parties of Record.

C. All SEPA Threshold Determinations shall be distributed to:

1. The Washington State Department of Ecology SEPA Register at separegister@ecy.wa.gov.

2. Agencies and jurisdictions on the City's SEPA mailing list; and

3. All parties listed in Section 14.30.230 B 4 above.

Chapter 14.40 Environmental Review

Sections:

14.40.010	Introduction.
14.40.020	Substantive Authority.
14.40.030	SEPA Administration.
14.40.040	Categorical Exemptions.
14.40.050	SEPA Checklist.
14.40.060	Threshold Determination.
14.40.070	Preparation of EIS.
14.40.080	Appeals.

14.40.010 Introduction. The purpose of this Chapter is to highlight the environmental review requirements of the City and the Washington State Environmental Policy Act.

- A. The City recognizes that each person has a fundamental and inalienable right to a healthful environment, and that each person has a responsibility to contribute to the preservation and enhancement of the environment.
- B. The City shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:
 1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
 2. Assure for all people safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
 3. Attain the widest range of beneficial uses of the environment without risk to health, safety, or welfare or other undesirable and unintended consequences.
 4. Preserve important historic, cultural, and natural aspects of our national, state, or City heritage.
 5. Maintain, wherever possible, an environment which supports diversity and variety of individual choice.
 6. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
 7. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

14.40.020 Substantive Authority. The following provisions constitute the City's SEPA policies and the basis for exercising the substantive authority granted to the City through the Washington State Environmental Policy Act.

- A. The City designates and adopts by reference the following documents, as amended, as the basis for the City's exercise of authority pursuant to this Section:
 - 1. College Place Comprehensive Plan.
 - 2. College Place Parks Recreation and Open Space Plan.
 - 3. College Place Comprehensive Water and Sewer Plans.
 - 4. College Place Six-Year Transportation Plan.
 - 5. College Place Municipal Code.
 - 6. City of College Place Engineering Design Standards; and
 - 7. The International Codes as adopted and administered by the City.
- B. The City may attach conditions to a permit or approval for the proposal so long as:
 - 1. Such conditions are necessary to mitigate specific probable adverse environmental documents prepared pursuant to this Chapter.
 - 2. Such conditions are in writing.
 - 3. The mitigation measures included in such conditions are reasonable and capable of being accomplished.
 - 4. The City has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
 - 5. Such conditions are based on one or more policies of the Comprehensive Plan and the provisions in this Title and cited in the permit, license, or other decision document.
- C. The City may deny a permit or approval for a proposal on the basis of a SEPA review so long as:
 - 1. A finding is made that approving the proposals would result in probable significant adverse environmental impacts that are identified in a final environmental impact statement (FEIS), or final supplemental environmental impact statement (FSEIS) prepared pursuant to this Chapter.

2. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and
3. The denial is based on one or more policies identified in this Title or Comprehensive Plan and identified in writing in the decision document.

14.40.030 SEPA Administration.

- A. The City adopts Chapter 197-11 of the Washington Administrative Code by reference unless otherwise noted or modified by the provisions of this Title.
- B. For those proposed projects, development activities, or actions for which the City is the lead agency, the SEPA Responsible Official shall be the Community Development Director or his/her/their designee.
 1. The designated SEPA Responsible Official shall make the SEPA Threshold Determination, supervise the scoping and preparation of any required environmental documents, and perform any other related functions assigned to the lead agency as identified in this Chapter or WAC 197-11.
 2. In addition, the SEPA Responsible Official may require the Applicant or Project Sponsor to prepare and submit such environmental documents as may be necessary to complete required environmental reviews.

14.40.040 Categorical Exemptions. All proposed projects or development activities are subject to the provisions of this Chapter and WAC 197-11, except those activities that are identified in WAC 197-11-800 as being categorically exempt from SEPA, including:

- A. The following minor new construction activities are exempt from the provisions of this Chapter unless the site contains critical areas or otherwise does not meet the exemption criteria of WAC 197-11-800:
 1. The construction or location of up to and including fourteen (14) single family residential ~~nine (9)~~ dwelling units.
 2. The construction or location of up to sixty (60) multi-family residential dwelling units.
 3. The construction of a barn, loafing shed, farm equipment storage building, produce storage, or packing structure, or similar agricultural structure, covering up to 30,000 square feet, provided that said structure is to be used by the property owner or his-~~or~~ /her/their agent in the conduct of permitted farming on the property. This exemption shall not apply to feed lots.

4. The construction of an office, school, commercial, recreational, service, storage building, with up to 30,000 square feet of gross floor area and associated parking facilities designed for no more than 90 automobiles~~;~~^{or}
 5. Any landfill or excavation of up to ~~200~~ 1,000 cubic yards throughout the total lifetime of the fill or excavation.
 6. The construction of a parking lot not associated with a specific structure designed for up to 90 automobiles~~;~~^{or}
- B. Actions which must be undertaken immediately, or within a time period too short to allow full compliance with this Chapter, to avoid an immediate threat to public health, safety, and welfare to prevent an immediate danger to public or private property, or to prevent an imminent threat to serious environmental degradation, shall be exempt from the procedural requirements of this Chapter.
1. The SEPA Responsible Official shall determine on a case-by-case basis those emergency actions which qualify for this exemption.
 2. The City's determination that a proposal is exempt shall be final and not subject to appeal. If a proposal is exempt, none of the procedural requirements of this Chapter shall apply to the proposal. The City shall not require completion of an environmental checklist for an exempt proposal.
- C. If a proposal includes exempt and nonexempt actions, the City may authorize exempt actions prior to compliance with the procedural requirements of this Chapter, except that:
1. The City shall not give authorization under this Section for:
 - a. Any nonexempt action.
 - b. Any action that would have an adverse environmental impact; or
 - c. Any action that would limit the reasonable choice of alternatives.
 2. The City may withhold approval of an exempt action that would lead to modification of the physical environment when such modification would serve no purpose if nonexempt action(s) were not approved.
 3. The City may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.

14.040.050 SEPA Checklist. All applications for a permit, license, certificate, or other approval as required by the provisions of this Title shall include a completed SEPA Checklist in such form as provided by the City.

- A. A completed SEPA checklist shall not be required when:
 - 1. The City has determined the activity to be Categorically Exempt from the requirements of SEPA; or
 - 2. The City and Applicant mutually agree that an EIS is required; or
 - 3. SEPA compliance for the proposed project has already been completed; or
 - 4. SEPA compliance has been initiated by another agency.
- B. For private proposals, the Applicant shall be responsible for completing the SEPA checklist and providing all required supporting documentation.
- C. For proposals sponsored by the City or another public agency, the agency or department initiating the proposal shall be responsible for completing the SEPA checklist and providing all required supporting documentation.
- D. For projects submitted as planned actions under WAC 197-11-164, the City will use its existing environmental checklist form or may modify the environmental checklist form as provided in WAC 197-11-315. The modified environmental checklist form may be prepared and adopted along with or as part of a planned action ordinance or developed after the ordinance is adopted. In either case, a proposed modified environmental checklist form must be sent to the Washington State Department of Ecology to allow at least a 30-day review prior to use.

14.040.060 Threshold Determination. The SEPA Responsible Official shall review SEPA Checklists to determine if they are complete and ready for processing. If the checklist has not been completed, the City shall notify the Applicant in writing and shall identify what additional information must be provided. If the Checklist has been completed, the SEPA Responsible Official shall make a Threshold Determination and issue either a Determination of Non-Significance (DNS), a Mitigated Determination of Non-Significance (MDNS), or a Determination of Significance (DS).

- A. An Applicant may request in writing early notice that a Determination of Significance may be likely.
 - 1. The City shall notify the Applicant in writing if a Determination of Significance is likely and the concerns that may trigger the need for the preparation of an EIS.

2. The Applicant shall be given the opportunity to clarify or revise their proposal in order to lessen the potential adverse impacts.
- B. If the City determines that the proposed action shall not have a probable, significant adverse impact on the environment, it shall issue a Determination of Non-Significance, and no further environmental review of the proposed action shall be required. Upon issuance of the DNS the City may proceed with processing the application(s) associated with the proposed action.
 - C. If the City determines that the proposed action may have significant adverse impacts on the environment, but that they can be reasonably mitigated by measures to avoid, minimize, or compensate for the potential adverse impacts, it shall issue a Mitigated Determination of Non-Significance, and shall identify in writing the mitigating measures that shall be included as subsequent conditions of approval.
 1. The issuance of an MDNS shall include public notice and a fifteen-day comment period. No permits or approvals associated with the proposed action shall be taken until the completion of this comment period.
 2. Based on comments received the City may modify required mitigation measures, impose additional measures, or may rescind the Threshold Determination.
 - D. If the City determines that the proposed action is likely to have a probable, significant adverse impact on the environment, it shall issue a determination of significance and require the preparation of an environmental impact statement, in accordance with the provisions of this Title and WAC 197-11.

14.40.070 Preparation of EIS. The preparation and issuance of draft and final environmental impact statement (EIS) documents is the responsibility of the City.

- A. The City may elect to prepare EIS documents required for a proposed action with City staff or the EIS documents may be prepared by a qualified professional selected by the City in consultation with the proposed Project Sponsor. All costs associated with the preparation and issuance of an EIS document shall be the responsibility of the Applicant or Project Sponsor in accordance with the provisions of the City fee schedule and/or voluntary cost sharing agreement.

14.40.080 Appeals.

- A. The following administrative appeal procedures are established in accordance with the provisions of RCW 43.21C.075 and WAC 197-11-680:
 1. Decisions concerning final threshold determinations (DS, DNS or MDNS) and final environmental impact statements (FEIS) made by the SEPA Responsible Official may

- be appealed to the College Place Hearing Examiner within 14 days of the issuance of DS, DNS, MDNS or FEIS by filing a written notice of appeal with the City.
2. There shall be no appeals of determinations concerning whether there is a "proposal" or "action," whether a proposal is categorically exempt, or who is the lead agency; nor may there be appeals of checklists, scoping determinations, or draft impact statements.
 3. SEPA appeals must combine review of SEPA issues with the related government action.
 4. For any appeal under this section, the City shall provide for a record that shall consist of the following:
 - a. Findings, conclusions, and decisions.
 - b. Testimony under oath.
 - c. A taped recording of all hearings; and
 - d. True copy of all documents and comments submitted in the matter.
 5. The City may require the Appellant to provide an electronic transcript.
 6. Procedural determinations made by the City's SEPA Responsible Official shall carry substantial weight within any appeal proceeding.

Chapter 14.50 Zoning

Sections:

- 14.50.010 Introduction.**
- 14.50.020 Official Zoning Map.**
- 14.50.030 Table of Permitted Uses.**

14.50.010 Introduction.

A. It is the purpose of this Chapter Title to:

1. Facilitate orderly growth and development of the city consistent with the goals and policies of the Comprehensive Plan.
2. Protect the health, safety and general welfare of city and urban area residents.
3. Promote sound economic development and protect property values.
4. Promote the wise use of the area's natural resources.
5. Establish land use districts and provide for the appropriate regulations of land use within those districts.
6. Provide flexible regulations which encourage compatible and efficient land use.
7. Provide for the administration and enforcement of these regulations; and
8. Reduce the effects of incompatible land uses.

14.50.020 Official Zoning Map. The City shall establish and maintain an Official Zoning Map consistent with the provisions of this Title and the Comprehensive Plan.

- A. In order to classify, segregate and regulate the uses of land, buildings and structures, the city is divided into the following zoning districts:
1. **Single-Family Residential (SFR).** The purpose of the Single-Family Residential zoning district is to stabilize and protect residential neighborhoods; to prevent intrusion by incompatible uses; and to permit principal and accessory uses which will enhance the district's single-family residential character.
 2. **Multi-Family Residential (MFR).** The purpose of the Multi-Family Residential zoning district is to provide a range of higher density residential opportunities in the vicinity

- of existing high-density residential areas, institutions, commercial areas, and major transportation routes.
3. Manufactured Housing/Mobile Home Park District (MHP). The purpose of this district is to provide and protect affordable opportunities for the long-term occupancy of manufactured housing and mobile homes and the like in a residential setting.
 4. General Commercial (GC). The purpose of the General Commercial zoning district is to provide for the concentrated grouping of diversified retail trade, administrative, and professional offices, and services. This district encourages a full range of commercial activities, including convenience, comparison and professional shops and businesses serving the entire community trading area.
 4. Downtown Mixed-Use (DMU). The purpose of the Downtown Mixed-Use zoning district is to promote innovative, well designed, mixed-use, higher density development along College Avenue. The DMU district is hereby created to:
 - a. Be consistent with City of College Place Comprehensive Plan goals and policies by encouraging more compact, higher density, mixed-use development of retail, office, and residential uses within the same building.
 - b. Provide an area with a compatible mix of residential and commercial uses.
 - c. Promote innovative site and building design to achieve above purposes by allowing flexibility within and modification from existing codes through flexible residential densities while not compromising the requirements established within the College Place Municipal Code.
 5. Light Industrial (LI). The purpose of the Light Industrial zoning district is to provide for the location and grouping of industrial activities that do not generate offensive external impacts such as excessive noise, pollution, or emissions, involve limited assembly, fabrication, and handling of products, include research and technological processes, and do not create exceptional demands upon public facilities and services. A further purpose is to afford protection to the industries so located by prohibiting the intrusion of incompatible influences.
 6. University District (UD). The purpose of the University District zone is to promote the use and development of properties on and in the immediate vicinity of the Walla Walla University Campus in accordance with the provisions of a Master Plan and to promote the compatibility of uses between the University and neighboring properties.
 7. Public Use (PU). The purpose of the Public Use zoning district is to provide for the retention of lands necessary for open spaces, parks, K-12 schools, and City facilities such as the City Hall campus.

- B. The locations and boundaries of these zoning districts are depicted on the Official Zoning Map. The regulations of this Title governing the uses of land, buildings and structures, the size of yards and other matters as set forth in this Title are established and declared to be in effect upon all land encompassed within the boundaries of each district as shown on the Official Zoning Map.
- C. Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the Community Development Director or his/her/their designee may make an administrative determination.

14.50.030 Table of Permitted Uses.

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Accessory building/use	A	A	A (11)	A	A	A	A	A	Section 14.60.170
Accessory dwelling unit (ADU)	A	A	<u>A</u>	A			<u>A</u>		Section 14.60.170
Adult home	P	P	P	P	P				
Alternative energy infrastructure	A	A		A	A	A	A	A	Section 14.60.110
Animals	A	A							CPMC Title 6
Antique/Secondhand store				P	P				
Appliance repair shop					P	P			
Arcade/Amusement facility					P				
Automobile service/repair (1)				P	P	P			
Automobile/Truck sales, New and used					P				
Bakery				P	P	P			
Bank/Financial institution				P	P				
Beauty salon/Day spa				P	P				
Bed and breakfast inn	S	S		S					Section 14.60.160
Boarding house		P		P			P		
Brewery/Distillery					P				

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Business park					P				
Business/Professional office				P	P				
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Car wash					P				
Cemetery/Mausoleum					C		C	C	
Church	C	C		C	C		P		
Clubhouses, community centers, and recreation facilities for the primary use of mobile and manufactured home parks			P						Section 14.60.190
Communications center/facility						P			
Contractor/ Construction yard					P	P			
Convalescent/ Nursing/Retirement home		C		C	C				
Co-housing	P	P							Section 14.60.180
Convenience grocery			C						
Cottage housing	P	P							Section 14.60.180
Cultural facility				P	P		P	P	
Day care center, Adult	P	P	C	P	P		P		
Day Care Center, Child			C	P	P				
Day Care, Child In-Home Facility	A	A		A			A		
Drug store				P	P				
Dry cleaning					P				
Dwelling units (3+), Multiple		P		P	P		P		
Dwelling unit, Single	P	P	A (10)	(5)			(5)		

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Dwelling units (duplex), Two	P	P		(5)			(5)		
Electric vehicle infrastructure				P	P	P	P	P	
Farmers market				S	S	S	S	S	
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Food/Beverage				P	P				
Food cart				S	S	S	S	S	
Food cart pod				S	S	S	S	S	
Golf course	C	C						C	
Government buildings				P	P		P	P	
Group home	P	P	P						
Hemp production	X	X		X	X	X	X	X	
Home business	A	A	A	A	A				Section 14.60.150
Hospital/Medical center					P				
Hotel				P	P				
Industry, Light						P			Section 14.60.240
Kennel					P				
Landfill	X	X	X	X	X	X	X	X	
Laundromat			C	P	P				
Lodges/Fraternal/ Social Organization				P	P				
Manufactured home	P	P		(5)		(5)			Section 14.60.180
Manufactured home park	P (6)	P (6)	P						Section 14.60.190
Manufactured housing community			P						Section 14.60.190
Manufactured/Mobil home community			P						Section 14.60.190
Manufacturing/ Assembly, Light						P			Section 14.60.240
Marijuana, medical cooperative	X	X	X	X	X	X	X	X	
Marijuana processing	X	X	X	X	X	X	X	X	

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Marijuana production	X	X	<u>X</u>	X	X	X	X	X	
Marijuana sales	X	X	<u>X</u>	X	X	X	X	X	
Master Planned Development	P	P	P	P	P	P	X	P	Section 14.100
Medical office/clinic				P	P				
Mining	X	X	<u>X</u>	X	X	X	X	X	
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Mini storage			C			P			Section 14.60.100
Mixed-use, Commercial/ Residential				P	P				Section 14.60.180
Mobile home	P (8)	P (8)	<u>P</u>						Section 14.60.190
Mobile home park	P (7)	P (7)	P						Section 14.60.190
<u>Mobile vendor</u>				<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>Section 14.60.140</u>
<u>Mobile vendor food court</u>				<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>Section 14.60.140</u>
Motel				P	P				
Nursery/Greenhouse					P	P			
Office, Business/Professional			C (9)	P	P				
Office, Government/ Non-Profit				P	P				
Park/Playground	P	P	P	P	P		P	P	
Park and ride facility					P				
Parking lot				P	P	P	P		
Personal service			C (9)	P	P				
Pop-up business				<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	
Post office				P	P				
Public utilities	P	P	P	P	P	P	P	P	
Recreation, Private indoor				P	P		P		
Recreation, Public indoor				P	P		P	P	

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Recreation, Private outdoor					P		P		
Recreation, Public sports complex							P	P	
Restaurant				P	P				
Restaurant/Coffee shop			C						
Retail sales				P	P				
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Retail sales, Large-Scale					P				
RV Park		P	P		<u>P</u>		P	P	Section 14.60.200
Salvage/Wrecking operations						P			Section 14.60.100
School, Vocational/Trade				P	P	P			
School, Public/Private	C	C		C	C	C			
Seasonal use	S	S	S	S	S		S	S	
Secure community transition facility	C	C							
Security building, On-Site						A		A	
Sexually oriented business						C			Section 14.60.120
Shipping/Receiving center						P			
Storage of flammable material/liquid									
Storage, Outdoor					P	P			Section 14.60.100
Tasting room				P	P				
Tavern/bar				P	P				
Technology center						P			
Temporary homeless encampment	S	S		S	S	S	S		Section 14.60.210

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Temporary use	S	S	S	S	S	S	S	S	Section 14.60.130
Theater, Live/Movie				P	P				
Tiny home									Section 14.60.180
Townhouse	P	P		P					Section 14.60.180
Underground injection well	X	X	X	X	X	X	X	X	
University							P		Section 14.60.250
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Vacation rental	S	S		S					Section 14.60.160
Veterinary hospital/clinic					C	C			
Warehouse/Shipping					P	P			Section 14.60.100
Winery					P	P			
Wireless communication facility, Academic	P	P		P	P	P	P		Section 14.60.270
Wireless communication facility, Major	X	X		X	C	C	C	C	Section 14.60.270
Wireless Communication facility, Minor	P	P	P	P	P	P	P	P	Section 14.60.270

Footnotes:

- (1) All repair work shall be conducted indoors in accordance with applicable environmental and safety standards.
- (2) See Section 14.60.240 Light Industrial District Standards.
- (3) New developments must comply with the Downtown Mixed-Use District Standards, please see Section 14.60.230.

- (4) New developments must comply with the University District Standards, please see Section 14.60.250.
- (5) Legally established single-family and multi-family dwelling units, in use on January 1, 2020, are a permitted use.
- (6) Legally established manufactured home parks in existence on January 1, 2020, are a permitted use.
- (7) Legally established mobile home parks in existence on January 1, 2020, are a permitted use.
- (8) Legally established mobile homes in existence on January 1, 2020, are a permitted use and may continue to be used at that location. After January 1, 2020, mobile homes may only be placed in mobile home parks in existence before June 12, 2008.
- (9) Personal and professional services designed primarily to serve the residents of the neighborhood.
- (10) One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.
- (11) The following accessory uses may be permitted in the MHP District:
 - a. Garages and carports.
 - b. Garden house, tool shed, playhouse, or greenhouse not used for commercial purposes.
 - c. Any use customarily incidental to a permitted principal use, i.e., the sale of new or eligible used manufactured homes for use within the park.
 - d. One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.

Chapter 14.60 Development Standards

Sections:

14.60.010	Introduction.
14.60.020	Environmental Performance Standards.
14.60.030	Density, Dimension, Area, Height, and Setback Standards.
14.60.035	Addressing Standards and Guidelines.
14.60.040	Landscaping, Fences, and Visibility Standards.
14.60.050	Clearing and Grading.
14.60.060	Stormwater Management.
14.60.070	Parking and Loading Standards.
14.60.080	Lighting.
14.60.090	Signs.
14.60.100	Outdoor Storage.
14.60.110	Alternative Energy Infrastructure.
14.60.120	Sexually Oriented Businesses.
14.60.130	Temporary Uses.
14.60.140	{Open} <u>Mobile Vendors and Vendor Food Courts.</u>
<u>14.60.145</u>	<u>Temporary Use of Sidewalks and Public Spaces.</u>
14.60.150	Home Businesses.
14.60.160	Vacation Rentals.
14.60.170	Accessory Buildings, Structures, Dwelling Units, and Uses.
14.60.180	Housing Standards.
14.60.190	Mobile Home Parks, Manufactured Housing Community, and Manufactured/ Mobile Home Community.
14.60.200	Mobile Homes, Recreational Vehicles (RV's), Trailers, and Tents.
14.60.210	Temporary Homeless Encampments.
14.60.220	{Open}.
14.60.230	Downtown Mixed-Use District Standards.
14.60.240	Light Industrial District Standards.
14.60.250	University District Standards.
14.60.260	{Open}.
14.60.270	Wireless Communication Facilities.

14.60.010 Introduction. The purpose of this Chapter is to highlight the special standards and conditions applicable to specific types or locations of development activities and land uses. This Chapter should be used in conjunction with the Table of Permitted Uses (Table 14.50.030). If you have a question about the applicability of these standards, please contact the Community Development Department.

14.60.020 Environmental Performance Standards. It is the responsibility of the operator and/or proprietor of any permitted use to comply with the following environmental performance standards as set forth in this Chapter. It shall further be the responsibility of the operator and/or

proprietor of any permitted use to provide such reasonable evidence and technical data as the City may require documenting compliance with this Chapter, if and when such need arises.

A. Noise. Noise emissions from any permitted use shall comply with the maximum permissible sound level standards or any subsequent amendments thereto, in accordance with the noise regulations of the City, please refer to College Place Municipal Code Chapter 8.20 Noise Control.

B. Pollutants and Contaminants.

1. State and federal ambient air quality standards.
2. Toxic substances (including asbestos, beryllium compounds, vinyl chlorides and benzol and any others added to the toxics list of the U.S. Environmental Protection Agency) shall be handled in accordance with U.S. Environmental Protection Agency standards. Asbestos demolition (including the handling of scrap asbestos from any source) shall be conducted in accordance with the state Department of Ecology requirements.
3. Liquid or solid wastes or spills shall be disposed of in keeping with the best operating practices of the industry and in compliance with the regulations and requirements of local, regional, state, or federal agencies having jurisdiction in liquid or solid waste disposal and environmental health and safety.
4. The use, transportation, storage and disposal of all radioactive materials and handling devices shall be subject to the regulatory controls of any local, regional, state, or federal agency having jurisdiction.
5. Materials used or created in any commercial/industrial process shall be handled in such a manner so as to prevent groundwater or soil contamination which destroys or endangers the support of natural vegetation, or which may pollute underground aquifers or other natural drainage systems.

C. Perceptual Nuisances.

1. Any operation producing intense heat or glare shall be performed within an enclosure so as to completely obscure such operation from view from any point along the property line except during the period of on-site construction.
2. No use-activity or use shall cause earth vibrations or concussions detectable without the aid of instruments beyond its lot lines, with the exception of the temporary vibration produced as a result of construction activity.
 - a. Such temporary construction activity shall be restricted to the hours between 7:00 a.m. and 8:00 p.m.

- b. Emergency conditions, as determined by the City, are exempt from these provisions.

14.60.030 Density, Dimension, Area, Height, and Setback Standards. The density, dimension, area, height, and setback standards of this Chapter shall apply to all lots, uses, structures, buildings, and fences, unless otherwise specifically provided by the provisions of this Title, or a variance is granted.

A. Table 14.60.030 Density, Dimension, Area, Height, and Setback Standards.

Zoning District	Maximum Density (dwelling units/acre) (1)	Minimum Lot Size (sq. ft.) (3)	Minimum Lot Width (6)	Maximum Building Height (7)	Setbacks		
					Front Yard (8)	Side Yard (8)	Rear Yard (8)
Single-Family Residential (SFR)	7	6,000 (4)	60' (4)	35'	20' (9)	5' (11)	20' (15) (16)
Multi-Family Residential (MFR)	(2)	None (4)	50' (4)	35'	20' (9)	5' (11) (12)	15' (15) (16)
Downtown Mixed-Use (DMU)	(2)	None (5)	50'	None	None (10)	None	None
General Commercial (GC)	(2)	None (5)	50'	None	None	None (13)	None (13)
Light Industrial (LI)		None (5)	50'	None	None	None (14)	None (14)
University District (UD)	(2)	None (5)	50'	None	None	None	None
Public Uses (PU)		None	50'	None	None	None	None

Table Footnotes:

- (1) The maximum density for a specific parcel may be calculated as follows, provided that the achieved density will be based on compliance with the provisions of this Title, including minimum lot size, lot width, required improvements, etc.:
- a. Single Family Residential: parcel size (square feet)/43,560 *7 (results ending in .51 or greater may be rounded up).
- (2) The maximum density shall be determined based on compliance with the applicable development standards including building height, setbacks, lot coverage, parking, landscaping, building codes, and the like.

- (3) Critical areas and their buffers shall not be included in lot size and lot coverage calculations.
 - a. The maximum lot coverage requirement shall include the footprint of all buildings.
- (4) For cottage housing and townhouses, the minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, lot coverage, and setback requirements can reasonably be met.
- (5) There is no minimum lot size, provided that the density, lot width, setback, building height, building separation, and lot coverage requirements can be met.
- (6) Lot width means the dimension of the lot at the front property line, unless otherwise provided in this Title.
- (7) Building heights are measured from the average elevation of the proposed finished grade around the building to the highest point of a flat roof and to the mean height between eaves and ridge of a pitched roof or to the mean height of any parapet or false front.
- (8) Building setbacks shall be from property lines, or from critical area buffers when present.
 - a. Buildings must also be set back 2' from easements.
 - b. No building, or foundation may encroach into a setback or easement.
 - c. Ramps, or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier Free Design, may be permitted in all required setbacks.
- (9) Garages must be set back at least 20' from the front property line, but the setback for the residential portion of building may be reduced to 15', if:
 - a. The single-family residence includes a front porch open on three sides and is at least four feet deep; or
 - b. A 5' wide or larger planter strip is installed along the street frontage in accordance with City standards.
- (10) The maximum front yard setback shall be 10' and on corner lots 15'.
- (11) On corner lots, the exterior side yard setback shall be at least 15 feet from the property line.

- (12) Multi-story buildings adjacent to single-family residences and parcels in the Single-Family Residential Zone (SFR):
 - a. The setback shall be equal to or exceed the height of the building at the eave, not to exceed 20'; and
 - b. The rear of the building shall be setback from the property line a distance greater than or equal to the height of the building at the eave, not to exceed 20'.
- (13) No setback is required, except when abutting a SFR, MFR, or PUD district, then the following landscaped buffers shall be required in accordance with the provisions of Section 14.60.040 Landscaping, Fences and Visibility Standards.
 - a. Side yard: 10'.
 - b. Rear yard: 15'.
- (14) No setback required except when abutting a SFR, MFR, or PUD then a landscaped buffer equal to the height of the building at eave shall be required in accordance with the provisions of Section 14.60.040 Landscaping, Fences and Visibility Standards.
- (15) Accessory buildings may be located in the rear yard setback up to 5' from the property line.
- (16) On corner lots the rear yard setback may be reduced to 5'.

14.60.035 Addressing Standards and Guidelines.

- A. The purpose of these standards is to:
 - 1. Prescribe a system for the naming of streets and the numbering of structures.
 - 2. Provide a uniform pattern of addresses for law enforcement, medical, fire, utility responders, and mail service.
 - 3. Provide a uniform database to support the delivery of public services such as property research, GIS mapping, and enhanced 911 services.
- B. The Public Works Director or his/her/their designee, is responsible for implementing, enforcing, and maintaining the City addressing and street naming standards, unless otherwise authorized by the City Administrator. This shall include, but is not limited to:
 - 1. Establishing and implementing, as well as periodically reviewing and updating, such administrative procedures as may be necessary to achieve the purposes of these standards in an efficient and effective manner.

2. Maintaining a master list of all street and road names within the city, including both public and private streets.
 3. Notifying public agencies and public service providers of approved street names and addresses in a timely manner. This may include, but is not limited to:
 - a. Regional 911 Dispatch Center.
 - b. US Postal Service.
 - c. Walla Walla County Master Street Addressing Guide Coordinator.
 - d. Walla Walla County GIS Office; and
 - e. City Departments including Police, Fire, and Community Development.
 4. Erecting and maintaining public road signs.
- C. The responsibilities of private property owners shall include:
1. Obtaining approval from the City for all street names and addresses on their properties.
 2. Erecting and maintaining private road signs and providing extra signs as required by the City.
 3. Posting and the continuing maintenance of address numbers in accordance with the provisions of this Section.
 - a. The City of College Place is not responsible if an emergency call cannot be located by emergency service personnel, if address numbers are not properly posted or are not visible from the street providing access to the property.
- D. All street names and addresses shall be approved by the City. Addresses may be assigned in conjunction with issuing a building permit, land use approval, issuance of a City business license, and/or upon request by a property owner, in accordance with these standards and guidelines.
1. The failure to obtain an address as required by the City, and/or the utilization street names or addresses not approved by the City, shall be considered a violation of the College Place Municipal Code, and subject to code enforcement actions.
 2. Upon notification that a private street sign or building number is missing, illegible, incorrect, or not properly posted, the property owner shall make the necessary

corrections within 30 days of such notice. The failure of a property or business owner to comply with such notices shall be considered a violation of the College Place Municipal Code, and subject to code enforcement actions.

3. Any person, firm or corporation that violates any portion of this Chapter may be subject to civil and/or criminal penalties, with each day considered to be a separate offense.

E. All public and private streets and roads shall have a name approved by the City.

1. When selecting and approving street and road names, consideration shall be given to the following:
 - a. There shall be no duplication of existing names within like zip codes or ESN (Emergency Service Numbers) zones.
 - b. Names of similar pronunciation and/or spelling shall be avoided (ex: "Briar Lane," "Brier Lane").
 - c. Variations of the same name within a different road designation shall be avoided (ex: "Pine Street," "Pine Drive," "Pine Lane").
 - d. Articles (the, a, an) shall not be used to begin names.
 - e. Names duplicating facilities shall not be used (ex: "Bowling Alley," "Tennis Court").
 - f. Names are limited to three words not including the road type designator.
 - g. Names that exceed 15 characters including spaces should be avoided.
 - h. Usage of names derived from community names or geographic features shall be limited to locations in close proximity to such communities or geographic features.
 - i. Where a proposed street or road is a continuation of or in alignment with an existing street or road, it should generally utilize the same name as the existing name. A new name shall be required if the proposed street or road is disconnected from the existing street or road by an offset greater than 60 feet.
 - j. Streets or roads that extend from unincorporated areas into incorporated areas may retain the same name.

2. Street type designators should be consistent with the roadway's expected traffic use, physical design, and location in accordance with the following guidelines, provided that the City may vary or waive these guidelines in certain circumstance, in accordance with established procedures.
 - a. Court (CT): A dead-end street or cul-de-sac when not an extension of an existing road or a continuation of a proposed road.
 - b. Place (PL): A dead-end street or cul-de-sac from which other cul-de-sacs originate.
 - c. Loop (LP): A street that begins and ends on the same street.
 - d. Circle (CIR): A street that circles back on itself.
 - e. Avenue (AVE): A collector or arterial street in the community with a north/south directional course.
 - f. Street (ST): A collector or arterial street in the community with an east/west directional course.
 - g. Drive (DR), Road (RD), and Way (WAY): Streets that do not have a definite directional course.
 - h. Boulevard (BLVD): A wide street with median and landscaping.
 - i. Parkway (PKWY): A scenic or landscaped street.
 - j. Highway (HWY): A federal or state designated primary street or road.
 - k. Bend (BEND), Cove (COVE), Grove (GRV), and Terrace (TER): Typically, a minor street in a subdivision.
 - l. Bluff (BLF): Typically, a street along high ground.
 - m. Crossing (CSG): A street that crosses a geographic feature (such as a creek), or a short street that serves as a connector between two other streets.
 - n. Lane (LN): A street that serves a limited number of lots.
3. All streets shall contain a directional prefix in accordance with the following standards:

- a. The base intersection for assigning a directional prefix will be College Avenue and Whitman Drive.
 - b. All streets that lie west of College Avenue and north of Whitman Drive shall have the prefix "northwest" attached to its name.
 - c. All streets that lie east of College Avenue and north of Whitman Drive shall have the prefix "northeast" attached to its name.
 - d. All streets that lie west of College Avenue and south of Whitman Drive shall have the prefix "southwest" attached to its name.
 - e. All streets that lie east of College Avenue and South of Whitman Drive shall have the prefix "southeast" attached to its name.
 - f. Whitman Drive shall have the prefix "west" attached to its name for that portion of the street that is west of College Avenue and Whitman Drive shall have the prefix "east" attached to its name for that portion of the road that is east of College Avenue.
 - g. College Avenue shall have the prefix "north" attached to its name for that portion of the street that is north of Whitman Drive and College Avenue shall have the prefix "south" attached to its name for that portion of the street that is south of Whitman Drive.
- F. All addresses shall consist of a number followed by a directional indicator, street name, and a street name designator. Numbering will be calculated by the position of the lot or building relative to the base streets of College Avenue and Whitman Drive. Address numbers shall be assigned in accordance with the following guidelines:
- 1. All addresses assigned to lots and buildings situated within the first block north or south of Whitman Drive fronting on intersecting or generally perpendicular streets shall be given numbers between one and 99 inclusive; within the second block, numbers between 100 and 199 inclusive shall be used, and so on, in each succeeding block.
 - 2. All addresses assigned to lots and buildings situated within the first block east or west of College Avenue fronting on intersecting or generally perpendicular streets shall be given numbers between one and 99 inclusive; within the second block, numbers between 100 and 199 inclusive shall be used, and so on, in each succeeding block.
 - 3. Within any block, the lots or buildings nearer the base street shall use the smaller numbers. In assigning numbers, consideration shall be given to vacant lots and the future development potential of lots.

4. Odd numbers shall be used on the left-hand side of streets and roads and even numbers shall be used on the right-hand side of streets and roads. In determining the right and left side of streets, it shall be assumed that the numbers are being assigned progressively with the smallest number at the base street and proceeding away from the same.
5. The following numbering guidelines shall also be used by the City:
 - a. Prior to the completion of a site plan or final plat, all lots will be given an address. Addressing will, as much as possible, be done with a ten-number spacing between lots (e.g., 701, 711, 721, etc.). However, numbers shall not be officially assigned until the final site plan or subdivision has been approved.
 - b. Loops: Streets begin at the low numbered intersection and are numbered with odd numbers on the left side of the road. The outside of the loop is numbered first and consecutively. The inside is then numbered to match and mix with the outside. This may result, in some cases, in fewer numbers on the inside of the loop, and with gaps in numbering sequences.
 - c. The numbering of corner lots shall be assigned utilizing the front of the lot, as determined by the City.
 - d. Duplex/triplex: A number shall be provided for the building and each individual unit shall be assigned a unit number. The building number shall be placed in a conspicuous area visible from the street and the unit number placed by the individual unit door.
 - e. Four-plexes and larger are considered multi-tenant structures and should be numbered with the middle of the building determining the number and then assigning apartment or suite numbers. An example of an apartment address would be 750 NE Bruce ST Suite 101. No alphabetical characters are to be used in place of numbers. In multi-level buildings, the main level will have 100 numbers, the second floor will have 200 numbers, and consecutively for each floor. The basement will be numbered from one to 99 inclusive.
 - f. Addresses shall be assigned in mobile home parks, manufactured housing communities, or manufactured/mobile home communities, and RV parks in conjunction with the review and approval of required site plans. Numbers will be based on the primary access to each lot, building, dwelling, or designated RV space.
 - g. Accessory dwelling units will be assigned an address upon approval by the City.

G. Following approval by the City, address numbers shall be posted by property owners in accordance with the following guidelines:

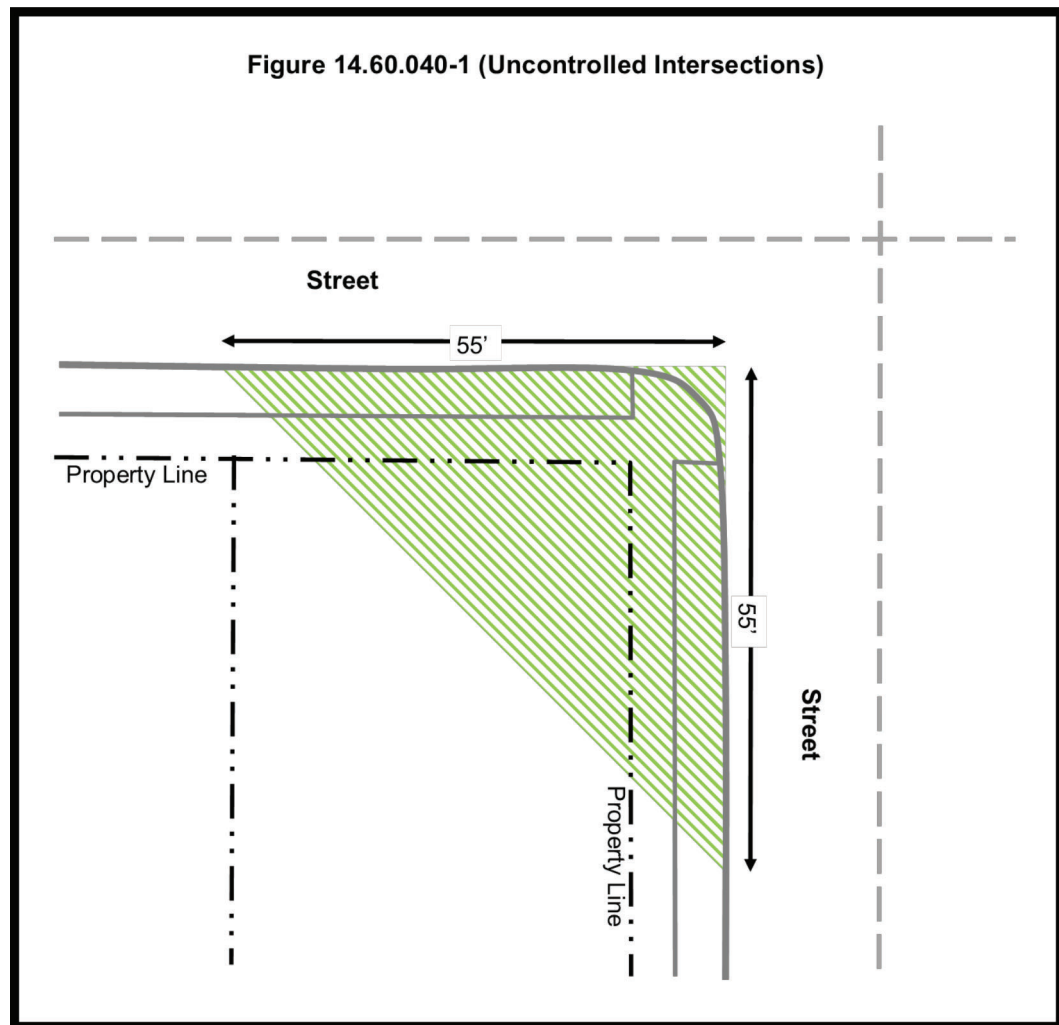
1. All numbers shall be visible from streets in accordance with the following guidelines:
 - a. Residential Type Development. Property owners shall post Arabic numerals only in contrasting background with the residence (light on dark/dark on light). The numbers shall be at least four inches in height and shall be located above or to either side of the main entrance door.
 - a. Commercial/Industrial Type Development. Property owners shall post Arabic numerals only in contrasting background with the residence (light on dark/dark on light). The numbers shall be at least six inches in height and shall be located above or to either side of the main entrance door.
 - c. Buildings located more than 30 feet from the street and/or the front entrance is not visible from the street, the owner shall post addresses on a city-approved address post and placed in an area approved by the City. Dual postings and exceptions may be approved by the City in accordance with established procedures.
2. On corner lots, the number shall only be displayed to face the street upon which the property is numbered.
3. Any numbers previously displayed which could be confused with or mistaken for the assigned address number shall be removed from the mailbox and property.
4. Numbers shall be properly maintained by the property owner to ensure that they are clearly discernible from the roadway upon which the property is numbered.
5. It shall be the duty of each property owner assigned a property number to comply with this Chapter within 30 days of habitation.
6. Display of address numbers for multitenant structures and multi-building complexes:
 - a. If a building is divided into multiple units with separate entrances and each unit has been assigned an individual number, then each unit number shall be displayed on or next to the main doorway.
 - b. The address range of all individual unit numbers within a multi-unit building shall be displayed in a manner that is clearly visible from the road upon which the units are numbered. If more than one building shares an access, then the address range shall also be displayed on each building.

14.60.040 Landscaping, Fences, and Visibility Standards.**A. Landscaping Standards.**

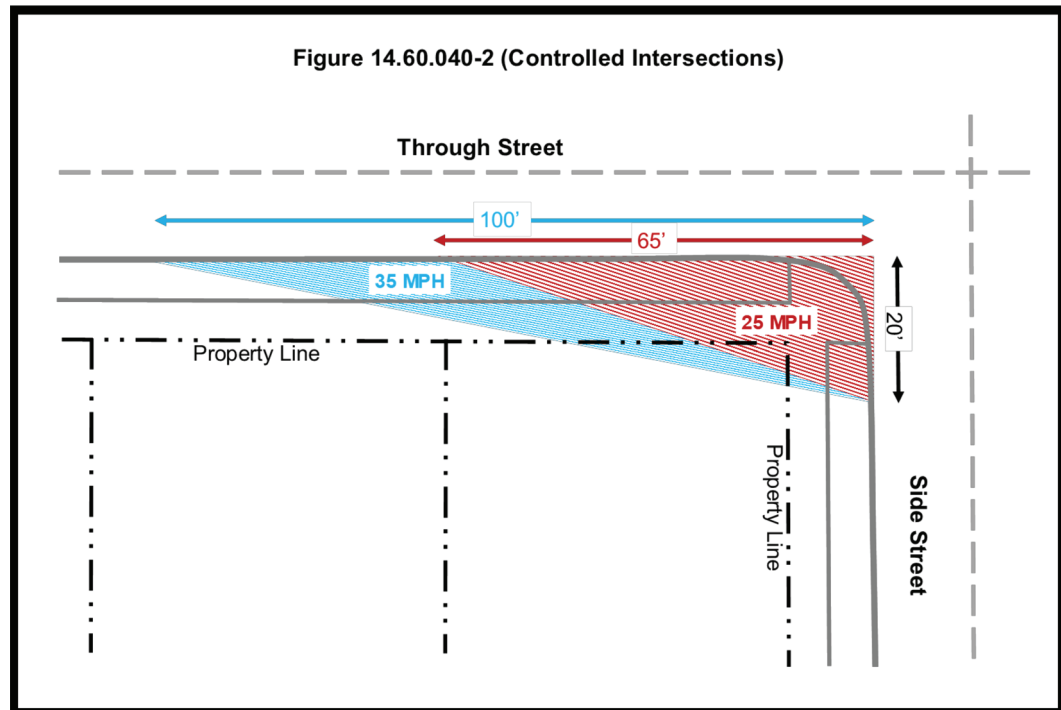
1. All developments throughout the city shall provide adequate screening and landscaping of their use activities so as to reasonably protect abutting properties from the effects of noise, light, glare, exhaust fumes and other adverse impacts and to provide an attractive urban environment.
2. All required landscaping and landscaped buffers shall be designed by a qualified professional and submitted as a landscape plan in a format prescribed by the City, for review and approval.
 - a. Unless otherwise provided, all required landscaping shall be evenly distributed and shall consist of a mixture of hardy evergreen planted material including trees, low, medium, and high-profile shrubs, together with suitable ground cover consisting of natural grasses, vines, bark mulch, and rockeries.
 - b. When plantings are used in screening or landscaping, they shall be compatible with area climate conditions and shall be provided with either a manual or automatic irrigation system.
 - c. The use of native plants and low water usage plantings is encouraged; and
 - d. All landscaping shall be placed and maintained in such a manner as not to impair vehicular visibility at parking area points of ingress/egress, emergency vehicle access, City maintenance activities, and shall comply with the sight visibility requirements in this Section.
3. All shrubs, trees and vegetative material used in the screening or landscaping of these activities shall be perpetually maintained in a healthy, growing condition. Dead or dying trees or shrubs shall be replaced immediately and planting areas shall be maintained free of trash and weeds and shall not present a fire hazard. Fences used in screening and landscaping shall be perpetually maintained in an attractive and structurally sound condition.
4. All mechanical equipment, outdoor storage and manufacturing areas, and loading, service, and delivery areas, shall be screened from view from all public streets and any Residential Zones. The screening shall be provided by one or more the following (minimum of 6 feet tall):
 - a. Decorative wall (i.e., masonry or similar quality material).
 - b. Evergreen hedge.

- c. Sight-obscuring fence; or
 - d. Similar feature that provides a non-see-through barrier.
5. Refuse Enclosures. Trash dumpsters or compactors that are required by this Code shall be enclosed by a refuse enclosure consisting of a six (6) foot tall decorative wall.
 6. All required off-street parking facilities which have 15 or more parking spaces shall provide landscaping in conformance with the standards in this Section and the following:
 - a. A perimeter landscaped border of at least 5' wide around the parking area.
 - b. Interior landscaping in at least ten percent of the total land area covered in parking.
 - c. The interior of the parking areas shall contain landscape islands and peninsulas located in such a manner as to:
 - (1) Divide and break up large expanses of paving.
 - (2) Guide traffic flow and direction.
 - (3) Promote pedestrian and vehicular safety; and
 - (4) Preserve existing trees and vegetation.
 7. Landscape islands shall be installed to break up the parking area into rows of not more than 20 contiguous parking spaces or 10 spaces in one row.
 - a. Each end of each row of parking spaces shall require a landscape island unless the end of such row of parking spaces is adjacent to a perimeter landscape.
 - a. The minimum width for a landscape island or peninsula shall be 5'; and
 - b. Each landscape island or peninsula shall contain a minimum of one (1) shade tree and a combination of five (5) deciduous and evergreen shrubs or groundcover.
- B. The following standards shall apply to all fences in the City:
1. No fence shall exceed eight feet in height measured from the existing grade to the highest board, rail, or wire, including any retaining wall.

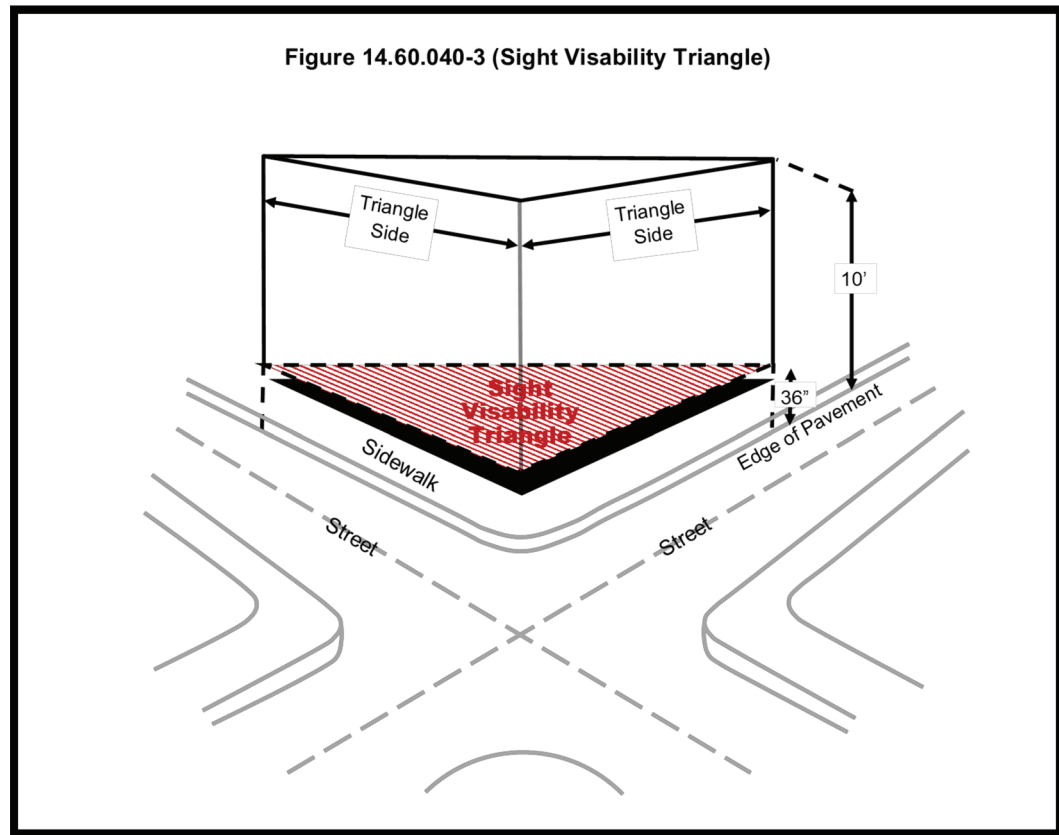
- a. Fences exceeding seven feet in height shall require a building permit and must comply with the provisions of the International Codes, as adopted by the City.
 2. No fence located within a required front yard setback (including half depth front yards) shall exceed 42 inches in height; provided, however, that in the case of corner lots, fences exceeding 42 inches in height may be erected within the required front yard setback for second front yards so long as no fence exceeding 42 inches in height is erected within 30 feet of the front property line of the primary front yard.
 3. The maximum fence height limitations are further qualified and limited by the sight visibility triangle provisions of this Section.
 4. No privately-owned fence may be constructed on public property or encroach into public right-of-way.
- C. Site Visibility Triangles. In an effort to make intersections safer for vehicles, bicyclists, pedestrians, and other legal uses, the following standards shall apply to all buildings, structures, fences, vegetation, and landscaping.
1. Figures 14.60.040-1, 14.60.040-2, and 14.60.040-3 illustrate dimensions and terminology used in this Chapter with reference to sight visibility triangles.
 2. At uncontrolled intersections, the sight visibility triangle shall be formed by measuring back from the point where the extensions of the face of curb (or edge of paved road surface for streets without gutters) meet, a distance of 55 feet along the extensions, with the third side of the triangle being the straight-line connection between the above-mentioned side lines (Refer to Figure 14.60.040-1.)



3. At controlled intersections the side street side of the sight visibility triangle shall be a distance of twenty feet measured back from the point where the extensions of the face of curb (or edge of paved road surface for streets without gutters) meet; the through street side of the triangle shall be a distance of 65 feet for speed limits up to 25 miles per hour and 100 feet for speed limits up to 35 miles per hour; the third side of the triangle being the straight line connection between the above-mentioned side lines. (Refer to Figure 14.60.040-2.)



4. On property located within any sight visibility triangle there shall be located no structure, fence, wall, hedge, natural growth, tree, sign, or other object which materially impairs vision between a height of 36" (thirty-six inches) and a height of ten feet above the edge of the pavement except as provided for in Section 14.60.040(C)(5). (Refer to Figure 14.60.040-3.)



5. The sight visibility triangle regulations of this Chapter shall not apply to:
 - a. Permanent structures and fences which were existing prior to passage of this Title unless such are determined by the City to be a public hazard or nuisance.
 - b. Existing public utility poles.
 - c. Existing trees, so long as they are not planted in the form of a hedge and are trimmed to the trunk to a height of at least ten feet above the grade level of the centerline of the intersection so as to leave, in all seasons, a clear and unobstructed cross view.
 - d. Official warning signs or signals; or
 - e. Where existing conditions preclude compliance, as determined by the City Engineer.
6. The sight visibility triangle requirements of this Chapter are declared to be minimums only and do in no way prohibit the City from applying more restrictive height and location requirements where this action is warranted in consideration of the public health, safety, and welfare.

7. Any structure, fence, wall, hedge, natural growth, tree, sign, or other object erected or placed in violation of the sight visibility triangle requirements of this Chapter is declared to be a public nuisance and shall be subject to abatement in accordance with the provisions of College Place Municipal Code Chapter 8.24.

14.60.050 Clearing and Grading.

- A. All activities that involve the clearing, grading, filling, and/or covering of the ground with impervious surface must receive a City permit or written approval, unless specifically exempted by the City.
 1. Applications shall be submitted on forms provided by the City, provided that the City may authorize the submittal of the required information as a part of a related application, such as a building permit.
 2. Clearing and grading permit applications should be submitted and processed concurrently with all associated project ~~permits~~ approvals/permits/approvals/actions.
- B. The following activities may be determined by the City to be exempt from the requirements of this Chapter, provided that grading activities that would alter drainage courses, critical areas, archaeological sites, and/or impact stormwater facilities (with a public nexus) are not generally candidates for exemption:
 1. Excavating a foundation for a single-family residence, duplex, or accessory dwelling unit when authorized through a building permit.
 2. Resurfacing a conforming impervious surface such as a parking lot, provided that it does not alter the flows or volumes of stormwater and/or does not require excavation.
 3. Construction or maintenance of public roads when done by a public agency when the project has completed an environmental checklist and has been approved by the City.
 4. The installation of utilities in accordance with a valid permit, franchise, or road construction plan from the City, well drilling activities, or excavation for soil logs.
 5. Excavation or fill quantities less than 50 cubic yards.
 6. The broadcasting of less than 50 yards of peat, sawdust, mulch, bark, chips, topsoil, or soil nutrients on a lot, tract or parcel of land, or the broadcasting of any amount of the above material to a maximum depth of twelve inches.

7. Landscaping, routine vegetation management, and minor home improvement activities that do not involve heavy equipment such as excavators, bulldozers, etc.
 8. The storage or stockpiling of less than 50 cubic yards of material such as fill, gravel, sand, beauty bark etc.
 9. The removal of diseased, damaged, or unwanted trees from an existing yard or landscaped area.
 10. Routine maintenance and operation activities at cemeteries and public parks; and/or
 11. Emergency sandbagging, diking, ditching, filling, or similar work during or after periods of extreme weather conditions when done to protect life or property.
- C. All clearing and grading activities shall be designed and implemented in accordance with City standards, provided that the City may apply more stringent standards when necessary to protect the public health, safety, and welfare.
1. All clearing and grading activities shall include temporary erosion control and stormwater management provisions designed and implemented in accordance with the requirements of the City's Engineering and Design Manual, unless specifically exempted by the City.
 2. Excavation Standards – Cut Slopes.
 - a. Slopes shall be no steeper than is safe for the intended use and shall not be steeper than two horizontal to one vertical (2H:1V), unless otherwise recommended by a professional engineer licensed to practice in the State of Washington and approved by the City.
 - b. The top of cut slopes shall be set back from a down-grade site boundary line at a 2H:1V ratio or as dictated by the relevant building code, whichever is more restrictive, unless a retaining wall is designed by a qualified professional and approved by the City.
 3. Fill Standards.
 - a. No material other than earth material shall be buried or placed in fills, unless specifically approved by the City. Placement of other than earth material is regulated by state statutes or federal laws and additional permits may be required.
 - b. Fill which is intended for building sites shall be constructed in conformance with the requirements of the latest edition of the International Codes, as adopted and administered by the City.

- c. The ground surface for fills over five feet in height shall be prepared by removing vegetation, noncomplying fill, topsoil, and other unsuitable materials, scarifying to provide a bond with the new fill, and, where existing slopes are steeper than five horizontal to one vertical, by benching into competent material as determined by the engineer. At a minimum, the bench under the toe of a fill on a slope steeper than five horizontal to one vertical shall be at least 10 feet wide or as dictated by the relevant building code, whichever is more restrictive, or as recommended by a geotechnical professional engineer licensed to practice in the State of Washington. Additionally, grading activities shall conform to the minimum requirements and standards of the City's Engineering and Design Manual.

14.60.060 Stormwater Management. The City is required to manage stormwater runoff in accordance with the provisions of federal and state law as well as a Washington State Department of Ecology-issued National Pollutant Discharge Elimination System (NPDES) and a State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington, commonly known as the Eastern Washington NPDES Phase II Municipal Stormwater Permit. As a result, the City has adopted the Stormwater Manual for Eastern Washington prepared by the Washington State Department of Ecology and established a stormwater utility.

- A. For the applicable stormwater standards and requirements please refer to the College Place Municipal Code Chapter 13.86 Stormwater Management and the City of College Place Engineering Design Standards.

14.60.070 Parking and Loading Standards. Project Sponsors shall make adequate provisions to meet the projected parking and loading needs associated with all new development activities including the construction of new buildings, the expansion of existing buildings, changes of use, and/or changes to the terms and conditions of occupancy such as enlarging, moving, or increasing capacity by creating or adding dwelling units, commercial or industrial floor space, or seating facilities, or by making alterations to parking areas.

- A. General Requirements.

1. The provision and maintenance of off-street parking and loading facilities as required by the City, shall be a continuing obligation of the Property Owner and Project Sponsor. It is unlawful to discontinue, reduce, modify, or otherwise dispense with parking and loading facilities that comply with the requirements of this Chapter, without a permit or written authorization from the City.
2. With regard to preexisting parking facilities, the following shall apply:
 - a. A preexisting use which does not have sufficient parking facilities to meet the requirements of this Chapter may continue to operate with the parking deficiency

- so long as no enlargement or other change is made in the use or building size which would require additional parking facilities.
- b. When a preexisting use is modified or enlarged so as to require additional parking facilities, the requirements of this Chapter shall apply.
 - c. When additional uses are placed on the same lot with the preexisting use or an enlarged lot of which the preexisting use lot is a part, the requirements of this Chapter shall apply only to the additional use.
3. All required parking spaces shall be located on the same site with the building they serve, unless:
 - a. A shared or joint use parking agreement has been approved by the City; or
 - b. A voluntary in lieu of payment to provide the required parking in a public or cooperative parking facility has been approved by the City; and/or
 - c. The City makes a written finding that adequate on-street parking exists to reasonably serve the new development/use.
 4. A shared or joint use parking agreement may be approved by the City, provided that:
 - a. The agreement is in writing, in a form approved by the City, and has been signed by the Property Owners.
 - b. There is no substantial conflict in the principal operating hours of the buildings or uses for which a joint use of off-street parking facilities is proposed; and
 - c. Following approval by the City, the agreement shall be recorded with the County Auditor and filed for permanent record with the City.
 5. The installation and improvement of required off-street parking facilities shall be completed to the required standards before a Certificate of Occupancy is issued unless a time limit extension to a specified date is authorized by the City and financial protection is provided in accordance with the provisions of this Title.
 6. When a change in use within a historic structure would necessitate additional off-street parking, the additional off-street parking may be reduced or waived by the City, based on a finding that the reduction or waiver is necessary to preserve the historic character of the building or site. The Applicant shall be required to show the need for a reduction or waiver and shall be the minimum necessary.

7. The City may waive, grant a variance, or modify required parking spaces based on a finding that adequate provisions for parking have been made.

B. Design Standards.

1. All driveways, parking areas, loading areas, bicycle facilities, and walkways shall be designed in accordance with the provisions of the City of College Place Engineering Design Standards and shall accommodate pedestrians, motor vehicles and bicycles used by occupants or visitors of a building or use.
2. All off-street parking areas shall be paved with asphalt or concrete and shall manage stormwater in accordance with the provisions of the College Place Engineering Design Standards.
3. All parking areas shall comply with the landscaping provisions in Section 14.60.040.
4. Parking spaces, loading facilities, and all pedestrian areas shall be provided in accordance with the provisions of state and federal law, including the American with Disabilities Act (ADA), and the International Codes, as adopted by the City.
5. Required parking, pedestrian, loading, and bicycle facilities proposed in the Downtown Mixed-Use district must also comply with the Downtown Mixed-Use District Standards, please see Section 14.60.230.
6. Shared detached garages and surface parking shall comply with the following standards, unless otherwise provided:
 - a. Parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces.
 - b. Shared detached garage structures may not exceed four (4) garage doors per building, and a total of 1,200 square feet.
 - c. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
 - d. Shared detached garage structures and surface parking areas must be screened from public streets and adjacent residential uses by landscaping or architectural screening.
 - e. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.

- f. The design of carports must include roof lines similar and compatible to that of the dwelling units within the development.
- C. Minimum Parking Requirements. All new uses, changes of use, modifications of an existing use, as well as all new buildings, and modifications to existing buildings shall provide off-street parking in accordance with the following standards, unless otherwise provided in this Title.
 - 1. If the parking requirements for a use are not specifically identified in this Chapter, the parking requirements shall be determined by the City in a written finding based upon:
 - a. The requirements for the most comparable use defined in this Chapter; and/or
 - b. The appropriate standards derived from the Institute of Transportation Engineers (ITE)'s Parking Generation Manual, as adopted by the City; and/or
 - c. A parking study prepared by the Applicant documenting the expected parking demand for the proposed use; and/or
 - d. Required parking for the proposed use as determined by other comparable jurisdictions.
 - 2. Required Off-Street Parking Spaces.
 - a. Single Residential Dwelling Units and Duplexes: 2 spaces/dwelling unit.
 - b. Multi-Family Dwellings:
 - (1) 1.5 spaces/dwelling unit with 2 or more bedrooms; or
 - (2) 1 space/dwelling unit with 1 bedroom or a studio apartment.
 - c. Accessory Dwelling Unit: 1 additional space/ADU.
 - d. Mobile Home Park: 2 spaces/dwelling unit.
 - e. Cottage Housing: 1 space/dwelling unit.
 - f. Vacation Rentals:
 - (1) 2 spaces/dwelling unit with 2 or more bedrooms.
 - (2) 1 space/dwelling unit with one bedroom or studio dwelling unit.

- g. Bed and Breakfast Inn: 1 space/guest room.
- h. Hotel/Motel:
 - (1) 1 space/guest room; and
 - (2) At least one space for each employee at work during peak periods; and
 - (3) 1 space/500' of common areas.
- i. Retail, Commercial and Office:
 - (1) 1 space/200 square feet plus adequate employee parking and;
 - (2) At least one space for each employee at work during peak periods.
- j. Industry and Warehouse: 1 space/500 square feet.

14.60.080 Lighting.

- A. Exterior lighting for all uses and signs shall be directed downward and otherwise arranged, shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness as follows:
 - 1. So as not to interfere with the safe operation of motor vehicles, bicyclists, and other legal use of the roadway or sidewalk.
 - 2. Maximum illumination at neighboring property lines shall not exceed 0.5 foot-candles at grade level.
 - 3. Luminaries shall be aimed and shielded in a manner that shall not direct illumination on adjacent properties.
 - 4. Full cutoff shielding is required for all luminaries to prevent wasted light up into the dark sky and prevent glare from normal viewing angles.
 - 5. Shielding is required for luminaries located along property lines to prevent spill light onto adjacent properties; and
- B. The City may require that the Project Sponsor submit a photometric plan and analysis to verify compliance with these standards.

14.60.090 Signs.

- A. Intent and Purpose.

Approved UDC with amendments through December 13, 2022.

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***Proposed 2023 Amendments - SEPA/GMA Public Review Draft
November 1, 2023***

1. Signs have a strong visual impact on the character and quality of our community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for our community. The City relies upon its physical setting and beauty to attract commerce and aesthetic considerations assume economic value. The intent of this Chapter is to protect and enhance both the City's residential character and its economic base using appropriate and aesthetic signage.
2. The purpose of this Chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements that:
 - a. Promote and accomplish the goals and policies of the City's Comprehensive Plan.
 - b. Provide minimum standards to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs.
 - c. Recognize free speech rights by regulating signs in a content-neutral manner.
 - d. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to signage.
 - e. Promote a positive visual image of the City and protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses.
 - f. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape.
 - g. Provide consistent sign design standards.
 - h. Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district.
 - i. Provide an improved visual environment for the citizens and visitors of the City.

- j. Adopt clear, understandable regulations that will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this Section.
 - k. Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and a strong focus on economic well-being, aesthetics, community, the environment, and public infrastructure.
 - l. Support and enhance the economic well-being of all businesses within the city and recognize the needs of all businesses to identify their premises and advertise their products and services; and
 - m. Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs, or the absence of regulations governing the size, location, or materials of signs detracts from the economic value of the community.
- B. Applicability. This Section applies to all signs within the city which may be visible from any street, sidewalk, or public place, regardless of the type or nature.
- 1. All signs shall fall into one of the following categories, as determined by the City:
 - a. Exempt signs. Signs that meet the criteria of Section 14.60.090 C may be installed without a Sign Permit from the City. Please note that exempt signs may be subject to other local, state, or federal regulations and persons installing signs are encouraged to contact the City to determine if other permits or approvals may be required.
 - b. Prohibited Signs. Signs determined by the City to meet the criteria in Section 14.60.090 D shall not be permitted or displayed in any zoning district.
 - c. Regulated Signs. Signs that are not specifically exempted or prohibited, may be displayed only in accordance with the provisions of this Section. Regulated signs include both temporary and permanent signs.
 - 2. No person shall erect, alter, or relocate any sign without first submitting the required application(s) and receiving an approved Sign Permit from the City, and any associated permits that may be required, in accordance with the provisions of this Title, unless the sign is determined by the City to be exempt, and a permit is not required.
 - 3. This Section is not intended to, and shall not be interpreted to, restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this Section which purports to permit speech by reason of the type of sign, identity of the sign user

or otherwise, shall be interpreted to allow commercial or non-commercial speech on the sign. No part of this Section shall be construed to favor commercial speech over non-commercial speech. To the extent that any provision of this Section is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.

4. It shall be the responsibility of the property owners, project sponsors, and applicants to be knowledgeable of and comply with the provisions of applicable local, state, and federal standards.
 - a. This shall include, but is not limited to, the International Building Code and related International Codes, as adopted and administered by the City.
 - b. It is important to note that some signs may also be subject to the provisions of state and federal laws, such as the Scenic Vistas Act (RCW 47.42), the regulations of the Washington State Department of Transportation, the regulations of the Washington State Liquor and Cannabis Control Board, and/or the Manual of Uniform Traffic Control Devices.

~~5. The provisions of this Section shall not be construed as relieving or limiting in any way the responsibility or liability of any person, business, or organization erecting, owning, maintaining, allowing, or operating a sign within the City of College Place for personal injury, or death, or property damage resulting from a sign, regardless of whether a permit is required, or the sign is temporary or permanent. Nor shall it be construed as imposing on the City or its officers or employees any responsibility or liability by reason of the approval or disapproval of any signs, materials, or devices under the provisions of this Section or enforcement of this Chapter, Title, or any other Code or policy relating to signs.~~

- C. Exemptions. The following types of signs and activities may be exempt from the provisions of this Section and a Sign Permit may not be required, based on a finding by the City that the proposed sign does not present a risk to the public health, safety, and welfare. Please note that exempt signs must still comply with applicable provisions of the International Codes as adopted and administered by the City and a Building Permit may be required. Sponsors should contact the City to confirm that a permit is not required before installing or displaying any of the following types of signs, or initiating the following actions:
 1. Changes to the face or copy of legal signs that do not change the material appearance, type, or size of the sign as originally permitted by the City.
 2. The normal repair and maintenance of conforming and legal nonconforming signs.
 3. The flag of any nation, state, city, or other governmental agency, nonprofit organization, or educational institution.

4. Signs necessary to the expression of constitutionally protected forms of free speech as determined by the City Attorney.
5. Signs or decorations temporarily placed on private property in observance of religious, state, or national holidays (i.e., Christmas, Halloween, Fourth of July).
6. Legal notices, postings, or similar sign placed by or required by a governmental agency carrying out its responsibility to protect the public health, safety, and welfare.
7. Signs of a noncommercial nature and in the public interest erected by or on the order of a public official in the performance of his/her/their public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and the like.
8. Signs owned and maintained by a federal, state, or local government agency including but not limited to, street and highway signs, signs necessary to protect the public health, safety, and welfare, directional and wayfinding signs, and/or public information signs.
9. Privately maintained traffic control signs or directional signs for pedestrians on private roads or property.
10. Building address numbers.
11. One sign not exceeding two square feet in area, attached to a building, provided that the sign:
 - a. Is securely attached flush to the face of the building.
 - b. Does not project above the eave or roof line; and
 - c. Only announces the name and address of the occupant(s) and contact information.
12. Names of buildings, dates of erection, commemorative tablets, and the like when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.
13. Approved interpretative signs and historic markers; and
14. Temporary signs located on fences of a construction site, provided that there is an active building or development permit that includes external work or modifications of the site.

D. Prohibited Signs. No person shall erect, alter, maintain, or relocate any of the following signs in any zone in the City, unless specifically authorized in this Section.

1. Signs that are determined by the City Attorney to meet the judicial standards for obscenity.
2. Signs that create a safety hazard for pedestrian or vehicular traffic, or any other person legally using the property.
3. Signs that are specifically designed to move or have parts/mechanisms that physically move or that may cause a safety hazard by swinging or otherwise noticeably moving as a result of wind pressure because of the manner of their suspension or attachment.
4. Any sign, poster or other advertising matter of any nature placed upon a utility pole or other poles, fences, trees, sidewalks, streets, signs, traffic signs or other traffic control devices or other structures or places within streets, alleys or other public places or rights-of-way in accordance with this Chapter and Chapter 8.24 Nuisances.
5. Off premise signs.
6. Billboards (see Figure 14.60.090-1).

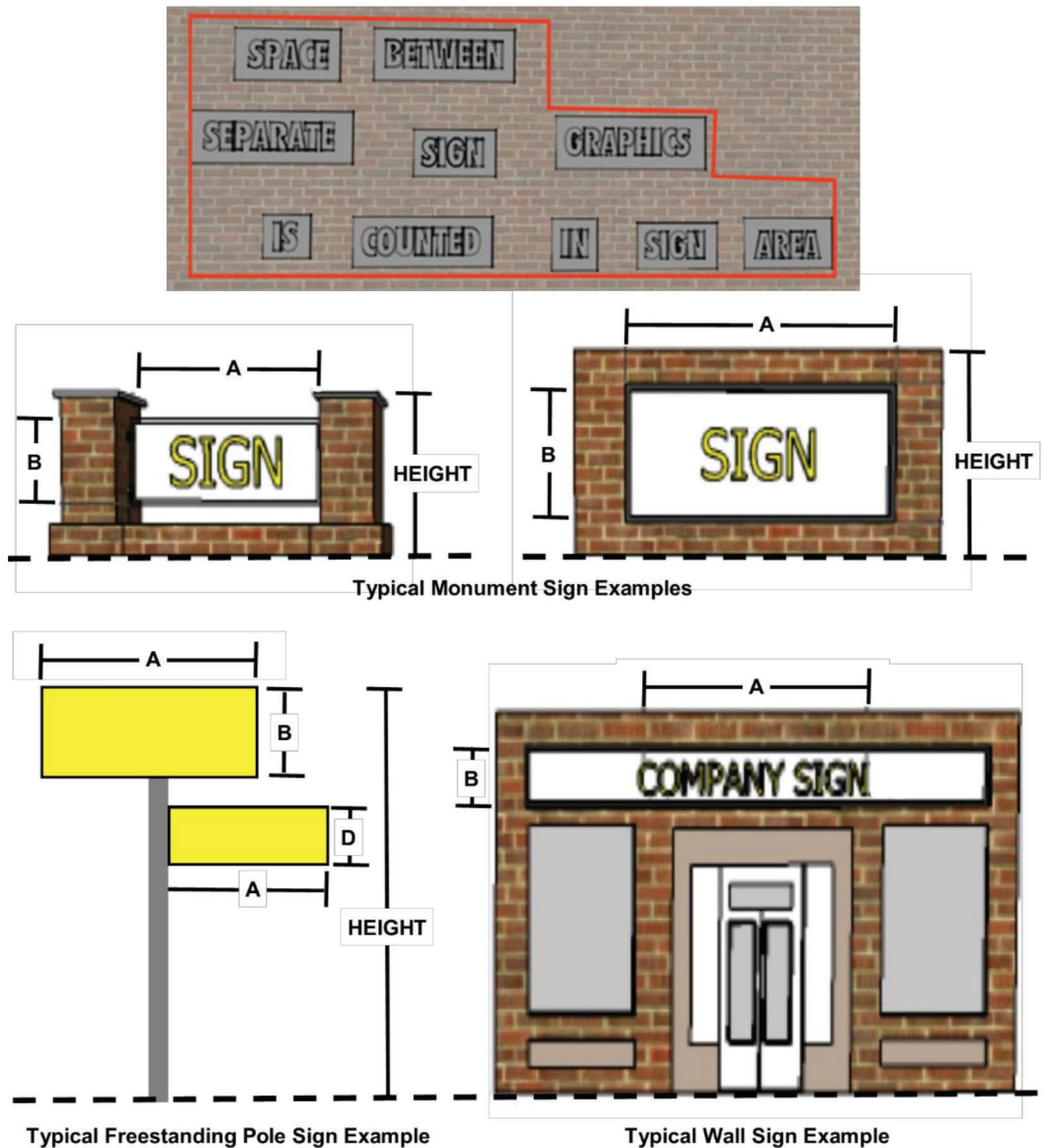


Figure 14.60.090-1 Typical Billboard

7. Signs with flashing lights or reflective materials.
8. Signs attached to or placed on a vehicle or trailer parked on public or private property, stored or displayed conspicuously in a manner to attract the attention of the public; provided however that signs that are permanently painted or wrapped on the surface of the vehicle, or adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of business are not prohibited so long as such vehicles are operable and parked in a lawful or authorized manner.
9. Mobile signs.
10. Permanent signs on vacant lots or parcels. Signs may only be established as an accessory use to a permitted primary use.

11. Roof mounted signs; and
 12. Signs attached to towers or wireless communication support towers, except as required by law.
- E. General Provisions. All signs shall comply with the following provisions unless otherwise provided in this Section:
1. Street signs shall be designed in accordance with the provisions of the College Place Engineering Design Standards and the Manual of Uniform Traffic Control Devices.
 2. No signs may be placed on private property without the permission of the owner.
 3. Signs may not be located in, or extend into or over, the public right-of-way, unless specifically authorized in this Section.
 4. All signs shall be permanently attached to the ground, to a building, or another structure by direct attachment to a rigid wall, frame, or structure, unless otherwise provided in this Section.
 5. No sign may be erected or displayed in a manner that may present a threat to public safety and required clear sight distances shall be maintained at all times.
 6. All signs shall be made of durable, weather resistant materials that are intended for outdoor applications.
 - a. Signs shall not be made with reflective material or moving parts; and
 - b. No signs shall have full motion digital images, video or film displays or stream content in real time.
 7. Externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare. Light shielding shall ensure that the lamp or light source is not visible beyond the premises and shall further ensure that the light is contained within the sign face.
 8. Flashing signs or light sources are not permitted, except when used as a safety device during an approved construction project.
 9. The size of signs shall be determined by the City based upon a measurement of the area of the sign devoted to copy, unless otherwise provided in this Section (see Figure 14.60.090-2).

Figure 14.60.090-2 (Sign Type, Area, & Height Measurement)



Note: The areas of these sign types is calculated as $A \times B$.
 Calculate multiple area signs as $A \times B + C \times D$, etc. for total sign area.

10. Where a height limit is imposed by this Section, the height shall be measured from the existing grade (see Figure 14.60.090-2).
11. All signs and components thereof must be maintained in good repair and in a safe, neat, clean, and attractive condition. Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a

- sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements of this Section and the conditions of its approval.
- a. Legally installed signs that do not meet the provisions of this Section, shall be considered legal, non-conforming signs, and may be continued, provided that they are maintained in good condition and the degree of non-conformity is not increased.
 - b. Legal, non-conforming signs may not be altered, replaced, or relocated except in full compliance with the provisions of this Section.
- F. Temporary Signs. Temporary signs may be displayed for a limited duration without a Sign Permit, in accordance with the following provisions, unless otherwise provided in this Section:
1. Temporary signs shall not have direct or internal illumination, changing image features, or electronic elements, provided that battery operated string lights that comply with lighting designs in this Chapter may be permitted.
 2. No temporary signs may be displayed in such a position that it covers or obstructs another sign.
 3. Temporary banners advertising City-approved activities or events may be displayed over streets in designated locations through the issuance of a Special Use or Right-of-Way Use Permit in accordance with the provisions of College Place Municipal Code Chapter 12.32.
 4. Small banners or similar type temporary signs with a non-commercial message, may be displayed on light poles or streetlights with brackets designed specifically for that purpose by the City, in accordance with the provisions of College Place Municipal Code Chapter 12.32.
 5. Temporary signs with a non-commercial message may be placed in the City right-of-way, without a permit, only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement, provided that the temporary sign is:
 - a. Not placed in or over a roadway, median, traffic circle, designated parking place, driveway, sidewalk, other paved areas designed for pedestrian, bicycle, or vehicle use, unless specifically authorized by the City; and
 - b. Not placed in any location or manner so as to create a threat to public safety, to adversely affect critical areas, or to adversely affect the health of trees, shrubs, or other landscaping; and

- c. Placed in a location acceptable to the abutting private property owner(s); and
- d. Attached to a stake that can be manually pushed or hammered into the ground, and shall not exceed four square feet per side or three feet in height, from the ground to the top of the sign; or
- e. Is an A-frame sandwich board sign not more than six square feet per side and shall be constructed or secured in such a manner as to be resistant to being blown over, becoming airborne, or otherwise becoming a threat to public safety in strong winds (see Figure 14.60.090-3).



Figure 14.60.090-3 Typical A-Frame Sandwich Board Sign

- 6. Temporary signs may be displayed on properties actively advertised for sale or lease, without a permit, while the property is advertised for sale or lease, in accordance with the following provisions:
 - a. In the Single-Family (SFR) and Multi-Family Residential (MFR) zoning districts:
 - (1) One temporary sign, for each street frontage of developed sites, displaying a commercial message that does not exceed six square feet in area, can be attached to the building, displayed in a window, or if less than seven feet in height, placed on the property; or
 - (2) One temporary sign, for each street frontage of undeveloped sites, displaying a commercial message that does not exceed thirty-two square feet or seven feet in height may be placed on the property.
 - b. In the General Commercial (GC), Light Industrial (LI), and Downtown Mixed-Use (DMU) zoning districts, one or more temporary signs, displaying a commercial message that does not exceed a total area of 35 square feet for each street frontage of the site, can be attached to the building, displayed in a window, or if less than seven feet in height, placed on the property.
- 7. One temporary banner sign may be permitted per tenant of a building in the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts provided that:

- a. The maximum size of the banner shall not exceed 32 feet.
 - b. The banner shall be attached to the face of the building, and may not extend above the roofline; and
 - c. Temporary banner signs shall count against the maximum area of building mounted signs.
- 8. One A-frame, sidewalk/sandwich board sign per licensed business may be permitted on each street frontage, in the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts, provided that:
 - a. The sign shall not exceed six square feet per side.
 - b. The sign must be removed during non-business hours.
 - c. The sign is located on private property at the site of the business, or in an abutting right-of-way on a sidewalk, or in areas not used as a roadway, driveway, bike lane, or for required parking.
 - d. At no time shall sandwich board/sidewalk sign block or present a hazard to pedestrians, obstruct safe sight distance, be placed in a street or gutter and/or become a nuisance, hazard and/or danger to the public as determined by the City; and
 - ~~e. The liability for all sandwich board signs placed in the right-of-way rests with the business and/or property owner placing the sign. The City may require proof of liability insurance, a hold harmless agreement from both the property owner and the tenant, and/or such other documents as may be required by the City Attorney.~~
- 9. Temporary signs that contain or consist of pennants, ribbons, streamers, feather shaped pennants, or similar types of displays as determined by the City, as well as searchlights, balloons, or inflated figures may be displayed on private property only in the General Commercial (GC), and Light Industrial (LI) zoning districts.
- 10. Temporary signs may be installed on private property in the University District, without a permit, in accordance with the provisions in this Section.
- 11. Temporary signs may be permitted in the Public Use District in accordance with the following provisions:
 - a. No temporary signs may be permitted on City owned property including, but not limited to parks, trails, open space, or public buildings, except in conjunction with

an approved special event, special use permit, or other permit or approval from the City.

G. Permanent Signs Permitted in all Zoning Districts. The following signs may be permitted in all zoning districts in accordance with the following provisions:

1. Signs designated by the City's Historic Preservation Commission as:
 - a. Eligible for inclusion on the College Place Historic Register.
 - b. Being iconic or of special historical interest to the community; or
 - c. Integral to a historic site or building.
2. Community message board signs may be permitted on the site of municipal buildings, schools, universities, churches, and other public buildings in all zones, provided that:
 - a. The messages shall be non-commercial and should advertise community events, meeting times, public service announcements, and public notices.
 - b. The community message board may be wall mounted, or a monument style sign.
 - c. The message board may be designed for messages that are changed by hand or with a changeable message that is electronically displayed and controlled.
 - d. Electronically changeable signs shall display images for a period of at least three (3) seconds before transitioning to another image.
 - e. Full motion digital images, video or film display or streamed in real time is not permitted; and
 - f. Community message board signs shall not exceed 32 square feet in area or and monument style signs shall not exceed 6' in height.

H. Permanent Signs in Residential Zoning Districts. Permanent signs may be permitted in the Single-Family Residential (SFR) and the Multi-Family Residential (MFR) zoning districts in accordance with the following provisions (see Figure 14.60.090-2 for sign types and measurements):

1. One freestanding monument sign, not to exceed 32 square feet in area, or six feet in height, may be installed along each road entering a residential subdivision.
2. One freestanding monument sign, not to exceed 32 square feet in area, or six feet in height, may be installed at each entrance into a multi-family development from a road.

3. Each City-licensed business may have one sign not exceeding two square feet, that is permanently attached to the building that is its primary place of business, provided that the sign:
 - a. Is securely attached flush to the face of the building.
 - b. Does not project above the eave or roof line; and
 - c. Only announces the name and address of the occupant(s) and contact information.
- I. Permanent Signs in Non-Residential Zoning Districts. Permanent signs may be permitted in commercially oriented non-residential zoning districts, including but not limited to the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts in accordance with the following provisions (see Figure 14.60.090-2 for sign types and measurements):
 1. Signs in the Downtown Mixed-Use District must also comply with the Downtown Design Standards and Guidelines as adopted or subsequently amended by the City.
 2. Building Mounted Signs. Building mounted signs includes signs attached to or painted on the exterior wall of a building, awning or canopy signs, projecting signs, or signs displayed in a window. Building mounted signs may be permitted on each face of a building fronting a street or parking lot, provided that:
 - a. The maximum area for all building façade signs, projecting signs, and temporary banner signs shall not exceed twenty-five percent (25%) of the building façade area.
 - b. No building façade sign may extend above the parapet or eave line.
 - c. Wall signs must be attached or erected parallel to and not extending more than ten inches from the wall, façade, or face of any building to which it is attached and supported throughout its entire length with the exposed face of the sign parallel to the plane of the wall or facade.
 - d. One projecting sign (see Figure 14.60.090-4) per street or parking lot frontage may be permitted, provided that:
 - (1) The sign is perpendicular to the face of the building and is permanently attached in accordance with manufacturers' specifications and the provisions of the International Codes, as adopted and administered by the City.
 - (2) Projecting signs may be two-sided and not exceed 16 square feet per side.

- (3) Projecting signs extending over public right-of-way and pedestrian pathways (sidewalks) shall be erected with clearance and projection limitations as set forth in the International Building Code; provided, that in no case shall any sign be permitted to extend within four (4) feet of the back of curb line.



Figure 14.60.090-4 Typical Projecting Sign

- e. Window signs (see Figure 14.60.090-5) located inside and affixed to a window and intended to be viewed from the exterior of the structure may be displayed without a permit, provided that:
- (1) Window signs shall not exceed 25 percent of the area of the window on which they are displayed; and
 - (2) The window signs may be illuminated or a neon sign.



Figure 14.60.090-5 Typical Window Sign

- f. A non-electric sign may be printed on, painted on, or attached to the vertical surface or flap of an approved awning or canopy (see Figure 14.60.090-6), provided that:
- (1) The awning or canopy shall be erected with clearance and projection limitations as set forth in the International Building Code, provided, that in no case shall any sign be permitted to extend within four (4) feet of the back of curb line.



Figure 14.60.090-6 Typical Awning Sign

3. Monument and Pole Signs (see Figure 14.60.090-2 for sign types and measurements). One pole or monument sign is permitted on sites when buildings are setback at least twenty feet from the right-of-way, provided that:
 - a. Pole signs:
 - (1) Shall not exceed sixty square feet per side or thirty feet in height in the Downtown-Mixed Use District.
 - (2) Shall not exceed two hundred square feet per side or fifty feet in height in the General Commercial or Light Industrial districts; and
 - (3) If more than thirty feet in height, must be located at least one hundred feet from any residential zone.
 - b. Monument Signs:
 - (1) Must be set back at least five (5) feet from the property lines.
 - (2) Shall not exceed sixty square feet per side or 5 feet in height in the Downtown-Mixed Use District; and
 - (3) Shall not exceed two hundred square feet per side or 6 feet in height in the General Commercial or Light Industrial districts.
 - c. Monument or pole signs may contain LED displays and/or electronically changeable messages, provided that:
 - (1) All electronic message centers shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.

- (2) Electronically changeable signs shall display images for a period of at least three (3) seconds before transitioning to another image.
- (3) Full motion digital images, video or film display or streamed in real time is not permitted; and
- (4) Signs located within one hundred feet of a residential zoning district may only operate between the hours of 6 a.m. and 11 p.m.

J. Permanent Signs in the University District. Permanent signs may be permitted in the University District in accordance with the following provisions:

- 1. Permanent signs without a commercial message may be installed on private property without a Sign Permit.
- 2. Permanent signs with a commercial message may be installed on private property in accordance with the provisions of the Downtown Mixed-Use District.

K. Enforcement and Removal. Any violations of this Section, such as the placement of prohibited signs on a property or the failure to maintain existing or new signage in good condition, shall be subject to a code enforcement action.

- 1. In addition to the remedies in this Section and College Place Municipal Code Title 8, the City shall have the authority to require the repair, maintenance or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign and/or property owner.
- 2. Abandoned or illegal signs are hereby deemed to be a public nuisance and shall be removed by the property owner within forty-five days after notice from the City. Any sign not removed following such notice may summarily be abated by the City at the cost of the sign and/or property owner.
- 3. Legal, conforming structural supports for abandoned signs may remain, if installed with a blank sign face and the supporting structures are maintained.

14.60.100 Outdoor Storage. Storage and screening requirements for permitted commercial/industrial and residential uses or activities shall be as follows:

- A. Every reasonable effort shall be made by persons conducting commercial/industrial activity to store merchandise, raw materials, equipment, fixtures, scrap, junk, or solid wastes in such a manner so as not to create visual nuisance conditions and shall comply with the following:

1. All such materials shall be enclosed entirely within a building with the following exceptions:
 - a. Where such inside or screened storage is not practical or desirable when justified with regard to health, fire, or safety codes, as determined by the City.
 - b. Where the outside storage of merchandise, manufactured products or raw materials open to view from the public right-of-way is normal and standard practice, such as in the sale of auto equipment, manufactured homes, recreational vehicles, nursery stock and the like, but not including the storage of secondhand or used materials or junk.
 - c. Where the outside storage of junk, used or secondhand furniture, appliances and other similar items is necessary, provided in this case such items shall be entirely enclosed within a sight-obscuring fence (six feet in height minimum) with such enclosed area being located no closer than 20 feet from the right-of-way of any street as herein defined; and
 - d. Where outside storage is temporary during permitted construction only.
 2. Outside storage of such materials shall be maintained in an orderly manner consistent with good housekeeping practices and shall create no visual or noxious offense to adjacent properties, or the public right-of-way, or create a fire, safety, or health hazard, or public nuisance and shall comply with the provisions of local, state, and federal laws, as well as the provisions of City NPDES permits.
- B. Storage pertaining to residential activities shall comply with the same requirements as those specified for commercial/industrial activities noted in this Section, and in addition comply with the following:
1. Appliances and other mechanical equipment normally used in the residential environment which is no longer operable shall not be stored outside.
 2. Motor vehicles no longer operable and/or abandoned shall comply with the requirements of College Place Municipal Code Chapter 10.24 Abandoned Vehicles and Chapter 8.24 Nuisances.
 3. Boats, recreational vehicles, and the like may be stored on the premises provided they are not parked within a required front yard or side yard setback.
- C. Storage in the public right-of-way is prohibited.

14.60.110 Alternative Energy Infrastructure.

- A. This Section is established to:

Approved UDC with amendments through December 13, 2022.

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1. Promote clean energy production by citizens and businesses.
2. Ensure that alternative energy infrastructure is compatible with the development and development on adjacent properties.
3. Provide options to traditional energy use; and
4. Promote reduction of energy use within the city.

B. General Criteria. Alternative energy infrastructure shall meet all of the following criteria:

1. Alternative energy infrastructure shall not be located within any building setback or required setback, unless below grade or for panels that are components of roof structures.
2. Any installation of an alternative energy system shall comply with any and all applicable provisions of the International Codes, as adopted by the City.
3. No alternative energy system shall be installed unless evidence has been provided to the City that the utility company has been informed of the customer's intent to install an interconnected customer-owned power generation system. Off-grid systems shall be exempt from this requirement.
4. Any installation of alternative energy infrastructure shall comply with all applicable environmental regulations.

C. Geothermal Infrastructure Criteria. In addition to the general criteria in subsection B above, geothermal alternative energy systems shall comply with the following standards:

1. Geothermal infrastructure shall be located entirely within the subject property, or within appropriate easements.
2. Installation of geothermal infrastructure shall comply with all applicable federal, state, and local laws and regulations.

D. Solar and Wind Infrastructure. Alternative energy facilities, including solar and wind equipment, are encouraged, subject to the following provisions:

1. Solar and Wind Infrastructure Requirements.
 - a. Building-mounted solar and wind equipment shall be integrated into the structure's architectural design. Techniques for achieving this include, but are not limited to, aligning equipment with a building's structural or functional articulation,

coordinating panel placement with other building features, or using equipment to enhance a building's architectural expression.

- b. Roof-mounted solar and wind equipment may extend above the building height limit without screening but shall be designed to avoid creating glare or blocking views and solar access to surrounding properties.
2. Solar and Wind Infrastructure Guidelines.
- a. Use of solar panels to serve other functions, like weather protection, shading, building articulation and place-making, is encouraged.
 - b. Exposing solar and wind equipment in a way that enhances architectural design and demonstrates the viability of alternative energy is encouraged.

14.60.120 Sexually Oriented Businesses.

- A. The purpose of this Section is to establish standards for the siting of sexually oriented businesses and services to minimize adverse impacts to the public health, safety, and welfare, including but not limited to children, individuals with a developmental disability(ies), and to individuals' ability to quiet enjoyment and use of their property or property interests. It is also intended to disperse adult concessions to avoid a concentration of these uses that likely will negatively impact the City's ability to adequately and efficiently provide emergency, law enforcement, and peace keeping activities to the general public.
- B. Location Standards.
 - 1. Sexually oriented businesses shall not be located within five hundred (500) feet of the following:
 - a. A Single-Family Residential (SFR), Multi-Family (MFR), or Downtown Mixed-Use (DMU) zoning district).
 - b. Property used for public or private schools.
 - c. Public parks, playgrounds, recreation facilities, and/or public libraries.
 - d. State-licensed day care facilities.
 - e. Youth or community centers.
 - f. Churches, cemeteries, mausoleums, or other religious facilities.

- g. Sports complexes and recreational facilities.
 - h. Cultural or historical centers and other facilities.
 - i. Secure community transition facilities.
 - j. Other sexually oriented businesses or services; and
 - k. Other facilities or land uses which provide as a substantial portion of their activities, the provision of services to children and/or youth.
2. The five hundred (500) foot distance shall be measured by following a straight line, without regard to intervening structures or obstacles, from the nearest point of the property line upon which the proposed use is to be located, to the nearest point of the property from which the proposed land use is to be separated.

C. All sexually oriented businesses shall comply with the following standards:

- 1. No person owning, operating, or managing a sexually oriented business or service or his/her/~~their~~ employee or agent shall invite, allow, or permit any person under the age of 18 years to enter, go over, or remain on the premises.
- 2. There shall be no window, marquee, or other display of any matter depicting or portraying City specified anatomical areas or sexual activities.
- 3. Nothing in this section is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building, or use which violates any ordinance or statute of the City, County, State, or the United States.
- 4. Violation of the use provisions of this Section is declared to be a public nuisance per se and is subject to abatement as well as criminal and/or civil penalties in accordance with the provisions of the College Place Municipal Code.

14.60.130 Temporary Uses. Temporary uses include limited duration activities on private property that may be permitted for a specified period through the issuance of a Special Use Permit. Limited duration activities on public property may be permitted through a Special Use Permit or a Right-of-Way Use Permit.

- A. In addition to the temporary uses identified in the Table of Permitted Uses, limited duration activities on private property permitted through a Special Use Permit may also include, but is not limited to:
 - 1. Roadside stands.

2. Carnivals, circuses, rodeos, festivals, or street fairs.
 3. Christmas tree sales.
 4. Fireworks sales.
 5. Outdoor concerts, or theatrical performances.
 6. Parking lot/outdoor sales events.
 7. Seasonal sale of agricultural products grown off premises.
 8. Outdoor dining areas, wine tastings, beer gardens, and the like.
 9. The rental of buildings or grounds for events such as weddings, family reunions, and the like.
 10. Temporary construction and sales offices; or
 11. Other activities that involve the temporary alteration of a site, temporary changes in ingress and egress, or uses of a limited duration that would not adversely affect the public health and safety.
- B. Yard sales/garage sales do not require a permit, provided that a Special Use Permit must be obtained for yard sales/garage sales more than 3 days in length, or that occur more frequently than four times in the same calendar year.

14.60.140 Mobile Vendors and Vendor Food Courts. Mobile vendors are not permitted to operate in the City without a City issued Special Use Permit unless determined by the City to be exempt. No person, firm, corporation, or organization shall engage in the business of a mobile vendor, street vendor, or mobile food vendor court without a Special Use Permit unless determined to be exempt by the City.

A. General Provisions.

1. All mobile vendors, street vendors, and mobile vendor food courts shall also obtain, and maintain in good standing, a City Business License, as required by the City.
2. It shall be the responsibility of all mobile vendors, street vendors, and mobile vendor food courts must to be knowledgeable of and comply with the provisions of applicable local, state, and federal laws standards, . This shall includinge, but is not limited to:
 - a. College Place Municipal Code:

- (1) Solid Waste Collection and Disposal and Policies – Chapter 8.12 (as amended).
- (2) Nuisances – Chapter 8.24 (as amended).
- (3) Litter - Chapter 8.28 (as amended).
- (4) Vehicles and Traffic - Title 10; and

~~b.~~(5) Streets, Sidewalks, and Public Places - Title 12.

~~e.b.~~ Walla Walla County-City Health Department rules and regulations.

~~d.c.~~The Washington State Motor Vehicle Code.

3. Mobile vendors shall maintain a valid motor vehicle operator's license for all vehicle operators and proof of vehicle liability insurance coverage in an amount acceptable to the City's Risk Manager.

4. No mobile vendors, street vendors, or -mobile vendor food courts, or associated uses may operate ~~be located~~ on or utilize private property without the written approval of the property owner.

5. All permits and licenses for mobile and street vendors shall be prominently displayed upon all vehicles, conveyances, or temporary structures being used from which a mobile or street vendor conducts business.

~~2. The provisions of this Section shall not be construed as relieving or limiting in any way the responsibility or liability of any person, business, firm, corporation, or organization owning, maintaining, allowing, or operating as a mobile vendor, street vendor, or mobile vendor food court within the City of College Place for personal injury, or death, or property damage resulting from mobile vendor, street vendor, or mobile vendor food court, regardless of whether a permit is required. Nor shall it be construed as imposing on the City or its officers or employees any responsibility or liability by reason of the approval or disapproval of any mobile vendor, street vendor, or mobile vendor food court or associated use, materials, or devices under the provisions of this Section or enforcement of this Section.~~

B. Exemptions. The following mobile vendors and uses may be exempt from the provisions of this Section and a Special Use Permit may not be required, based on a finding by the City that the proposed mobile vendor or use does not present a risk to the public health, safety, and welfare.

1. Authorized vendors at the City events~~College Place Farmer's Market.~~

2. Vendors with a City ~~authorized under a~~ Special Event Permit Activity permitted in accordance with the provisions of issued pursuant to CPMC 12.04, so long as the Special Event permit allows for mobile and/or street vendors.

~~Vendors authorized in City parks through a Special Event Activity permit issued in accordance with the provisions of CPMC 12.20.~~

C. Mobile Vendor and Street Vendor Standards. No permit mobile vendor permit or license shall include the privilege to conduct the business of a mobile vendor unless the vehicle or conveyance is parked and operated in full compliance with the traffic and sidewalk ordinances of the city as now in effect or as hereafter amended.

1. No mobile vendor or street vendor shall operate in a manner which- It shall be a violation of this Section for any person selling or offering for sale any article to obstructs or causes to be obstructed, including obstruction caused by people or vehicles congregating, in part or in whole, the use of ~~the passage of any sidewalk, street, avenue, alley, or~~ any public right of way, including but not limited to sidewalks, streets, roads, alleys, public facilities, or any other public place, ~~by causing people to congregate at or near the place where any article is being sold or offered for sale.~~

2. No mobile vendor or street vendor shall ~~merchandise will be sell or offered,~~ or display for sale any item or service to people while in a vehicle on a public street, road, parking lot or alleyway, ~~ed, or sold, and no customers served, in any vehicle travel~~

3. No mobile vendor or street vendor shall operate in a lane of travel.

4. No mobile or street vendor shall sell or vend any services or wares from their vehicle or conveyance:

a. Within four hundred feet of any public or private school grounds during regular school ~~the hours of regular school session, classes, or,~~ extra-curricular activities, or school related or sponsored events, ~~school related events in the public or private school,~~ except when authorized by the school.

b. Within one hundred feet of the entrance of any business ~~establishment~~ which is open for business offering as a main featured item or items of similar goods or services for sale as the vendor, except when authorized by the business.

c. Within one hundred feet of any ~~restaurant, cafe, or~~ eating establishment which is open for business if selling food or food items, if the vendor is selling food items, except when authorized by the business.

d. Within three hundred feet of any City event, City sponsored event or a non-City event for which the City has issued a ~~public park of the city or other public space~~

~~for which a~~ Special e ~~Event and the event includes the sale or provision of food and/or goods permit has been obtained during the course of a public celebration when organizations are permitted to engage in the sale of merchandise and food in such park or public space.~~

e. Within three hundred feet of any Ceity authorized concession stand in a City ny public park of the city during times other than during the course of a public celebration except as approved by the parks and recreation department of unless the Ceity provides written permission to operate.

5. Mobile vendors shall be prohibited from residential zones except for those vendors which operate for less than fifteen minutes at a location.

D. Mobile Vendor Food Court Standards. In addition to the requirements in this section, a Mobile Vendor Food Court must:

1. Comply with Mobile vendor food courts shall conform to the requirements of the International Building Code regarding accessibility.
2. Submit a Applications for mobile vendor food courts shall include a Site Plan with the Special Use Permit Application to as prescribed by the City. This Site Plan shall include, but is not limited to:
 - a. LThe location of mobile vendors.
 - b. Site access for vehicles, pedestrians, and emergency service providers, as well as ADA compliance measures.
 - c. Parking areas.
 - d. Public spaces and seating areas.
 - e. Restrooms, potable water availability and sanitation stations.
 - f. Solid waste and any recycling facilities.
 - g. Landscaping and screening, if any.
 - h. Proposed measures to avoid, minimize, or mitigate potential adverse impacts on neighboring properties.
3. Mobile vendor food courts shall Pprovide seating at the rate of six seats per vendor.

4. Provide ~~p~~Permanent restroom facilities with handwashing facilities ~~are required either~~ on site or within an adjacent building that is accessible to the mobile vendor food court when ~~the business(es)~~ vendors are in operation. A mobile vendor food court shall have a minimum of one restroom. One additional restroom is required for each five vendors in the court.
5. Prohibit ~~No tents, tarps, or pop-up shelters are permitted in mobile vendor food courts for food preparation or sales.~~
6. Direct a ~~Any site lighting shall be directed~~ away from adjacent properties and ~~shall be shielded~~ and aimed all lighting downward.

D. Operations and Enforcement.

1. All mobile vendors, street vendors, and mobile vendor food courts shall be responsible for cleaning up each day all litter originating from their business ~~and within a one-hundred-fifty-foot radius of the location where any sales occur.~~
2. During the period of the authorized special use, the ~~Project Sponsor~~ vendor(s) shall continue to monitor the level and nature of use by the public and may propose and/or the City may require additional measures in the interest of ~~to further ensure that the~~ public health, safety, and welfare ~~are protected.~~
3. Prior to the expiration of a special use authorization, the Project Sponsor shall clean and return the site(s) to its previous condition.
4. The City may suspend or cancel the permit ~~or authorization~~ for a mobile vendor, street vendor, or mobile vendor food court, and/or initiate code enforcement actions for failure to comply with the conditions of approval, including failure to comply with all applicable laws and regulations, or this Chapter, provided ~~that adequate~~ notice and time ~~has been provided to allow the Project Sponsor~~ for the vendor(s) to take corrective actions. Posting at the site is sufficient notice.
5. The City may immediately revoke a permit if operation of a mobile vendor, street vendor, or mobile food vendor court poses an immediate risk to the safety or welfare of the public or may pose a significant risk to the safety or welfare of the public as determined by the City.

2.

14.60.145 Temporary Use of Sidewalks and Parking Spaces. Business owners or operators may be authorized to use specified areas within public sidewalks ~~and/or~~ parking spaces, or other public areas within the public right-of-way ~~for outdoor food and drink service~~ to sell goods and/or services on a temporary basis through the issuance of a Special Use Permit ~~by the City~~ subject to compliance with the following provisions.

A. General Provisions.

1. All business owners shall obtain, and maintain in good standing, a City Business License, as required by the City.
2. ~~It shall be the responsibility of all B~~business owners and operators must ~~to be knowledgeable of and comply with the provisions of~~ applicable local, state, and federal standards. This shall include, but is not limited to:
 - a. The College Place Municipal Code:
 - (1) Solid Waste Collection and Disposal and Policies – Chapter 8.12 (or as amended).
 - (2) Nuisances – Chapter 8.4 (or as amended).
 - (3) Litter - Chapter 8.28 (or as amended).
 - (4) Vehicles and Traffic - Title 10; and
 - (5) Streets, Sidewalks, and Public Places - Title 12.
 - b. Walla Walla County-City Health Department rules and regulations.
 - c. The regulations of the Washington State Washington State Liquor and Cannabis Board for outside public seating.
3. The business owner must provide evidence of insurance coverage for the use of the right-of-way with the City of College Place as an additional insured.
4. The use must be adjacent to and of the same nature as the business's usual operations.
5. The use must not interfere with the public's reasonable use of City right of ways and may only have a diminimus impact on the existing use of neighboring properties.

B. Application and Site PlanStandards.

1. Applications for the use of public right of ways ~~sidewalks or parking spaces for food and beverage service~~ shall include a Site Plan and a narrative description of the proposed Special Use as prescribed by the City. This Site Plan and narrative shall include, but is not limited to:
 - a. The location and dimensions of the outdoor area to be used, with all streets, sidewalks, bike or pedestrian paths, and parking spaces and other public right of

ways identified adjacent to the business and to include at least 50 feet in all directions.

~~The location and dimensions of the areas to be used for food and beverage service.~~

b. A clear zone around the entrance of the business of at least 3 feet.

c. The proposed location of tables and chairs next to the building and any associated improvements such as service stations and barricades such as planters or railings or fencing.

d. Proposed measures to avoid, minimize, or mitigate potential adverse impacts on neighboring properties.

C. Operations and Enforcement.

1. All business owners shall be responsible for cleaning up each day all litter originating from their operation business.

2. During the period of the authorized special use, the business owner shall continue to monitor the level and nature of use by the public and may propose and/or the City may require additional measures in the interest of to further ensure that the public health, safety, and welfare are protected.

3. Prior to the expiration of a special use authorization, the business owner shall clean and return the site(s) to its previous condition.

4. The City may suspend or cancel the permit for a mobile vendor, street vendor, or mobile vendor food court, and/or initiate code enforcement actions for failure to comply with the conditions of approval, including failure to comply with all applicable laws and regulations, or this chapter, provided notice and time for the vendor(s) to take corrective actions. Posting at the site is sufficient notice.

5. The City may immediately revoke a permit if operation of a mobile vendor, street vendor, or mobile food vendor court poses an immediate risk to the safety or welfare of the public or may pose a significant risk to the safety or welfare of the public as determined by the City.

~~The City may suspend or cancel the permit or authorization for outdoor food or beverage service and/or initiate code enforcement actions for failure to comply with the conditions of approval, provided that adequate notice has been provided to allow the business owner to take corrective actions.~~

14.60.150 Home Businesses.

- A. Applicability. The residents of a legal dwelling unit may conduct a business(es) in their home as an accessory use, subject to City review and approval.
1. All home businesses shall obtain, and maintain in good standing, a City Business License and shall annually renew the license, as required by the City.
 2. All home businesses shall operate in a residence or approved accessory building in compliance with the provisions of this Title including, but not limited to the International Codes, as adopted, and administered by the City.
 3. In addition to the requirements in this Section, the City may place additional conditions of approval to protect the public health, safety, and welfare, and critical areas, as well as to reasonably minimize adverse impacts on neighboring properties.
 4. The City may deny, revoke, and/or suspend a home business license based upon non-compliance with the provisions of this Title.
 5. Home businesses may be subject to inspection by the City; and
 6. Uses identified in the Table of Permitted Uses as being permitted in a residential zone such as in-home child day care, and bed and breakfast inns, are not considered home businesses and are not subject to the provisions of this Section.
- B. Permitted Uses. The following uses, and similar uses as determined by the City, may be permitted as a home business, in accordance with the provisions of this Section:
1. Artist and sculpture studio.
 2. The sale of art and handcrafted items produced on site.
 3. Home crafts, such as model-making, rug weaving, and lapidary work.
 4. Dressmaking, seamstresses, tailors.
 5. Music instruction, no more than two students at a time.
 6. Interior design.
 7. Message therapy.
 8. Beauty parlor, barber shop, tanning bed, or salon (one chair/bed only).

9. Professional services such as accounting or business consulting.
 10. Tutoring, not to exceed two students at one time.
 11. Repair of small household items.
 12. Personal trainer, no more than two clients at a time.
 13. Professional office.
 14. Pet grooming.
 15. Telephone answering or soliciting.
 16. Computer programming and small-scale repair.
 17. Construction or assembly of products for sale off site.
 18. Manufacturer's representative; and
 19. Other business activities as determined by the City that meet all of the standards of this Section.
- C. Uses Not Permitted as Home Businesses. The following uses or activities, or similar activities as determined by the City, shall not be permitted as home a business:
1. Any use generating, storing, or utilizing hazardous waste.
 2. Animal breeding.
 3. Kennels.
 4. Veterinary clinic or hospital.
 5. Automotive servicing, maintenance, repairs, or construction.
 6. Painting, seal or clear coating of vehicles, trailers, boats, and the like.
 7. Storage of vehicles, boats, or equipment.
 8. Parking or storage of heavy equipment.
 9. Shipping, trucking, dispatching of vehicles, or related activities.

10. Contractor yards, landscaping, or related businesses.
11. Sexually oriented businesses.
12. Marijuana production, processing, or sales.
13. Machine and metal shop.
14. Antique/vintage store, thrift or secondhand store, or junk yard.
15. Refurbishing used appliances and/or sales.
16. Uses specifically prohibited in the Table of Permitted Uses in the zone; and
17. Other uses, as determined by the City, that do not meet the standards of this Section.

D. Conditions of Approval. The residents of a dwelling unit may be permitted to conduct a business(es) in their home, subject to compliance with applicable state and federal laws, the College Place Municipal Code, including the following provisions, and any additional conditions of approval that may be established by the City to protect the public health and safety and to promote compatibility with the use of neighboring properties:

1. Not more than one non-resident may work on the site of the home business.
2. Hours of operation shall occur between 8:00 a.m. and 7:00 p.m. unless otherwise authorized or restricted by the City.
3. There shall be no exterior evidence of the home business, other than a permitted sign, that would cause the premises to differ from its residential appearance and character.
 - a. Only one sign is permitted to advertise a home business. The sign shall be no larger than two square feet in area, non-illuminated, and must be attached to the dwelling.
 - b. Windows may not be used to display commercial messages.
4. Home business activities shall be conducted within the dwelling unit and/or inside approved accessory buildings. There shall be no business activities conducted outside of the residence or approved accessory buildings.
 - a. There shall be no outside storage of materials, supplies, or display of goods or equipment of any kind related to the home business.
 - b. No goods or merchandise shall be displayed such that they are visible from public rights-of-way or adjacent properties.

5. There shall be no offensive noise, vibration, smoke, dust, odors, heat, light, or glare noticeable at or beyond the property line, in accordance with the provisions of College Place Municipal Code Chapter 8.20 Noise Control and Chapter 8.24 Nuisances.
6. The home business shall not use electrical or mechanical equipment that results in:
 - a. A change to the fire rating of the structure(s) used for the home business.
 - b. Visual or audible interference in radio or television transmitters or receivers, cellular or satellite signals, digital signals, or electronic equipment located off premises; or
 - c. Fluctuations in line voltage off premises.
7. There shall be no storage and/or distribution of toxic or flammable materials, and spray painting or spray finishing operations that involve toxic or flammable materials that, in the judgment of the Fire and County Health Departments, pose a dangerous risk to the residence, its occupants, and/or surrounding properties. Those individuals who are engaged in home occupations shall make available to the Fire or County Health Departments for review the material safety data sheets which pertain to all potentially toxic and/or flammable materials associated with the use.
8. The on-site sale of goods is not permitted, except as follows:
 - a. The sale of items is incidental to a permitted home occupation (e.g., a barber shop that sells hair-care products, etc.).
 - b. Hand crafted items made on site, such as art, jewelry, fishing lures, etc.; and
 - c. Online, mail order and telephone sales, with off-site delivery.
9. Any need for any parking created by the home business shall be provided on site, provided that with the exception of existing driveways, no parking shall be allowed in setbacks or buffers.
 - a. No on-street parking of employees or commercial vehicles, or vehicle with a commercial message display associated with the business is allowed.
 - b. No more than one vehicle associated with the business may be permitted. Such vehicle shall not exceed a nominal model designation of one ton (i.e., Ford F350; Chevy-GMC 3500).

10. No traffic shall be generated by a home business in greater volumes than normally expected in a residential neighborhood, as determined by the City.
11. Home businesses may be subject to an annual public health, safety, and welfare inspections by the City.

14.60.160 Vacation Rentals.

A. Applicability. The purpose of this Section is to establish the standards under which an approved single-family residence, accessory dwelling unit, or other approved real property, may be used as a vacation rental or short-term rental, as well as bed and breakfast inns.

1. The owner of a short term or vacation rental, or a bed and breakfast inn shall obtain and maintain in good standing a City Business License.
 - a. A separate business license shall be required for each vacation rental unit or inn.
 - b. A property owner may designate a local agent to manage a vacation rental(s) or bed and breakfast inn on his/her/their behalf.
 - c. The issuance of a City Business License shall include a review and certification of compliance with the provisions of the College Place Uniform Development Code, including, but not limited to the International Codes, as adopted, and administered by the City.
 - d. The business license may include conditions of approval to protect the public health, safety, and welfare and to minimize adverse impacts on neighboring properties.
 - e. The vacation rental or the bed and breakfast inn may be subject to an annual public health and safety inspection by the City.
 - f. Business licenses are subject to annual renewal and additional conditions may be added at the time of renewal; and
 - g. A business license issued for a vacation rental, or a bed and breakfast inn is not transferable and upon sale or transfer of the property a new business license application must be submitted.
2. Vacations rentals shall be limited to legally established single-family residences, or accessory dwelling units, as approved by the City, provided that the following shall not be used for vacation rentals or short-term rentals under any circumstances:
 - a. Railroad cars.

- b. Boats.
 - c. Shipping containers; and
 - d. Structures that do not meet the standards of the International Codes, as adopted, and administered by the City.
3. The following may only be permitted as a vacation rental or short-term rental in a conforming mobile home or RV park:
- a. RVs.
 - b. Camper trucks.
 - c. Tents.
 - d. Park models or tiny homes.
 - e. Trailers; and
 - f. Mobile homes.
- B. Conditions of Approval. It shall be the responsibility of the property owner to ensure that all vacation rentals and bed and breakfast inns are operated and used in compliance with applicable state and federal laws, the College Place Municipal Code, including the following provisions, and any additional conditions of approval that may be established by the City to protect the public health, safety, and welfare and to promote compatibility with the use of neighboring properties.
- 1. The maximum capacity for overnight guests for each vacation rental and bed and breakfast inn shall be based on information provided by the Applicant and shall not exceed 2 adults per room identified to accommodate overnight sleeping.
 - 2. All exterior lighting shall be downward facing and screened.
 - 3. All uses of a vacation rental or bed and breakfast inn shall not generate noise in excess of what is typically associated with residential uses in the neighborhood and shall comply with the provisions of College Place Municipal Code Chapter 8.20 Noise Control.
 - 4. The Property Owner or his/her/their designee of each vacation rental and bed and breakfast inn shall maintain on file with the City up to date copies of:

- a. A professionally prepared site plan that identifies the location of:
 - (1) The rental facilities.
 - (2) On-site amenities.
 - (3) Required off-street parking in accordance with the provisions of Section 14.60.070 Parking and Loading.
 - (4) Refuse and recycling facilities; and
 - (5) Emergency shut-off valves and fire extinguishers.
- b. A professionally prepared floor plan that identifies:
 - (1) The designated use and dimensions of each room.
 - (2) The capacity of each room designated for sleeping.
 - (3) The location of windows, doors, and emergency exits.
 - (4) Fire extinguisher locations; and
 - (5) The location of the circuit box and the emergency shut-off valves.
- c. A property management plan, that:
 - (1) Identifies the Property Owner and agents authorized to act on the Property Owner's behalf.
 - (2) Provides emergency and local contact information.
 - (3) Identifies how the Property Owner will ensure that solid waste and recycling containers are put out and picked up in a timely manner.
 - (4) Identifies how the exterior of the building, grounds, and landscaping will be maintained; and
 - (5) Identifies how the Property Owner will enforce compliance with the terms and conditions of approval.
- 7. A copy of the business license and the local contact information for the owner or his/her/their authorized agent shall be posted and maintained at a visible location at the main entrance, subject to City review and approval.
- 8. The Property Owner or his/her/their designee shall be responsible for the collection and

payment of all required taxes including lodging taxes, state business and occupation taxes, fees, and charges and shall provide the City with annual documentation of compliance, in a format acceptable to the City.

9. It shall be the responsibility of the Property Owner to ensure that the users of a vacation rental, and all guests, are respectful of their neighbors, and shall be in compliance at all times with the terms and conditions of approval and the provisions of the College Place Municipal Code.

- a. It shall be the responsibility of the Property Owner, or his/her/their authorized agent to promptly investigate and appropriately respond to complaints. Repeated complaints and/or the failure to respond to complaints in a timely manner, may result in the suspension or revocation of approval, and/or civil or criminal penalties.

14.60.170 Accessory Buildings, Structures, Dwelling Units, and Uses.

- A. Accessory structures or buildings shall not occupy any parcel or lot independent of the primary building and shall comply with the following provisions:

1. Accessory buildings may include the following or similar structures, in accordance with the provisions of this Title, as determined by the City:
 - a. Detached and attached accessory dwelling units.
 - b. Garages.
 - c. Shops.
 - d. Buildings utilized by an approved home business.
 - e. Storage sheds.
 - f. Greenhouses and potting rooms; and
 - g. Children's playrooms.
2. The following shall not be converted to, or used as a storage building, accessory building, or accessory dwelling unit, unless specifically authorized in this Title.
 - a. Trailer.
 - b. Bus.
 - c. RV.

- d. Vehicle.
 - e. Camper.
 - f. Mobile home.
 - g. Used shipping container.
 - h. Railroad car.
 - i. Tent; or
 - j. Park model or tiny house.
3. The rental of buildings or rooms for periods of 30 days or less shall require a Special Use Permit and/or related permits from the City, in accordance with the provisions governing short-term or vacation rentals.
 4. Accessory buildings, dwelling units, or structures shall only be permitted on parcels with a legally established primary residence, primary building, and/or primary use.
 5. All accessory buildings and structures shall comply with the applicable provisions of this Title, including setback, lot coverage, building height, and stormwater management, as well as the provisions of the International Codes, as adopted and administered by the City, unless otherwise specifically authorized in this Title.
 - ~~6. The footprint of the primary residence shall not exceed 35% of the size of the parcel and the total footprint of all accessory buildings and structures shall not exceed 10% of the lot size.~~
 7. No accessory building or structure shall occupy the front or side yard setback.
 - ~~8. An accessory building or structure may be located in the rear yard setback up to the property line except in instances where the City routinely plows snow on the abutting alley, in which case it may be located up to 5' of the property line. An accessory building or structure may be located in the rear yard setback up to 5' from the property line.~~
 9. The minimum distance to buildings on an adjacent lot shall be at least ten feet in accordance with the provisions of the International Codes as adopted and administered by the City.
 10. The maximum height of an accessory building or structure shall not exceed 24'. 15' at the eave line.

11. ~~Windows on accessory buildings shall be oriented to protect the privacy of adjacent property owners. This may include the placement of windows above or out of view into adjacent yards or windows, or by using obscure glass.~~

B. Accessory Dwelling Units. In addition to the preceding criteria applicable to all accessory buildings, the following criteria shall also apply to accessory dwelling units:

1. Not more than ~~one~~ two accessory dwelling units may be permitted on a parcel.
2. An accessory dwelling unit may be detached from the primary structure, an addition to a primary structure, within a primary structure, or above an approved detached accessory building such as a garage or shop, provided that an accessory dwelling unit that is attached to or within the primary building, must have a separate entrance and must be a self-contained residential unit.
4. Existing non-conforming accessory buildings may be converted to accessory dwelling units provided that the degree of non-conformity is not increased and that all improvements comply with the provisions of this Chapter.
5. Accessory dwelling units shall comply with the provisions of the International Codes, as adopted, and administered by the City.
6. All accessory dwelling units must have water and sewer service in accordance with City standards, provided that the accessory dwelling unit may share sewer and water connections and services with the primary residence.
 - a. A capital facility charge for water and sewer service will be required regardless of whether the water and sewer service are shared or not; and
 - b. Accessory dwelling units 600 sq. ft. or less may be eligible for a reduced capital facility charge.
7. One additional paved, off-street parking space ~~is required~~ shall be required for each accessory dwelling unit, provided that this requirement shall not apply to ADUs that are located within 1/2 mile of a "major transit stop" as determined by the City. This shall include:
 - a. A stop on a high-capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW.
 - b. Commuter rail stops.
 - c. Stops on rail or fixed guideway systems, including transitways.

- d. Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or
- e. Stops for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.

14.60.180 Housing Standards. The following regulations are intended to supplement the general provisions of this Title and the International Building Codes, as adopted by the City.

A. Applicability. These provisions shall apply to the following uses, as defined by the City:

1. Manufactured housing.
2. Recreational vehicles.
3. Multiple residential dwelling units.
4. Cottage housing and co-housing.
5. Townhouses.
6. Tiny homes; and
7. Mixed-use commercial and residential development.

B. Manufactured housing conforming to the standards of 42 U.S.C. Sec. 5401-5403, as amended, and RCW 35.63.160, as amended, shall be permitted in all zones where single-family residences are permitted, provided that:

1. Manufactured homes shall be set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product which can be either load bearing or decorative.
2. Manufactured homes in an approved manufactured home park are not required to be set upon a permanent foundation, provided that they are attached to the ground and that the space from the bottom of the home to the ground is enclosed as specified by the manufacturer and approved by the City.
3. The manufactured home shall comply with all City design standards, including setbacks, applicable to all other homes in the neighborhood.
4. The new manufactured home shall be thermally equivalent to the state energy code.

C. Multiple Residential Dwelling Units. Housing in buildings with multiple residential dwelling units may be permitted in accordance with the following standards:

1. All required parking shall be provided onsite.

2. A minimum of 1,000 square feet per dwelling unit shall be designated and permanently reserved as usable common open space in multi-family dwellings with 10 or more units.
 3. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping).
 4. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
 5. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and driveways to the greatest extent practicable; and
 6. See Section 14.60.040 Landscaping for more details.
- D. Cottage Housing. Three or more detached, single-family dwelling units may be clustered on a lot around a shared open space or courtyard, provided that:
1. The cottage development shall comply with the Density, Dimension, Area, Height, and Setback Standards for the applicable zoning district, provided that:
 - a. The minimum lot size ~~lot coverage~~, and lot width requirements may be waived by the Community Development Director, provided that the density, and setback requirements can reasonably be met.
 - b. The footprint of each dwelling unit shall not exceed 800 square feet.
 - c. The maximum overall floorspace of each dwelling unit, excluding garages, shall not exceed 1,200 square feet.
 - d. The height of the cottage units shall not exceed 15' at the eave line.
 - e. There must be at least 10' of separation between all buildings; and
 - f. Two dwelling units may be attached to form a duplex.
 - ~~f. The lot coverage shall not exceed 45%.~~
 2. Each dwelling unit shall have at least 64 square feet of personal outdoor space, which may include patios, decks, or covered porches. The minimum dimension of this personal outdoor space shall be 7' on all sides.

3. Cottage units will be clustered around a shared open space that provides a sense of openness, visual relief, and community for the residents. A cottage development should not be designed to “turn its back” on the surrounding neighborhood.
 - a. There shall be at least 400 square feet of shared open space per dwelling unit.
 - (1) Critical areas and their buffers shall not be considered as shared open space.
 - (2) Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.
 - b. Shared open space shall be located in a centrally located area and be easily accessible to dwelling units within the development.
 - (1) The shared open space may be divided into no more than two (2) separate areas per cluster of dwelling units.
 - (2) Each shared open space area shall have a minimum dimension of 20 feet on all sides.
 - c. At least 50 percent of the units in the development shall abut a common open space.
 - (1) A cottage is considered to “abut” an area of open space if there is no structure between the unit and the open space.
 - (2) The site shall be designed so that cottages abut at least two sides of all shared open space.
 - d. Shared open space shall be designed to provide passive and/or active recreation opportunities and may include shared gardens, picnic facilities, and recreation areas.
 - e. Each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented to the common open space.
 - f. Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, with the primary entrance oriented to the public right-of-way. If a dwelling unit abuts more than one (1) public right-of-way, the City shall determine to which right-of-way the inviting facade shall be oriented.
4. Community buildings are encouraged in cottage developments, provided that:

- a. Community buildings shall be clearly incidental in use and size to the dwelling units.
 - b. Community buildings shall be no more than one (1) story. Where the community space is located above another common structure, such as a detached garage or storage building, standard building heights apply; and
 - c. Community buildings must be located on the same site as the cottage housing development and be commonly owned by the residents.
5. Cottage housing that is designed as co-housing shall also comply with the following standards:
- a. Only be required to contain minimal kitchen facilities (e.g., a sink and stove or hot plate), consistent with the International Codes, as adopted and administered by the City, provided that a common structure(s) provides a fully equipped kitchen (e.g., containing a stove, refrigerator, and sink) and dining area available to all residents of the development; and
 - b. Co-housing projects may contain any number of common structures, however, no more than two (2) common structures shall exceed eight hundred (800) square feet in size, and none shall exceed five thousand (5,000) square feet in size. At least one (1) common structure shall contain a dining room and kitchen large enough to serve at least fifty percent (50%) of the development's residents at a time (based upon occupancy of one (1) person per bedroom, and at least one (1) of the following: a children's day care center, recreational facilities (such as pool tables or exercise equipment), or a meeting room available for the use of all residents.
6. A landscaping plan shall be prepared by a qualified professional and submitted for City review and approval in accordance with the provisions of Section 14.60.040 Landscaping. This shall include, but is not limited to:
- a. Areas under private ownership or use.
 - b. Areas under common ownership or shared use.
 - c. Proposed landscaping or fencing to buffer or otherwise provide privacy for abutting properties.
 - d. Mature trees to be retained.
 - e. Draft documents creating a homeowners' or property owners' association, as regulated by State law, and any other documents establishing the maintenance

responsibilities for the ongoing maintenance of common areas, shared spaces, and stormwater facilities; and

- f. Parking areas and documentation that parking requirements have been met.
7. At least one off-street parking space shall be required for each cottage unit in accordance with the provisions of Section 14.60.070 Parking, provided that:
 - a. At least 1.5 off-street parking spaces shall be provided for each cottage unit if no on-street parking is available.
 - b. Garages or carports, if provided, shall be detached.
 - c. At least .5 parking spaces per cottage unit will be reserved as shared guest parking.
 8. If the topography or lot configuration precludes the full compliance with these standards, a variance may be granted for alternative methods based on a finding that the public interest is served.
 9. Cottage housing may be constructed in accordance with the provisions of a phasing plan approved by the City, provided that all frontage improvements, access improvements, and common areas are constructed first.
- E. Townhouses may be permitted in accordance with the following standards:
1. Each development shall comply with the Density, Dimension, Area, Height, and Setback Standards for the applicable zoning district, provided that:
 - a. The minimum lot size ~~lot coverage~~ and lot width requirements may be waived by the Community Development Director, provided that the density, and setback requirements can reasonably be met.
 - b. The building placement, landscaping, and/or design of windows on the non-zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building, which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.
 - c. Usable outdoor living areas shall be provided in rear and side-oriented courtyards.
 2. Each building shall comply with the provisions of the International Building Codes as adopted and implemented by the City, provided that:

- a. The International Residential Code exception to the required parapet construction is not applicable to zero lot line residential structures.

F. Tiny Homes.

1. Tiny homes may be approved for use as a residential dwelling unit, only if:
 - a. The wheels have been removed and the tiny home has been attached to a permanent foundation, in accordance with the provisions of local, state, and federal laws, including but not limited to WAC 296-150I-0310.
 - b. The tiny home has been connected to utilities, including but not limited to water, sewer, and electricity, in the same manner as a typical single-family residence.
 - c. The tiny home complies with the applicable provisions of the International Codes, including but not limited to Appendix Q of the International Residential Code, as adopted, and administered by the City of College Place; and
 - d. The tiny home has received a Modular Gold Label Insignia or comparable certification from the Washington State Department of Labor and Industries.

G. Mixed-Use Commercial and Residential Development. Residential and commercial uses may be permitted in the same development as a part of a “vertical” mixed use (housing above ground floor commercial) or a “horizontal” mixed use (housing and commercial permitted on the ground floor in buildings), in accordance with the following standards:

1. All required off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.
2. A minimum of 400 square feet per dwelling unit shall be designated and permanently reserved as usable common open space in multi-family dwellings with 10 or more units or the voluntary payment to the City in lieu of the permanent reservation of usable open space consistent with the provisions of Section 14.90.040 I. 5.
3. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping).

4. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
5. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and driveways to the greatest extent practicable. See Section 14.60.040 Landscaping for additional requirements.
6. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.), private stormwater facilities, and building exteriors shall be maintained by the property owner, a homeowner's or property owner's association, or other legal entity approved by the City.
7. The documents creating a homeowners' or property owners association, as regulated by State law, and/or any other documents establishing the maintenance responsibilities for common areas shall be subject to City review and approval by the Community Development Director or his/her/their designee in consultation with the City Attorney. Such documents may be required to be recorded with the County and to run with the land.

14.60.190 Mobile Home Parks, Manufactured Housing Community, and Manufactured/Mobile Home Community.

- A. This section shall apply to the placement of manufactured homes, mobile homes, RV's, park models, and tiny homes in designated developments where individual spaces are leased or rented, but not sold to the occupants. This shall include:
 1. Mobile home parks.
 2. Manufactured housing communities; and
 3. Manufactured/mobile home communities.
- B. Permitted uses in a mobile home park, manufactured housing community, or manufactured/mobile home community may include:
 1. Manufactured homes, mobile homes, RV's, park models, tiny homes, and campers. (Collectively referred to as residential units).
 2. Parks and playgrounds.

3. Clubhouses, community centers, and recreation facilities for the primary use of park residents; and
 4. One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.
- C. Permitted accessory uses in a mobile home park, manufactured housing community, or manufactured/mobile home community include:
1. Garages and carports.
 2. Garden houses, tool sheds, playhouses, or greenhouses not used for commercial purposes.
 3. Any use customarily incidental to a permitted principal use, i.e., the sale of new manufactured homes for use within the park; and
 4. Home business when in compliance with Section 14.60.150.
- D. The following standards shall be applicable to the development of mobile home parks, manufactured housing community, or manufactured/mobile home community:
1. Only one dwelling shall be permitted per designated residential space.
 2. All dwellings and buildings shall be located at least 15 feet from the perimeter of the park.
 3. Unless an intervening fire wall is provided, no residence shall be located closer than 10 feet from any other residence, nor closer than 10 feet from any common parking area or common walkway, or 15 feet from any dedicated street. Detached accessory structures shall not be closer than 5 feet from any residence.
 4. Along all property lines adjacent to a Single-Family Residential (SFR) or Multi-Family Residential (MFR) zone, screening consisting of a sight-obscuring fence or dense evergreen hedge designed to constitute a solid planting to a minimum height of 6 feet shall be installed and maintained. See Section 14.60.040 Landscaping for more details.
 5. All manufactured homes and mobile homes shall be placed on a foundation or a concrete pad in accordance with the applicable provisions of:
 - a. National Manufactured Housing Construction and Safety Standards Act of 1974 and rules and regulations adopted thereunder.

- b. Regulations and interpretations of the Washington State Department of Labor and Industries adopted pursuant to HUD rules; and
 - c. Information supplied by the manufacturer.
- 6. All manufactured and mobile homes not placed on a permanent foundation shall be attached to the ground and the space from the bottom of the home to the ground is enclosed with weather resistant skirting as specified by the manufacturer and approved by the City.
- 7. Use of recreational vehicles, tiny homes, park models, or campers for permanent residences is permitted provided that all utility hookups meet state or federal health standards for recreational vehicle parks.
- 8. A recreational vehicle must contain at least one internal toilet and at least one internal shower. If the park owner or manager permits the use of recreational vehicles that do not have at least one internal toilet and shower the manufactured home community must provide adequate sewer utilities, including toilets and showers.
- 9. All other utilities to each residential space shall be underground except for outlets and risers at each space.
- 10. All residential spaces must be served by an adequate supply of water, as determined by the City, in accordance with local, state, and federal standards, provided that the City may require a Certificate of Water Availability from a certified water provider for lots not served by the City water system. All required water system improvements shall be designed and constructed in conformance with City standards and shall address:
 - a. Potable water from a public water supply source.
 - b. Adequate water supply, pressure, and facilities for fire protection purposes; and
 - c. Water necessary to maintain required landscaping.
- 11. All lots must be served by City sewers, if available, in accordance with the provisions of the Laws of Washington State. If not, the City may authorize the use of a septic system(s) designed to the standards of the Walla Walla County Health Department, provided that the City may require the execution of a No Protest LID Agreement, or other instrument to ensure that a connection is made when City sewer service is available.
- 12. All mobile home parks, manufactured housing communities, and manufactured/mobile home communities shall be served by one or more public streets providing ingress and

- egress at not less than two points. This requirement may be waived based on a finding by the City that the proposed access complies with the provisions of:
- a. The City of College Place Engineering Design Standards.
 - b. The International Fire Code, as adopted by the City; and
 - c. Is in the public interest.
13. All streets shall comply with all City transportation plans, including but not limited to:
- a. Comprehensive Plan Transportation Map.
 - b. Arterial Street Plan; and
 - c. City 6-Year Transportation Plan.
14. All street networks and improvements shall provide ready access for fire and other emergency vehicles and equipment and route of escape for inhabitants, in accordance with the provisions of the International Fire Code, as adopted by the City.
15. All streets shall be dedicated to the City and designed in accordance with the City of College Place Engineering Design Standards. This shall include street lighting, street signs, sidewalks, landscaping strips, curbs, gutters, stormwater facilities, pedestrian facilities, and bike lanes, as required.
- a. Private streets are discouraged, and all streets shall be dedicated to the City, unless a private street is approved by the City. Private streets may be permitted in:
 - (1) When serving parcels that are isolated by topography or the configuration of existing lots and that connection with other streets is unachievable; and
 - (2) Unusual situations based on a finding by the City that it is in the public interest.
 - b. Private streets, when permitted, must be designed, and constructed in accordance with the City of College Place Standard Specifications, provided that:
 - (1) Pedestrian access must be provided to existing and future streets or pathways.
 - (2) Provisions must be made for privately owned and maintained water and sewer improvements, designed, and constructed to City standards, as no public utilities shall be located under a private street.
 - (3) Traffic circulation shall not be obstructed or cut off future development from public access or utilities; and

- (4) The transition to a public street shall not occur in mid-block, unless a mid-block transition is unavoidable, a public turn-around designed to meet City standards must be constructed.
 - c. All residential spaces shall be accessible from a City street, driveway, joint use driveway, or in the limited circumstances provided in this Title, a private street, in accordance with City standards and the needs of emergency service and utility providers.
18. Frontage improvements may be deferred by the City, if:
- a. There are no frontage improvements on either side of the mobile home park, manufactured housing community, or manufactured/mobile home community; and
 - b. A no protest LID agreement is executed; or
 - c. A financial guarantee is executed to ensure that the improvements are installed by a certain date or event.
19. The City may accept a voluntary payment in lieu of the installation of required frontage improvements, to be used at a later date, and/or for similar improvements at another location.
20. Street lighting shall be provided in accordance with City lighting standards.
21. Each mobile home park, manufactured housing community, and manufactured/mobile home community shall provide 300 square feet of usable common open space per dwelling. Common open space shall not include:
- a. Areas reserved for the exclusive use or benefit of an individual tenant.
 - b. Dedicated vehicular and pedestrian right-of-way, easement, or off-street parking areas; or
 - c. Critical areas and their buffers.
22. A designated storage area for recreational vehicles, boats, or trailers may be provided. If provided, a 6 foot-high, sight-obscuring fence shall be erected around the perimeter of such storage area. Storage of recreational vehicles, boats, or trailers on individual manufactured home spaces or required parking stalls is prohibited.
- E. Maintenance. It shall be the responsibility of the mobile home park, manufactured housing community, or manufactured/mobile home community owner or manager to:

1. Assure that all required landscape and common areas are perpetually maintained.
 2. Keep the park free of unsightly brush, leaves, weeds, and debris which might communicate fires between manufactured homes and other improvements.
 3. Keep the park free from nuisances as defined in 8.24 CPMC.
 4. Assure that all private stormwater facilities are perpetually maintained.
- F. The City shall issue only building permits and certificates of occupancy which conform to the approved final plans of park development and all other applicable sections of this Chapter, other city ordinances, and all applicable laws and regulations.
1. No building permit for the placement of manufactured homes shall be issued prior to completion of manufactured home park improvements, including drives and screening and landscaping of required common open spaces.
 2. No major changes, as determined by the City, such as rearrangement of spaces, blocks, or drives may be made to an approved manufactured home park plan without again going through the procedures provided under this Chapter for original manufactured home park approval.
- G. All residents in mobile home parks, manufactured housing communities, and manufactured/mobile home communities shall be given at least six (6) months' notice by the manufactured/mobile home park property owner in advance of requested or proposed zoning changes, changes to development standards, and/or to variances from development standards.
- H. Residents, park homeowners' association and eligible organizations must be given an opportunity to purchase or lease the manufactured/mobile home park. Prior to any sale, lease, or transfer, a park owner must provide written notice to all residents and any homeowners' association on or before the date the owner advertises or lists or otherwise proffers the park for sale, lease, or transfer, a notice of opportunity to purchase or lease. Resident(s), homeowners' association, or eligible organization must provide the owner written notice of intent to consider purchase (if for sale) or lease (if for lease) the park within 45 days of receipt the owner's notice of opportunity to purchase or lease. If the owner receives notice of intent to consider purchase or lease from a resident(s), homeowners' association or eligible organization, owner must negotiate in good faith to sell or lease the park to the resident(s), homeowners' association or eligible organization and owner must not sell, lease, or transfer the property or accept an offer to lease or purchase from any other party for a period of 120 days after receipt of notice of intent to consider purchase or lease from the resident(s), homeowners' association or eligible organization.

1. The notice of opportunity to purchase or lease must include a statement that resident's, homeowners' association, and eligible organizations have 45 days from the date on which the notice of opportunity to purchase was personally delivered or postmarked to provide the owner with notice of intent to consider purchasing or leasing the manufactured/mobile home park. The notice must also provide the address where the notice of intent to consider purchase or lease must be delivered and the name of the person to whom it must be delivered.
2. "Eligible organizations" include community land trusts, resident nonprofit cooperatives, local governments, local housing authorities, nonprofit community or neighborhood-based organizations, federally recognized Indian tribes in the state of Washington, and regional or statewide nonprofit housing assistance organizations.
3. A notice of opportunity to purchase or lease is not required with respect to a sale, transfer, conveyance, or lease of the manufactured/mobile home community or the property on which it sits where the transaction is:
 - (a) Due to foreclosure.
 - (b) Incidental to financing the park.
 - (c) Pursuant to eminent domain.
 - (d) Pursuant to a tax sale.
 - (e) Between joint tenants or tenants in common.
 - (f) Among the partners or shareholders who own the manufactured/mobile home community; or
 - (g) To a member of the owner's family or to a trust for the sole benefit of members of the owner's family.
4. Owner is not required to wait 120 days to sell, lease, or transfer the property if all timely notice(s) of intent to consider purchase or lease is withdrawn in writing.

14.60.200 Recreational Vehicles (RV's), Campers, Trailers, Tiny Houses, and Tents.

- A. Recreational vehicles, campers, trailers, tiny houses, and tents (aka recreational units) may be used for human habitation only in approved recreational vehicle parks unless otherwise specifically provided in this Title.

1. All applications for new RV Parks or modifications to existing RV Parks or approved RV Park Site Plans, shall include a site plan prepared by a qualified professional in a format prescribed by the City. This site plan should include, but is not limited to:
 - a. Identification of the RV park boundaries.
 - b. Internal streets and driveways.
 - c. The location and dimensions of designated RV spaces.
 - d. Required setbacks and buffers.
 - e. Designated open spaces and common areas.
 - f. Park facilities such as community center, restrooms, waste disposal, and laundry facilities.
 - g. The location and dimensions of required parking spaces.
 - h. A landscaping plan; and
 - i. Identification of “no parking” areas and fire lanes.
2. The Project Sponsor shall also include with any application:
 - a. A narrative description and documentation of how the site plan complies with the provisions of this Title; and
 - b. A copy of the RV Park Management Plan.
3. All recreational units shall retain their mobility and the wheels or means of transport shall not be removed or disabled.
4. The RV park owner or a designated agent shall always be on the site. It shall be the continuing responsibility of the RV park owner to:
 - a. Assure that all required landscape and common areas are perpetually maintained.
 - b. Keep the park free of unsightly brush, leaves, weeds, and debris.
 - c. Keep the park free from nuisances as defined in 8.24 CPMC.
 - d. Establish and enforce standards for the maintenance of recreational units occupied for more than 180 days.

- e. Assure that all private stormwater facilities are perpetually maintained; and
 - f. That no outside storage of materials or equipment is allowed.
5. RV parks shall be designed, constructed, operated, and maintained in compliance with all applicable federal, state, and local laws and regulations.
 6. RV park owners shall always maintain in good standing a City business license, provided that:
 - a. The business license shall be subject to annual renewal.
 - b. The RV park may be inspected by the Fire Marshal or other representative of the City in conjunction with the renewal process; and
 - c. The City may suspend or revoke a business license for failure to comply with the provisions of this Title.
- B. All recreational vehicle (RV) parks shall be designed in accordance with the following standards:
1. RV's, campers, trailers, tiny houses, and tents may only be located in RV spaces as designated on a site plan approved by the City.
 - a. The minimum width for each RV space shall be twelve feet (12').
 - b. The minimum length for a back-in RV space shall be fifty-six feet (56') long and for each pull through RV space seventy feet (70') long, and the space shall not include any common areas, roadways, general use structures, walkways, parking areas for vehicles other than RVs, or landscape areas.
 - c. There shall be a minimum distance of ten feet (10') between all recreational vehicles, campers, trailers, tiny houses, and tents.
 - d. Each designated space shall have at least one (1) 10' x 20' parking space.
 - e. Parking and driveway areas shall be paved with asphalt or concrete or similar surface, in accordance with City standards.
 2. RV parks shall be designed with the following setbacks:
 - a. All designated RV spaces and buildings within the RV park shall be setback at least 20' from all exterior property lines.
 - b. Recreational units shall be setback at least twenty feet (20') from vegetative hedges.

3. Streets within an RV park shall have a minimum twelve foot (12') wide paved surface for one- way travel, and a minimum twenty-four foot (24') wide paved surface for two-way travel.
 - a. No dead-end streets are allowed.
 - b. Streets shall be paved with asphalt, concrete, or similar surface, in accordance with City standards.
4. All parking associated with the RV park, including guests, visitors, and employees, shall be on-site in areas designated on the site plan approved by the City. No off-site parking or parking that obstructs access by emergency vehicles shall be permitted at any time.
5. 300 square feet of usable open space or recreational area per recreational unit shall be provided, in common areas, accessible by all tenants, exclusive of:
 - a. Areas reserved for the use or benefit of individual tenants.
 - b. Dedicated vehicular and pedestrian rights-of-way, easements, and off-street parking areas.
 - c. Required perimeter setbacks, and
 - d. Critical areas and their buffers.
6. A landscaping plan prepared in accordance with the provisions of Section 14.60.040 prepared by a qualified professional, that includes, but is not limited to:
 - a. Perimeter landscaping and screening on all sides in accordance with City standards.
 - b. Interior landscaping including grass, shade trees, shrubs, and an automated sprinkler system.
7. The RV park shall be designed in compliance with the City Stormwater standards.
8. All RV spaces shall have access to water, sewer, and electrical service in accordance with City standards.
9. Recreational units may without internal toilets or showers may only be permitted if the RV park provides toilets, lavatories, and showers as required by State and local laws and regulations.

10. At least one (1) sanitary disposal station for removing and disposing of waste from holding tanks shall be provided.
 11. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations throughout the park. The number and capacity of trash receptacles shall be sufficient to insure there is no uncovered accumulation of trash at any time in the park.
 12. All lighting shall be screened and downward facing; and
 13. No permanent buildings, structures, or additions may be constructed on a designated RV space, or attached to an RV, camper, trailer, or tiny house, or tent.
- C. Recreational vehicles, campers, trailers, tiny houses, and tents may be occupied by visitors to a single-family residence on a temporary basis for a period not to exceed fourteen (14) calendar days, in any calendar year, provided that the recreational vehicle, trailer, or tent is located in the driveway, or in the yard outside of required setbacks.
- D. Recreation vehicles may be stored/parked in residential zoning districts by residences or their guests, provided the following conditions are met:
1. The recreational vehicle must not be in use for temporary or permanent housing.
 2. No more than one recreational vehicle may be stored outside on a parcel.
 3. The recreation vehicle shall not intrude into the public right-of-way or obstruct sight visibility from adjacent driveways.
 4. The recreation vehicle shall not be parked in the front or side yard setback.
 5. The recreation vehicle shall be maintained in a clean, well-kept state which does not detract from the appearance of the surrounding area.
 6. The recreational vehicle and its use comply with the provisions of College Place Municipal Code Chapter 8.24 Nuisances.

14.60.210 Temporary Homeless Encampments.

- A. Religious organizations may be permitted to host encampments for the homeless on a temporary basis in accordance with the provisions of RCW 36.01.290, provided that:
1. The City may impose conditions of approval necessary to protect the public health, safety, and welfare.

2. Prospective applicants shall submit for City review and approval, plans that at a minimum address:
 - a. The maximum number of occupants to be allowed in the encampment.
 - b. Provisions for toilets, running water, and garbage collection that meet local health standards.
 - c. Provisions for cooking facilities including food storage and dish washing.
 - d. Provisions for tents or similar sleeping shelters; and
 - e. Plans for the location of first aid equipment, fire extinguishers, designated smoking areas (if any), maintenance of necessary access, plans for keeping the site free of litter or garbage, and plans for prohibiting open flames.
3. Encampments shall be open for inspection by the City at all times, without prior notice, to determine compliance with the conditions of approval. This shall include, but is not limited to the Health Department, Fire Department, Police Department, and the Department of Community Development.

14.60.220 {Open}

14.60.230 Downtown Mixed-Use District Standards.

- A. Development activities in the Downtown Mixed-Use District (DMU) shall comply with the following standards:
 1. The City of College Place Downtown Design Standards and Guidelines dated January 10, 2018, or as subsequently amended by the City.
 2. Building storefronts must face College Avenue and shall be placed at back of sidewalk, allowing for a minimum ten-foot-wide sidewalk with twenty-feet encouraged to promote sidewalk activities like outdoor dining, etc. Sidewalks shall be designed and constructed by Project Sponsors in accordance with the provisions of the College Place Engineering Design Standards.
 3. Street trees shall be provided by the Project Sponsor in accordance with the provisions of the City of College Place Engineering Design Standards.
 4. Street lighting shall be provided by the Project Sponsor in accordance with the provisions of the College Place Engineering Design Standards.

5. Required on-site parking facilities shall be provided by the Project Sponsor, at the rear or side of the building; and
6. Normal daytime display of salable items may be placed in a neat and orderly manner on the sidewalk adjacent to the merchant's business. The display shall not materially affect sidewalk traffic or ADA compliance and shall be moved from the sidewalk at the end of each day.

14.60.240 Light Industrial District (LI) Standards. The following provisions, in addition to all other requirements of this Title, shall apply to all development activities and changes of use in the Light Industrial District, as established by the City, unless otherwise provided in this Chapter.

- A. The manufacture, fabrication, assembly, packaging, handling, and storage of previously prepared materials may be permitted in accordance with the provisions of this Title, provided there shall be no manufacture, refining or treatment of any of the following products or materials:
 1. Asphalt, tar.
 2. Acetylene.
 3. Brick, tile, terra cotta.
 4. Concrete, cement, lime, gypsum, and plaster of paris.
 5. Chemicals of a hazardous, noxious or a poisonous nature such as and similar to strong acids and alkalines, ammonia, bleaching powder, chlorine, dyestuff, glue, gelatin, herbicides, and pesticides.
 6. Explosive or highly flammable material.
 7. Fats, oils, and soaps.
 8. Fertilizer, offal, bones, and the reduction of dead animals.
 9. Forging or smelting of metal.
 10. Lampblack and stove or shoe polish.
 11. Heavy timber lumber and planing mills.
 12. Oilcloth and linoleum.

13. Paint, shellac, turpentine, lacquer, and varnish.
14. Petroleum.
15. Primary manufacture of paper and pulp.
16. Slaughtering and processing of meat and fish products; and
17. Tannery and curing of raw hide.

14.60.250 University District Standards. The following provisions shall apply to all development activities and changes of use in the University District, as established by the City, unless otherwise provided in this Chapter.

- A. Applicability. All new construction of buildings and structures, the modification or expansion of existing building or structures, new uses, or changes of use, and any related development activities shall comply with the provisions of this Title and must receive the required ~~permits and approvals~~permits/approvals/actions from the City before the initiation of any development activities.
 1. In an effort to promote the timely review and approval of all proposed development activities, the University is encouraged to schedule a pre-application meeting with the City Community Development Department to review what the University plans to accomplish and the City's application requirements.
 2. Properties that are owned by the University that are not located within the boundaries of the University District, shall be subject to the provisions of the zoning district in which they are located.
- B. Permitted Uses. In addition to the uses identified in the Section 14.50.030 Table of Permitted Uses, the following uses may be permitted, provided they are designed to primarily serve University students, faculty, staff, volunteers, and visitors:
 1. Classrooms and lecture halls.
 2. Administrative buildings and offices.
 3. Dormitories and student housing.
 4. Maintenance facilities.
 5. Indoor and outdoor athletic and recreation facilities.
 6. Food preparation and eating facilities.

7. Parking facilities.
8. Places of worship.
9. Meeting and performance facilities.
10. Bookstores.
11. Special and temporary uses; and
12. Other uses typically associated with small, private universities as determined by the City through an administrative code interpretation.

C. Development Standards. The following development standards shall apply to the University Campus:

1. The University shall provide documentation that all parking needs generated by the proposed development will be met on the campus.
 - a. This may require additional on-campus parking improvements, efficiencies, or increased enforcement.
 - b. Parking on City streets shall not be permitted.
2. The University shall prepare a traffic study or otherwise provide documentation on the number and frequency of trips that will be generated by the proposed development and whether the new trips can reasonably be accommodated without a reduction in established levels of service. The City may require the University to construct road improvements to maintain level of service standards and to protect public safety.
3. All proposed development activities shall comply with the provisions of the International Codes, as adopted, and administered by the City of College Place. This shall include, but is not limited to:
 - a. All new buildings, and the expansion of existing buildings, shall meet the building separation requirements.
 - b. Additional separation or access improvements for emergency vehicles may be required in order to meet the requirements of the International Fire Code.
4. The University shall provide documentation that adequate water is available to serve the proposed use and meet required fire flows.

5. The University shall provide documentation that adequate provisions have been made to connect to the City's utilities.
 6. The University shall meet the City Stormwater Regulations.
 7. All new lighting on the campus shall comply with City lighting standards.
 8. The University shall contact the City when planning for special or temporary uses to determine if a Special Use Permit is required and/or measures should be taken to protect the public health, safety, and welfare. This may include, but is not limited to:
 - a. Consultation with the Public Works Director, City Engineer, City Police Chief, or Fire Chief to ensure access by emergency vehicles; and
 - b. Consultation with the County Health Department regarding sanitation measures and permits.
- D. Campus Master Plan. As an alternative to the provisions of this Chapter, the University may submit for City review and approval, a Campus Master Plan to guide the use of existing facilities and new development activities on the campus.
1. This Campus Master Plan shall be based on a projected student population and the projected number of faculty and staff.
 2. The Campus Master Plan shall include a map(s) of the campus along with supporting narrative and studies that identifies:
 - a. All existing buildings and facilities and the use of each building.
 - b. The projected location and use of future buildings and facilities.
 - c. Existing and proposed parking areas, the capacity of each area, and documentation of projected parking needs on campus.
 - d. The documented location of all existing and planned water and sewer mains, lines, valves, connections, irrigation lines, and fire hydrants.
 - (1) In addition, the location of all existing and planned fire hydrants shall be identified.
 - e. Documentation of the water service needs for the campus including all proposed buildings and uses, and demonstration that adequate water supply exists to meet the potable water requirements and the requirements of the International Fire Codes, as adopted by the City.

- f. Documentation of the sewer service needs for the campus including all proposed buildings.
 - g. A traffic plan that identifies where ingress and egress for vehicles and deliveries will occur, the baseline level of trips to and from the campus, and the projected number of trips associated with proposed buildings or uses. Proposed improvements to maintain safety and City level of service standards will also be depicted.
 - h. A bicycle and pedestrian circulation plan that identifies road crossings and proposed improvements to maintain a safe environment for students, faculty, staff, and visitors to the campus.
 - i. The identification of all existing and proposed stormwater management facilities and improvements. The Stormwater Operation and Maintenance Plans and access agreements should also be included.
3. The proposed Campus Master Plan shall be prepared in consultation with neighboring property owners and shall feature measures to avoid or minimize potential adverse impacts.
 4. The City shall conduct an environmental review of the proposed Campus Master Plan.
 - a. Subsequent project specific development proposals that are consistent with the provisions of the approved Campus Master Plan, and that fall within the parameters evaluated during the environmental review, may be permitted by the City without additional environmental review.
 - b. Proposed development activities that do not fall within the parameters of the environmental review may be required to prepare an addendum or supplemental environmental review, or a new environmental review, as determined by the City.
 5. The proposed Campus Master Plan shall be processed by the City through the same process as a conditional use permit.
 - a. Minor amendments to the Campus Master Plan may be approved administratively, in writing, by the City.
 - b. All other amendments shall be processed as a conditional use permit.
 6. The City and the University may elect to execute a development agreement in accordance with the provisions of the Laws of Washington State, to implement the approved Campus Master Plan.

14.60.260 {Open}**14.60.270 Wireless Communication Facilities.**

- A. The purpose of this Chapter is to establish permit requirements and development standards for wireless communication facilities and services within the city that address the appearance, placement, and safety of antennas, facilities, and equipment associated with wireless communications; to provide predictability to service providers in the permitting process and to allow for site development issues to be addressed through clear and objective placement criteria and development standards.
1. Interpretations of this Section shall be guided by Section 6409 of the Spectrum Act; the Wireless FCC Eligible Facilities Request Rules, the FCC's Report and Order in, *In re Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 14-153.
 2. In the event of a conflict between the provisions of this Section and the provisions of federal laws, federal regulations, and/or the decisions of federal courts, the federal provisions shall apply unless otherwise determined by the City Attorney.
- B. The provisions of this Section shall apply to all new wireless communication facilities as well as the expansion and/or modification of any existing facilities within the city, unless specifically exempted.
1. The following wireless communication facilities are exempt and may be installed without a conditional use permit in accordance with the provisions of this Section:
 - a. VHF and UHF receive-only television antennas.
 - b. Amateur and academic wireless communication facilities.
 - c. Satellite to earth stations using antennae not more than 2 meters in diameter in commercial and industrial districts and direct-to-home satellite services using any size antenna in any zoning district.
 - d. Send-and-receive citizen band radio antennae operated by federally licensed amateur (ham) radio operators.
 - e. Industrial, scientific, and medical equipment as regulated by the FCC in 47 CFR Part 18; and

- f. Military and government radar antennae and associated communication towers used for navigational purposes as regulated by the FCC by 47 CFR Parts 97 and 95 respectively.
- 2. The following wireless communication facilities are exempt and may be installed without a building and mechanical permit in accordance with the provisions of this Section:
 - a. VHF and UHF receive-only television antennas.
 - b. Amateur and academic wireless communication facilities.
 - c. Satellite to earth stations using antennae not more than 2 meters in diameter in commercial and industrial districts and direct-to-home satellite services using any size antenna in any zoning district; and
 - d. Send-and-receive citizen band radio antennae operated by federally licensed amateur (ham) radio operators.
- 3. Existing and future Federal Communications Commission (FCC) exemptions and/or rulings not explicitly mentioned in this code shall be in effect at the time of enactment by the FCC.
- C. The City shall prescribe the application requirements for all non-exempt wireless communication facilities, provided that a pre-application conference shall be required for all Major Wireless Communication Facilities.
- D. Development Standards. The following standards shall be applied to all non-exempt wireless communication facilities, consisting of equipment enclosures, antenna support structures, and antennas, unless otherwise provided.
 - 1. Co-location on existing antenna support structures or alternative antenna support structures is preferred if technically feasible and otherwise suitable for the proposed wireless communication services. Attachment of antennas to existing nonresidential structures and buildings primarily within light industrial and commercial zoning districts is preferable to additional antenna support structures.
 - 2. Amateur wireless communication facilities shall not be used for the placement or operation of non-exempt wireless communication equipment and shall not be used to provide or offer non-exempt wireless communication services.
 - 3. The facilities shall comply with the applicable provisions of Section 14.60.030 Density, Dimensions, Area, Height, and Setback Standards, unless otherwise provided in this Section.

- a. Non-exempt, non-amateur, or non-academic wireless communication facilities and related structures shall be located not less than 100 feet from any nearby residentially zoned property, as measured from the base of the facility to the property line of each nearby residentially zoned property. Antennas located on an alternative antenna support structure are exempt from the 100-foot requirement provided that related structures are screened in accordance with the provisions of this Section.
 - b. Antenna support structures and attached antennas shall be located at a point farthest from lot lines as feasible, provided that these locations allow optimal signalization.
 - c. Antenna placements in the Downtown-Mixed Use District shall extend up no farther than 25 feet and shall be placed as far back from the building exterior as is feasible.
4. Wireless communication facilities shall not be located within easements or any required building setback areas.
5. Wireless communication facilities shall not be used for the purposes of signage.
6. A structural engineer licensed in the state of Washington shall certify in writing that both construction plans and final construction of the antenna support structure or alternative antenna support structure upon which attached antennas may be mounted is designed to reasonably withstand wind and seismic loads as established by the International Building Code.
7. Screening of wireless communication facilities shall be provided in accordance with the provisions of this Section.
8. Development standards for amateur and academic wireless communication facilities.
 - a. Wireless communication facilities shall not be located within any easements or building setback areas. Antenna support structures held up by stays or guys may encroach into building setback areas.
 - b. Mountings and antenna support structures should be no taller than the minimum required for the purposes of obtaining an obstruction-free reception/transmission window and optimal signalization.
 - c. "Lattice" and "monopole" towers regardless of height are subject to current state code requirements.
 - d. Antenna support structures shall not be used for the purposes of signage.

- e. Antenna support structures may be ground- or roof mounted.
 - f. Amateur wireless communication facilities shall not be used for the placement or operation of non-exempt wireless communication equipment and shall not be used to provide or offer non-exempt wireless communication services.
 - g. Equipment enclosures, equal to or less than 120 square feet, designed or used to accommodate amateur or academic radio equipment and/or antenna support structures shall be exempt from any development standards contained elsewhere within this Chapter, except for those specified and applicable in Section 14.60.270 D 3 c.
- E. Removal of Wireless Communications Facilities. Any antenna or tower that is not operated for wireless communications for a continuous period of 12 months, shall be removed by the owner of the property on which the tower or antenna is situated, or by the owner or lessee of the tower or antenna within 90 days of receipt of notice to remove from the City. If the antenna and/or tower is not removed within said 90 days, the City may remove the antenna or tower at the owner's expense. If there are two or more wireless communications providers collocated on a single tower, this provision shall not become effective until all provider's cease using the wireless communication facility for a continuous period of 12 months.
- F. Disrepair, Hazard, Nuisance, Improper Maintenance - Abatement Required.
- 1. When the City determines that any wireless communication facility, structure, and/or antenna is in a state of disrepair, presents a safety hazard to the public, constitutes a public nuisance due to disrepair or improper maintenance, or is otherwise not properly maintained, the City shall notify the owner of the facility of such concern by certified mail. Such notice shall specify the problems and the expected resolution.
 - 2. The facility owner shall specify in writing the actions which will be undertaken to rectify the problems with the site. The City may accept or modify the proposed actions as it determines necessary.
 - 3. Failure to complete work specified by the City shall constitute a violation of the conditional use permit or other authorization as provided in this code and may result in the removal of the facility at the expense of the responsible parties.
 - 4. The owner of the telecommunications facility, the lessee of the property upon which the facility is located (if different from the owner of the facility), and the owner of the property (if different from the owner of the facility and/or the holder of the lease) are individually, jointly, and severally responsible for removal of the facility as described above.

- a. Should the responsible parties fail to remove a facility or component thereof, or resolve maintenance issues, as directed by the City pursuant to this section, the City may remove the facility at the expense of the responsible parties.
- b. The City may pursue recovery of costs for its actions from any and all responsible parties through any means available in courts of competent jurisdiction.

Chapter 14.70 Critical Area Protections

Sections:

- 14.70.010 Introduction.**
- 14.70.020 General Provisions.**
- 14.70.030 Critical Aquifer Recharge Areas.**
- 14.70.040 Special Flood Hazard Areas.**
- 14.70.050 Geologic Hazard Areas.**
- 14.70.060 Wetlands.**
- 14.70.070 Fish and Wildlife Habitat Conservation Areas.**
- 14.70.080 Enforcement.**

14.70.010 Introduction. The purpose of this Chapter is to identify critical areas to help preserve the natural environment, maintain fish and wildlife habitat, and protect drinking water, and to supplement the City's development regulations governing land use.

- A. All development activities including new uses of land and buildings, changes of use, as well as new construction and the modification of existing buildings, structures, and infrastructure must comply with all provisions of this Chapter and this Title, as well as all other applicable provisions of local, state, and federal law, unless specifically exempted.
- B. Critical areas subject to the provisions of this Chapter include:
 - 1. Critical Aquifer Recharge Areas.
 - 2. Special Flood Hazard (frequently flooded) Areas.
 - 3. Geologic Hazard Areas.
 - 4. Wetlands; and
 - 5. Fish and Wildlife Habitat Conservation Areas.
- C. The following activities may be determined by the City to be exempt from the provisions of this Chapter:
 - 1. Emergency actions necessary to prevent an immediate threat to life, or to public health, safety, or welfare, or that pose an immediate risk of damage to private structures or improvements and that require remedial or preventative action in a time frame too short to allow for compliance with the procedural requirements of this Chapter.
 - a. Emergency actions that create an impact on a critical area or its buffer shall be limited to those actions that are required to address the emergency and generally

are limited to the actions necessary to remove the immediate threat. Additional actions to permanently address a deficiency generally do not qualify as emergency actions and require full compliance with the procedural requirements of this Chapter. Emergency actions should be carried out in a manner that has the least feasible impact on the critical area or its buffer.

- b. The person or agency undertaking emergency action shall notify the City within five working days following commencement of the emergency activity. Within 30 days, the City shall determine if the action taken was within the scope of the emergency actions allowed in this subsection. If the City determines that the action taken, or any part of the action taken, was beyond the scope of an allowed emergency action, then enforcement actions may be initiated.
 - c. After the emergency, the person or agency undertaking the action shall submit a critical area report assessing effects on critical areas and conduct necessary restoration and/or mitigation for any impacts to the critical area and buffers resulting from the emergency action in accordance with an approved critical area report and mitigation plan. The person or agency undertaking the action shall apply for all approvals required by this Chapter. Restoration and/or mitigation activities must be initiated within 180 days of the date of the emergency, unless an extension is approved by the City, and completed in a timely manner.
2. Maintenance, operation and/or repair of rights-of-way, trails, roads, utilities, buildings and other facilities within critical areas and buffers; provided, that the activity does not further alter, impact, or encroach upon the sensitive area or buffer or further affect the functions of sensitive areas, and there is no increased risk to life, property, or the environment, as a result of the proposed operation, maintenance, or repair.
 3. Maintenance of existing, lawfully established landscaping and gardens within a regulated critical area or its buffer, including but not limited to mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden crops, pruning and planting of ornamental vegetation or indigenous native species to maintain the condition and appearance of such areas as they existed prior to adoption of this code; provided, that native growth protection areas, mitigation sites, or other areas protected via conservation easements or similar restrictive covenants are not covered by this exception.
 4. Maintenance, repair, or replacement of an existing legal, nonconforming structure that does not immediately, or is not likely in the future to further alter or increase the impact to the sensitive area or buffer and results in no increased risk to life, property, or the environment, as a result of the proposed modification or replacement, or reconstruction of unintentionally damaged nonconforming structures provided structures are not expanded or reconstructed for a new use.

5. Replacement, modification, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, not including substations, when such facilities are located within the existing improved portion of the public right-of-way (road surface, shoulder, sidewalks, and slopes) or the improved portion of City-authorized private roadway; provided, that no fill or discharge occurs outside the existing improved area and with appropriate best management practices to control erosion, sedimentation and other potential impacts. Excluded is work within a water body or wetland, including but not limited to culverts or bridge replacement or construction.
6. Utility projects that have minor or short duration impacts to critical areas and buffers, as determined by the City in accordance with the criteria below, and which do not significantly impact the functions or values of a sensitive area(s); provided, that such projects are constructed with best management practices and appropriate restoration measures are provided. These activities shall not result in the transport of sediment or increased stormwater, or adversely affect health, property, or the environment. Such allowed minor utility projects shall meet the following criteria:
 - a. There is no practical or feasible alternative to the proposed activity with less impact on sensitive areas.
 - b. The activity involves the placement of a utility pole, street signs, anchor, or vault or other small component of a utility facility; and
 - c. The activity involves disturbance of less than 200 square feet of the sensitive area and/or buffer, exclusive of any equipment and/or vehicles needed to perform the activity.
7. Low impact activities such as hiking, canoeing, nature study, photography, fishing, education, or scientific research.
8. Public and private pedestrian trails, provided that:
 - a. The trail surface does not exceed six feet in width.
 - b. The trail surface consists of uncompacted gravel or pervious materials, including boardwalks.
 - c. The trail meets all other City, state, and federal requirements, including state water quality standards; and
 - d. Sensitive area and/or buffer widths may be increased, where possible, equal to the width of the trail corridor, including disturbed areas.
9. The following non-aquatic vegetation removal activities:

- a. The removal of the noxious weed species designated by Washington State or the local weed control authority with hand labor and light equipment, or other invasive species.
 - b. The removal of hazard trees from sensitive areas and buffers that are posing a threat to public safety, or an imminent risk of damage to a permanent structure.
10. Minor site investigative work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads, removal of native trees or shrubs, or displacement of more than five cubic yards of material. Investigations involving displacement of more than five cubic yards of material, including geotechnical soil borings, groundwater monitoring wells, percolation tests, and similar activities shall require submittal of specific plans and restoration plans to the City prior to commencement of any activity. In every case, impacts to the sensitive area shall be minimized and disturbed areas shall be immediately restored. No activity shall commence or occur without City written approval.
 11. The application of herbicides, pesticides, fungicides, organic or mineral-derived fertilizers, or other hazardous or potentially hazardous substances, if necessary, provided that their use shall be conducted in accordance with applicable local, state, and federal law.
 12. Activities undertaken to comply with a United States Environmental Protection Agency superfund related order, or a Washington Department of Ecology order pursuant to the Model Toxics Control Act that specifically preempts local regulations in the findings of the order.
 13. Project and facilities for restoration and enhancement of ecological functions of critical areas and related resources may be allowed within critical areas and buffers, upon City approval of a restoration and mitigation plan in accordance with the provisions of this Chapter, or for restoration or enhancement programs in an adopted shoreline restoration plan pursuant to Chapter 173-26 WAC, a watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a watershed restoration project pursuant to RCW 89.08.460, a salmonid recovery plan, the salmon recovery board habitat project list, or identified by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement pursuant to RCW 77.55.290.
 14. The repair and maintenance of drainage ditches.
 15. The installation of individual service lines for agricultural purposes and to existing uses.

16. Reasonably necessary activities conducted by a public agency to control mosquitoes, pests, rodents, weeds, invasive species, and the like.
17. Agricultural activities including farming, horticulture, normal maintenance and repair of irrigation delivery systems and drainage systems, ranching, and grazing of animals and pest and weed control. This includes land lying idle under a government program, agricultural set-aside land and changes between agricultural activities.
18. Normal and routine maintenance of agricultural ponds, livestock watering ponds, and fishponds.
19. Intentional construction of artificial structures from upland areas for purposes of stormwater drainage or water quality control, grassy swales, or ornamental landscape ponds, which are not a part of a critical mitigation plan and are consistent with the Stormwater Management Manual for Eastern Washington, as adopted and implemented by the City.
20. Normal dredging required to maintain flows and minimize flooding, provided that other applicable local, state, and federal permits are obtained.
21. Cases where a federal agency has jurisdictional control over a wetland and the City determines that those permit conditions would satisfy the requirements of this Chapter.

14.70.020 General Provisions.

- A. It shall be the responsibility of Property Owners and Project Sponsors to know and/or to identify the location of critical areas on and near their property and to comply with the provisions of this Chapter at all times.
 1. Property Owners and Project Sponsors that may be proposing development activities in proximity of critical areas are strongly encouraged to schedule and attend a conference with City staff to discuss the applicability of these regulations prior to preparing and submitting land use applications to the City.
 2. The City maintains public maps that may assist in the identification of critical areas.
 - a. It is the responsibility of the Property Owner/Project Sponsor to identify and map all critical areas on their property.
 - b. The presence of a critical area and/or its associated buffer on a parcel triggers the requirements of these regulations, regardless of whether a critical area or buffer is depicted on an official map.

3. Reasonable access to the project site shall be provided to the City, state, and federal agency staff for the purpose of inspections and compliance review during any proposal review, restoration, emergency action, new construction, or monitoring period.
- B. These regulations shall apply in addition to the other applicable provisions of this Title, as well as applicable local, state, and federal regulations.
1. Compliance with the provisions of this Chapter does not necessarily constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Hydraulic Project Approvals permits, Army Corps of Engineers Section 404 permits, National Pollutant Discharge Elimination System permits).
 2. The Project Sponsor shall be responsible for obtaining all required ~~permits and approvals~~permits/approvals/actions before initiating any action.
- C. The City, when regulating uses, activities, and developments within or adjacent to, and likely to affect one or more critical areas, shall do so consistent with the best available science and the provisions of this Chapter.
1. The best available science is that scientific information applicable to the critical area prepared by local, state, or federal natural resource agencies, a qualified professional, or team of qualified professionals that is consistent with criteria established in WAC 365-195-900 through WAC 365-195-925.
 2. Nonscientific information may supplement scientific information, but it is not an adequate substitute for valid and available scientific information. Common sources of nonscientific information include anecdotal information, non-expert opinion and hearsay.
 3. Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the City may:
 - a. Take a "precautionary or a no-risk approach," that strictly limits development and land use activities until the uncertainty is sufficiently resolved; and/or
 - b. Require application of an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:

- (1) Address funding for the research component of the adaptive management program.
 - (2) Change course based on the results and interpretation of new information that resolves uncertainties; and
 - (3) Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas. and anadromous fisheries.
- D. Property Owners and Project Sponsors shall, when designing development activities that may affect geologic hazard areas, wetlands, and fish and wildlife habitat conservation areas, use the following measures, listed in priority order:
1. Avoid the adverse impact altogether by not taking a certain action or parts of an action or moving the proposed action.
 2. Minimize adverse impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology and engineering, or by taking affirmative steps to avoid or reduce adverse impacts.
 3. Rectify the adverse impact by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project.
 4. Reduce or eliminate the adverse impact over time by preservation and maintenance activities during the life of the action.
 5. Compensate for the adverse impact by replacing, enhancing, or providing similar substitute resources or environments.
 6. Monitor the impact for a reasonable period of time and taking appropriate corrective measures; and
 7. Mitigate the adverse impact through a combination of measures.
- E. A Critical Area Authorization or Permit is required before any construction or development activity may be initiated on a site with an area that meets the criteria for designation as a Special Flood Hazard Area, Geologic Hazard Area, Wetland, or Fish and Wildlife Habitat Conservation Area(s) or their associated buffers.
1. A Critical Area Authorization must be based on a written finding by the City that:
 - a. The proposed activity is exempt; or

- b. The proposed activity only occurs outside of the critical area and the associated buffer; or
 - c. The City has adequate information to determine that the proposal will not have an adverse impact on the Critical Area; or
 - d. The proposed activity will not have an adverse impact on the critical area and otherwise complies with the provisions of this Section.
 - 2. A Critical Area Permit shall be based on the findings and recommendations contained in a Critical Area Report(s).
- F. In order to receive a required Critical Area Permit, Project Sponsors must prepare and submit for City review and approval a critical area report(s) in a format prescribed by the City.
- 1. The City shall determine the scope, content, and format for a Critical Area Report based on pre-application consultation with the Project Sponsor and his/her their consultants, resource agencies, and qualified professionals.
 - a. Please contact the City Community Development Department or go to the City's website to get the most recent copy of the City's Guidelines for preparing a Critical Area Report.
 - b. Individual critical areas reports may be combined into a single comprehensive report, in a format approved by the City.
 - 2. Critical Area Reports shall be prepared by a qualified professional, as determined by the City.
 - a. The cost of preparing required critical areas report(s) shall be borne by the Applicant/Project Sponsor.
 - b. The cost of a professional peer review of any required critical areas report, if required by the City, shall be borne by the Applicant/Project Sponsor.
 - 3. Critical Area Reports shall be submitted to the City in draft form for City review and comment. Following this review, the City shall notify the Applicant in writing:
 - a. That the report complies with City guidelines and that it may be submitted in final form.

- b. That additional information is necessary and/or revisions must be made before the report can be accepted for processing, and that identifies the corrective actions that must be taken; or
 - c. That the report does not comply with City guidelines and that identifies the corrective actions that must be taken.
- 4. Upon acceptance of the Critical Area Report(s), the City shall utilize the report to evaluate the proposed development activity and to establish conditions of approval. In addition, the City may require the Project Sponsor to:
 - a. Submit detailed construction plans and drawings prepared by a qualified professional necessary to implement mitigating measures and other conditions of approval.
 - b. Conduct or permit to be conducted on-going monitoring and evaluation.
 - c. Install protective fencing and signage.
 - d. Provide the City with financial guarantees; and
 - e. Comply with other such measures as may be necessary to comply with the provisions of the applicable local, state, and federal laws.
- G. Fencing and Signs of Critical Areas and Required Buffers. The City may require, as a condition of approval, that temporary or permanent fencing and signage may be installed to protect critical areas and their buffers from inappropriate uses, unauthorized development activities, intrusion, or accidental encroachment.
 - 1. The outer perimeter of the critical area or buffer and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and is subject to inspection by the City prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.
 - 2. Fencing installed as part of a proposed activity or as required in this Section shall be designed so as to not interfere with native species migration, including fish runs, and shall be constructed in a manner that minimizes impacts to critical areas and buffers.
- H. In order to inform subsequent purchasers of real property of the existence of critical areas, the owner of private property containing a critical area or buffer on which a development proposal has been approved, shall file a notice with the County Records and Elections Division, as directed by the City. The notice shall state the presence of the critical area or

buffer on the property, the application of this Chapter to the property, and the fact that limitations on actions in or affecting the critical area or buffer may exist. The notice shall "run with the land."

14.70.030 Critical Aquifer Recharge Areas. Critical aquifer recharge areas (CARAs) are lands with prevailing geologic conditions associated with infiltration rates that create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water.

- A. The entire City of College Place is hereby designated as a critical aquifer recharge area and the provisions of this Chapter shall apply to all proposed development activities unless specifically exempted, or otherwise provided.
 1. All uses and development activities shall comply with local, state, and federal laws and regulations to protect groundwater including, but not limited to the Washington Administrative Code Chapters 173-216, 173-218, 173-240, 173-303, 173-304, 173-360 and the US Clean Water Act.
 2. The City may require a critical area report prepared by a qualified professional and supported by best available science, to identify design features and best management practices necessary to protect the quality and quantity of groundwater.
 3. Uses and activities may only be permitted if the Project Sponsor can show that the proposed use or activity will not cause contaminants to enter local aquifers, adversely affect the recharging of the aquifer, or adversely affect the quantity or quality of groundwater.

14.70.040 Special Flood Hazard Areas.

- A. All Special Flood Hazard Areas in the City of College Place, as determined by utilizing data obtained from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) are subject to the provisions of this Section. Special Flood Hazard Areas are subject to inundation by 1-percent-annual chance flood, and shall include Zones A, AE, A1-30, AH, AO, AR, and A99.
- B. No development activities or new uses may be permitted on sites with designated Special Flood Hazard Areas without a Critical Areas Authorization or Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020. For information on how to prepare a required special flood hazard report please refer to the City of College Place document entitled *Guidelines for Preparing Special Flood Hazard Area Reports, May 13, 2019*, or as subsequently amended.
- C. All proposed development activities and new uses on sites with designated Special Flood Hazard Areas must comply with FEMA regulations and standards. Please note that federal flood insurance purchase requirements apply in these zones.

14.70.050 Geologic Hazard Areas. The purpose of these regulations is to maintain the integrity of designated geologic hazard areas and their buffers in order to protect adjacent lands from the impacts of landslides, mudslides, subsidence, excessive erosion, and seismic events, and to safeguard the public from these threats to life or property.

A. Geologic hazard areas in the City of College Place shall include those areas that are susceptible to one or more of the following types of hazards:

1. Erosion hazard.
2. Landslide hazard.
3. Seismic hazard; or
4. Other geological events including, mass wasting, debris flows, rock falls, and differential settlement.

B. No development activities or new uses may be permitted on sites with areas that meet the criteria for designation as a Geologic Hazard Area or an associated buffer without a Critical Areas Authorization or Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020.

1. The City may waive or reduce engineering study and design requirements in geologic hazard areas for:
 - a. Additions or alterations to existing structures that do not increase occupancy or significantly affect the risk of structural damage or injury; or
 - b. New buildings that are not dwelling units or used as places of employment or public assembly and do not pose a significant threat to dwelling unit(s) or places of employment or public assembly.
2. For more information on how to identify geologic hazard areas and the standards to protect them, please refer to City of College Place document entitled *Standards for Identifying and Protecting Geologic Hazard Areas, May 13, 2019*, or as subsequently amended.
3. For information on how to prepare the required Geologic Hazard Area Report please refer to City of College Place document entitled *Guidelines for Preparing Geologic Hazard Area Reports, May 13, 2019*, or as subsequently amended.

14.70.060 Wetlands. Wetlands are areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances

do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

- A. All areas within the City of College Place meeting the wetland designation criteria in the approved federal wetland delineation manual and applicable regional supplements, as amended, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this Chapter.
 1. Wetlands shall be rated according to the Washington Department of Ecology Wetland Rating System, as set forth in the Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06007), or as revised. Wetland delineations are valid for five (5) years; after such date the City shall determine whether a revision or additional assessment is necessary.
 2. A buffer area shall be established for all designated wetlands to protect the function and values of the wetland.
- B. No development activities or new uses may be permitted on sites that meet the criteria for designation as a wetland or an associated buffer without a Critical Areas Authorization or Critical Areas Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020.
 1. The following uses and activities may be permitted by the City in wetlands through a critical Areas Authorization:
 - a. Conservation or preservation of soil, water, vegetation, fish, and other wildlife that does not entail changing the structure, or functions of the existing wetland.
 - b. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of soil, planting of crops, or alteration of the wetland by changing existing topography, water conditions or water sources.
 - c. Recreational and educational activities.
 - d. Research.

- e. Drilling for utilities under a wetland provided that the drilling does not interrupt the ground water connection to the wetland or percolation of surface water down through the soil column. The City may require the Project Sponsor to submit a special study prepared by a Qualified Professional to determine whether the ground water connection to the wetland or percolation of surface water down through the soil column is disturbed prior to any drilling or drilling associated activities.
 - f. Enhancement of a wetland through the removal of non-native invasive species. Weeding shall be restricted to hand removal and weed material shall be removed from the site. Bare areas that remain after weed removal shall be re-vegetated with native shrubs and trees at natural densities. Some hand seeding may also be done over the bare areas with native plants.
2. For more information on the rating of wetlands as well as the criteria and standards for establishing buffer areas, please refer to the City of College Place document entitled *Standards for Classifying and Protecting Wetlands, April 25, 2019*, or as subsequently amended.
 3. For more information on how to prepare a required Wetlands Report please refer to the City of College Place document entitled *Guidelines for Preparing a Wetlands Report, May 13, 2019*, or as subsequently amended.

14.70.070 Fish and Wildlife Habitat Conservation Areas.

- A. All areas within the city meeting one or more of the following criteria, regardless of any formal designation, are hereby designated Fish and Wildlife Habitat Conservation Areas and are subject to the critical area provisions of this Chapter:
 1. Areas where state or federal designated endangered, threatened, and sensitive species have a primary association.
 - a. Federal designated endangered and threatened species are those fish, wildlife, and plant species identified by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service that are in danger of extinction or threatened to become endangered.
 - b. State designated endangered, threatened, and sensitive species are those fish, wildlife, and plant species native to the State of Washington identified by the state Department of Fish and Wildlife, that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without cooperative management or removal of threats. State designated endangered, threatened, and sensitive species are periodically recorded in WAC 232-12-014

(state endangered species), and WAC 232-12-011 (state threatened and sensitive species).

2. Priority habitats and species identified by the state Department of Fish and Wildlife. Priority species require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial, or tribal importance. Priority habitats are those habitat types or elements with unique or significant value to a diverse assemblage of species. A priority habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element.
 3. Habitats and species of local importance as identified by the City, including those that possess unusual or unique habitat warranting protection because of qualitative species diversity or habitat system health indicators.
 4. Naturally occurring ponds are those ponds under 20 acres and their submerged aquatic beds that provide native fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds. Naturally occurring ponds do not include ponds deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farm ponds, temporary construction ponds, and landscape amenities, unless such artificial ponds were intentionally created for mitigation.
 5. Waters of the state includes lakes, rivers, ponds, streams, inland waters, underground waters, and all other surface waters and watercourses within the jurisdiction of the State of Washington, as classified in WAC 222-16-031.
 6. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.
 7. Natural area preserves, and natural resource conservation areas are defined, established, and managed by the Washington State Department of Natural Resources.
 8. Streams shall be designated in accordance with the Washington State Department of Natural Resources (DNR) stream type as provided in WAC 222-16-030. Streams are further categorized according to Ecosystem Diagnosis and Treatment (EDT)/Snake River Salmon Recovery Plan priority protection reaches.
 9. Areas of rare plant species and high-quality ecosystems that are identified by the Washington State Department of Natural Resources through the Natural Heritage Program.
- B. No development activities or new or modified uses may be permitted on sites that meet the criteria for designation as a Fish and Wildlife Habitat Conservation Area or an associated

buffer without a Critical Areas Authorization or Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020.

1. For information on the standards for identifying and protecting Fish and Wildlife Habitat Conservation Areas please refer to the City of College Place document entitled *Standards for Classifying and Protecting Fish and Wildlife Habitat Conservation Areas, May 13, 2019*, or as subsequently amended.
2. For information on how to prepare the required critical areas report for development activities on sites meeting the criteria of designation as a Fish and Wildlife Habitat Area, please refer to the City of College Place document entitled *Guidelines for Classifying and Protecting Fish and Wildlife Habitat Conservation Areas, May 13, 2019*, or as subsequently amended.

14.70.080 Enforcement.

- A. When a critical area or its buffer has been altered in violation of this Chapter, the City shall have the authority to issue a stop work order to cease all development activities, and order restoration, rehabilitation, replacement, or where determined appropriate, mitigation measures at the owner's or other responsible party's expense to compensate for violation of provisions of this Chapter and other applicable City codes.
 1. All development work shall remain stopped until a restoration and/or mitigation plan is prepared at the Project Sponsor's expense and approved by the City. The plan must be prepared by a Qualified Professional and shall describe how the actions proposed meet the minimum requirements of this Section.
 2. The City may, at the violator's expense, seek expert advice in determining the adequacy of the plan.
 3. Inadequate plans shall be returned to the violator for revision and resubmittal, with a written explanation regarding any deficiencies and/or additional information that may need to be submitted.
 4. Any work recommenced shall be done in accordance with the approved restoration/mitigation plan.
 5. For alterations to frequently flooded areas, wetlands, and habitat conservation areas the following minimum performance standards shall be met for the restoration of a critical area to the condition and state pre-existing the violation provided that if the violator can demonstrate in a restoration/mitigation plan that greater functional and habitat values can be obtained, these standards may be modified by the City:

- a. The function and values of the affected area shall be restored, including water volumes, quality, and wildlife habitat.
 - b. The soil types and configuration shall be replicated; and
 - c. The critical area and buffers shall be replanted with native vegetation that replicates the vegetation typically found on the site in species types, sizes, and densities.
- 6. For alterations to flood and geological hazards, the following minimum performance standards shall be met for the restoration of a critical area, provided that, if the violator can demonstrate that greater safety can be obtained, these standards may be modified:
 - a. The hazard shall be reduced to a level equal to, or less than, the pre-development hazard.
 - b. Any risk of personal injury resulting from the alteration shall be eliminated or minimized; and
 - c. The hazard area and any buffers shall be replanted with native vegetation sufficient to minimize the hazard.
- B. Representatives of the City are authorized to make site inspections and take such actions as are necessary to enforce this Chapter. The authorized representatives shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.
- C. Any violation of this Chapter shall be enforced in accordance with the provisions of the College Place Municipal Code. Any person, party, firm, corporation, or other legal entity convicted of violating any of the provisions of this Chapter shall be subject to civil or criminal penalties. Each day or portion of a day during which a violation of this Chapter is committed or continued shall constitute a separate offense. Any development carried out contrary to the provisions of this Chapter shall constitute a public nuisance in accordance with the provisions of the College Place Municipal Code Chapter 8.24 and may be enjoined as provided by the statutes of the State of Washington.

Chapter 14.80 Shoreline Master Program

The City of College Place does not have any shoreline areas under the jurisdiction of the Washington State Shoreline Management Act, and as a result, the City has not adopted a Shoreline Master Program. If the City annexes an area with jurisdictional shoreline areas, the provisions of the Walla Walla County Shoreline Master Program shall continue to apply until the City adopts a Shoreline Master Program.

Chapter 14.90 Subdivisions

Sections:

- 14.90.010 Introduction.**
- 14.90.020 Applicability.**
- 14.90.030 General Requirements.**
- 14.90.040 Required Improvements.**
- 14.90.050 General Application Requirements.**
- 14.90.060 Alterations or Vacations.**
- 14.90.070 Lot Line Adjustments.**

14.90.010 Introduction. The purpose of this Chapter is to establish uniform standards and procedures to guide the division of land in accordance with the provisions of RCW 58.17 and the College Place Comprehensive Plan.

14.90.020 Applicability.

- A. The regulations contained in this Chapter shall apply to the division or redivision of land, or the alteration of lots within the city for the purpose of sale, lease, or transfer of ownership, whether immediate or future, unless otherwise clearly provided. This shall include the following unless the proposed action is specifically exempted in RCW 58.17.040, as determined by the City:
 - 1. Subdivisions of 10 or more lots.
 - 2. Short plats of 9 or fewer lots.
 - 3. Binding site plans; and
 - 4. Lot line adjustments.
- B. No person or entity shall sell, lease, or transfer the ownership of or offer for sale, lease, or transfer of ownership any real property that is subject to this Chapter without prior approval and recording of the final plat and full compliance with this Chapter.
 - 1. Any person, or entity who violates any provision of this Title relating to the sale, offer for sale, lease, or transfer of any lot, tract or parcel of land shall be guilty of a civil infraction and subject to a fine as established by the City Council, and each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of this Chapter shall be deemed a separate and distinct infraction.
 - 2. The City may elect to take any or all actions available at law and in equity to enforce this Title, and to try to any violation of these regulations.

- C. No parcel may be divided into two or more short plats in order to avoid the requirements of a subdivision.

14.90.030 General Requirements.

- A. All proposed subdivisions, short plats, binding site plans, and lot line adjustments shall comply with the following general requirements, unless otherwise provided in this Title:
1. The College Place Comprehensive Plan and all plans, documents, policies, and maps that have been adopted by reference to be used in support of the implementation of the College Place Comprehensive Plan.
 2. The applicable provisions of the College Place or Walla Walla County Shoreline Master Program, if any.
 3. The City of College Place Engineering Design Standards.
 4. The applicable provisions of RCW 58.17, as determined by the City; and
 5. Other applicable local, state, or federal laws and regulations.
- B. Applications for subdivisions, short plats, binding site plans, and lot line adjustments shall include a survey prepared by a by a licensed professional land surveyor, in accordance with the provisions of the Laws of Washington State, including but not limited to Title 58 RCW, RCW 18.43.020, and WAC 332.130, and such administrative provisions as may be adopted by the City.
- C. All subdivisions, short plats, and binding site plans shall be designed in accordance with the following principles:
1. The subsequent use and development of all newly created or altered lots can be accomplished in substantial compliance, as determined in the sole discretion of the City, with the provisions of this Title, particularly the regulations governing the protection of critical areas, and a reasonable use exception will not be required.
 2. Natural features and resources, including natural topology, watercourses, marshes, scenic points, large or heritage trees, natural groves, rock formations and critical areas should be preserved, protected, and enhanced and the lot layout shall reflect natural limitations inherent in the property.
 3. In subdivisions, the layout of blocks and lots should be designed to:
 - a. Promote traffic safety and ease of traffic control and circulation.

- b. Be wide enough to allow for two tiers of lots unless the topography or other factors dictate the use of one tier of double frontage lots. Double frontage lots shall be designed with an easement at least ten feet wide to be dedicated along the lot lines abutting the principal or minor arterial or other disadvantageous use, across which there shall be no right of access for the general public or adjoining property owners.
 - c. Be consistent with the topography and the needs for convenient access, circulation, control and safety of street traffic, emergency vehicle access, and type of land use proposed, but ordinarily, block lengths should not exceed 600 feet. Blocks may be up to 1000' feet in length if there is a mid-block sidewalk, path, or trail built to City standards and dedicated to public use that connects to nearby streets.
- 4. All lots shall be designed to comply with the following provisions, unless otherwise provided in this Title:
 - a. The density requirements of the zoning district in which the property is located.
 - b. The minimum lot size and lot width requirements of the zoning district in which they are located.
 - (1) No critical areas or buffers may be included in the calculation to determine compliance with the minimum lot size requirement.
 - (2) In subdivisions, the minimum lot size and lot width may be reduced by up to 10% in up to 10% of the lots.
 - (3) In short plats, the minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot coverage~~ and setback requirements can reasonably be met.
 - c. All building setbacks shall be measured from the boundaries of critical area buffers when present.
 - d. Provide access by means of a public street in accordance with the City of College Place Engineering Design Standards, provided that in subdivisions, new residential lots should not have direct driveway access to a principal or minor arterial.
- 5. All dedications of land shall be clearly and precisely indicated on the face of the plat or binding site plan and reflect that the City is a beneficiary to any and all public uses and required maintenance thereof including, but not limited to open spaces, emergency services access, and stormwater utilities.

- D. All required improvements should be installed prior to final plat, final short plat, or binding site plan approval.
1. All required improvements shall be subject to inspection and acceptance or rejection by the City.
 2. Required improvements may be waived only when specifically authorized in this Title.
 3. Required improvements may be deferred only through City approval of a phasing plan or the acceptance of a financial guarantee as provided in this Title.

14.90.040 Required Improvements. The following improvements are required in all subdivisions, short plats, binding site plans, and lot line adjustments unless otherwise provided in this Title. All improvements must be designed and constructed by the Project Sponsor, at no cost to the City, in accordance with the provisions of the City of College Place Engineering Design Standards, as determined by the City, other applicable local, state, and federal laws, and the following provisions:

- A. **Water Supply.** All lots must be served by an adequate supply of water, as determined by the City, in accordance with local, state, and federal standards, provided that:
1. The City may require a Certificate of Water Availability for lots not served by the City water system.
 2. All required water system improvements shall be designed and constructed in conformance with City standards and shall address:
 - a. Potable water from a public water supply source.
 - b. Adequate water supply and facilities for fire protection purposes.
 - c. Water main looping; and
 - d. Water necessary to maintain required landscaping.
- B. **Sanitary Sewer.** All lots must be served by City sewers, in accordance with the provisions of the Laws of Washington State, provided that the City may make a written finding that sewer service is not reasonably available and may authorize the use of a septic system(s) designed to the standards of the Walla Walla County Health Department, provided that:
1. The location of the septic tank, system drain field, and reserve drain field are depicted on a recorded legal document, as specified by the City; and

2. The City may require the execution of a No Protest LID Agreement, or other instrument to ensure that a connection is made when City sewer service is available.
- C. Streets. All subdivisions, short plats, and binding site plans shall be served by one or more public streets providing ingress and egress at not less than two points, unless otherwise approved by the City.
1. All streets shall comply with all City transportation plans, including but not limited to:
 - a. Comprehensive Plan Transportation Map.
 - b. Arterial Street Plan; and
 - c. City 6-Year Transportation Plan.
 2. All street networks and improvements shall provide ready access for fire and other emergency vehicles and equipment and route of escape for inhabitants, in accordance with the provisions of the International Fire Code, as adopted by the City.
 3. All streets shall be designed and constructed in accordance with the City of College Place Engineering Design Standards. This shall include, but is not limited to street lighting, street signs, sidewalks, landscaping strips, curbs, gutters, stormwater facilities, and bike lanes, as required by the City.
 - a. Private streets are discouraged, and all streets shall be dedicated to the City, unless a private street is approved by the City. Private streets may be permitted in the sole discretion of the City only in:
 - (1) Binding site plans.
 - (2) Mobile home/manufactured home parks.
 - (3) Situations involving parcels that are isolated by topography or the configuration of existing lots and that connection with other streets is unachievable; or
 - (4) Unusual situations based on a written finding by the City that it is in the public interest.
 - b. Private streets, when permitted, must be designed and constructed in accordance with the City of College Place Engineering Design Standards, provided that:
 - (1) Pedestrian access must be provided to existing and future streets or pathways.

- (2) Provisions must be made for privately owned and maintained water and sewer improvements, designed and constructed to City standards, as no public utilities shall be located under a private street.
 - (3) Traffic circulation shall not be obstructed or cut off future development from public access or utilities.
 - (4) The transition to a public street shall not occur in mid-block, unless a mid-block transition is unavoidable, a public turn-around designed in compliance with the College Place Engineering Design Standards and the International Fire Codes, as adopted by the City, shall be provided.
 - (5) Private streets shall be owned in common by the owners of the property served by the private street or by a homeowners' association. The tract shall be designated on the plat as a special purpose tract. Private access may be designated by a recorded easement. A maintenance agreement shall be recorded with the Walla Walla County Auditor that commits the owner(s) to maintain all elements of the private street. Accessibility shall be maintained at all times for emergency vehicles.
- c. In residential short plats, each lot shall be accessible from a City street, driveway, joint use driveway, or in the limited circumstances provided in this Title, a private street, in accordance with City standards and the needs of emergency service and utility providers.
- (1) The requirement for access at two or more points may be waived by the City based on a finding that the proposed access complies with the provisions of:
 - (a) The City of College Place Engineering Design Standards.
 - (b) The International Fire Code, as adopted by the City; and
 - (c) Is in the public interest.
- d. Frontage improvements may be deferred by the City in a short plat, if:
- (1) There are no frontage improvements on either side of the proposed short plat; and
 - (2) A no protest LID agreement is executed; or
 - (3) A financial guarantee is executed to ensure that the improvements are installed by a certain date or event.

- e. The City may accept a voluntary payment in lieu of the installation of required frontage improvements, to be used later, and/or for similar improvements at another location.
 - (1) There shall be no time limitation on the use of voluntary payments.
 - f. The provision of alleys in residential subdivisions may be the basis for the City to approve a reduction in the width of required streets.
 - g. In residential subdivisions, the width of driveways at the curb on lots with at least 60' of street frontage shall not exceed 20' in width at the curb and back of the right-of-way, as specified in the City of College Place Engineering Design Standards, provided that:
 - (1) On lots with street frontage greater than 60', the width of the driveway at the curb may be increased by 1' over the standard 20' maximum for every 3' of frontage over 60', up to a maximum width at the curb and back of the right-of-way of 30'.
 - (2) On lots with less than 60' of street frontage, the driveway width at the curb may not exceed 12'.
 - (3) The width of a driveway at its widest point shall not exceed the width of the driveway at the curb plus 4'; and
 - (4) Driveway approach wings and pedestrian approach wings shall be separated by a minimum of four feet between the end of the wings.
 - h. In residential short plats, the width of driveways shall not exceed 20' at the curb and back of the right-of-way or 24' at its widest point.
 - i. Alleys should be provided in commercial and industrial areas, except that the City may waive this requirement based on a finding that adequate provisions have been made for deliveries, loading, unloading, and parking.
 - j. On corner lots, the placement of driveways should be placed as far away from the intersection as possible, as determined by the City.
- D. Sidewalks shall be provided in every residential, industrial, or commercial subdivision, and business park, and shall conform to the City sidewalk standards. Sidewalks shall be properly located and sufficient to meet the circulation needs of the subdivision. The width of sidewalks in residential areas shall not be less than six feet, not including curb or features that diminish mobility, as determined by the City. The sidewalk must not be obstructed with poles, fire hydrants, and the like. Sidewalks shall not be less than ten feet where

deemed essential for pedestrian traffic in commercial and industrial areas, schools, playgrounds, shopping centers, etc., unless otherwise approved by the City.

- E. A minimum 5' wide landscape strip(s) designed in accordance with City standards shall be required on every side of a lot that abuts an arterial, collector, or local street in a residential subdivision, provided that:
 - 1. The front yard setback may be reduced by 5' in the Single-Family Residential district on lots with an approved landscaping strip.
 - 2. Every planter strip shall be:
 - a. Irrigated and planted with grass.
 - b. Include at least one street tree every 60' selected from a list provided by the City.
 - c. Be the continuing maintenance responsibility of the abutting property owner unless alternative arrangements have been approved by the City, such as maintenance by a professional landscaping firm hired by a homeowner's association; and
- F. Stormwater improvements shall be designed and constructed in accordance with the provisions of the City of College Place Engineering Design Standards and the most recent version of the Stormwater Management Manual for Eastern Washington, as adopted by the City of College Place.
- G. Bike lanes, designed and constructed in accordance with City standards, are required in residential subdivisions on all collectors and arterial streets.
- H. Public Utilities.
 - 1. Easements for fiber, cable, electric, telephone, television, water, gas, stormwater, sewer, and similar public utilities shall be a minimum width of ten feet, unless otherwise determined by the City to be of adequate width to maintain.
 - 2. The City may permit, in consultation with utility providers, the shared use of selected easements by compatible utilities, subject to certain conditions.
 - 3. The installation of utilities facilities should be underground.
 - 4. Public utility easements should be located along the front or rear property lines. If a side yard easement is needed, it shall be located adjacent to the lot line on one side of the lot line. Easements shall not be located on the lot lines.
- I. Parks and Open Space. All new subdivisions of ten or more lots shall set aside and improve, and/or make such payments and off-site improvements as may be necessary to

mitigate the impacts of the proposed development and to implement the City's level of service standards for parks and open space, and trails.

1. All proposed new subdivisions (ten or more lots) shall include provisions for at least 1,000 square feet of designated park and open space area per dwelling unit.
 - a. A determination of the suitability of the land designated for park and open space purposes in accordance with the provisions of the City's Parks, Recreation, and Open Space Plan shall be made by Community Development Director or his/her/their designee in consultation with the City Parks, Arbor, and Recreation Board.
 - b. Designated park and open space areas should be contiguous and shall be placed in a park and/or open space tract(s).
 - c. Critical areas and their buffers shall not be considered as park or open space, unless specifically authorized in this Chapter.
 - d. Streets and associated median or planter strips, sidewalks, bike lanes, stormwater facilities, or areas required for the provision of utilities shall not be considered as park or open space, unless specifically authorized in this Chapter.
 - e. The Project Sponsor may propose to install and/or improve a trail(s) to City standards as a part of the required park and open space. Trails may be located in a critical area buffer in accordance with the provisions of the City's regulations to protect critical areas and the Washington State Environmental Policy Act, as well as all applicable local, state, and federal laws and regulations.
 - f. All required improvements shall be installed by the Project Sponsor and inspected and approved by the City prior to final subdivision approval, provided that the City Council may approve a financial guarantee provided by the Project Sponsor, in a format prescribed by the City Attorney, to make the required improvements in accordance with an approved plan and specified timeline.
2. Park and open space areas less than three acres in size shall be the ongoing maintenance responsibility of the homeowners in the subdivision, and:
 - a. These park and open space areas shall be landscaped with grass, shade trees, shrubs, and an automated sprinkler system, as specified in a landscaping plan submitted for City review and approval.
 - b. These park and open space areas should also include a children's playground and exercise equipment, benches, walking paths, picnic areas, a drinking fountain, garbage cans, and a pet waste station, as appropriate, or comparable improvements

in accordance with the standards for neighborhood parks in the City's Parks, Open Space, and Recreation Plan.

- c. The documents creating a homeowners' or property owners association, as regulated by State law, and/or any other documents establishing the maintenance responsibilities for the required park and open space areas shall be subject to City review and approval by the Community Development Director or his/her their designee in consultation with the City Attorney.
3. Park and open space areas greater than three acres in size may be proposed for dedication to the City, provided that:
 - a. Priority consideration shall be given by the City to tracts three or more acres in size.
 - b. These open space areas shall be landscaped by the Project Sponsor with grass, shade trees, shrubs, and an automated sprinkler system, as specified in a landscaping plan approved by the City.
 - c. The Project Sponsor shall provide for the following improvements in accordance with the standards for neighborhood parks in the City's Parks, Open Space, and Recreation Plan:
 - (1) Picnic area.
 - (2) Benches.
 - (3) Walking paths.
 - (4) Children's playground and exercise equipment.
 - (5) Drinking fountain.
 - (6) Garbage cans and pet waste stations.
 - (7) Restrooms; and
 - (8) Parking.
 - d. Nothing in these regulations, shall preclude the Project Sponsor, or a homeowners' or property owners' association from proposing a dedication after final plat approval, in accordance with the provisions and standards of this Chapter and the City's Parks, Open Space, and Recreation Plan.

- e. The City's Parks, Arbor, and Recreation Board shall review proposed dedications and improvements and shall make a recommendation to the City Council to accept, accept with modifications, or not accept a proposed dedication.
 - f. If a proposed dedication is accepted by the City, the dedicated park and open space areas and improvements shall be owned and maintained by the City.
 - g. Required park/open space areas not dedicated to the City shall be the ongoing maintenance responsibility of the homeowners in the subdivision. The documents creating a homeowners' or property owners' association, as regulated by State law, and any other documents establishing the maintenance responsibilities for the required park and open space area shall be subject to City review and approval by the Community Development Director or his/her their designee in consultation with the City Attorney.
4. As an alternative to the preceding regulations, the City may establish a Park Impact Fee to mitigate the direct impacts associated with proposed subdivisions, provided that such fees shall be established by ordinance and shall comply with the provisions of RCW 82.02.060.
 5. Pending the adoption of a Park Impact Fee by the City, a Project Sponsor may propose, subject to City Council review and approval, a voluntary payment and/or a dedication of additional land, in lieu of providing some, or all, of the required parks and open space land and improvements.
 - a. The voluntary payment or dedication shall be based on the assessed/appraised value of the land to be subdivided, and the estimated cost of the required improvements, as approved by the City.
 - b. The value of the voluntary payment or dedication should meet or exceed the value of the required dedication or improvements.
 - c. Voluntary payments shall be used by the City for the acquisition or improvement of land for park and open space purposes in accordance with the provisions of the City's Parks, Open Space, and Recreation Plan within a one-half mile radius of the subdivision, unless otherwise agreed to by the parties.
 - d. The following examples of voluntary payments or dedications are provided as a potential resource to Project Sponsors:
 - (1) A new 43-lot single-family residential subdivision would be required to place in a park and open space tract and improve at least 43,000 square feet of land, in accordance with City standards. If the parcel to be subdivided had an assessed/appraised value of \$1/square foot, the Project Sponsor could propose

a voluntary payment to the City of \$43,000 plus the estimated cost of the improvements in lieu of setting aside and improving the required park and open space area.

- (2) A new 87- lot single-family residential subdivision would be required to place in a park and open space tract and improve just over two acres of land, in accordance with City standards. If the parcel to be subdivided had an assessed value of \$1/square foot, and the approved estimate of the cost of improvements to the two-acre park was approximately \$130,000, the Project Sponsor could propose, in lieu of making the required improvements, to set aside three additional acres of park and open space and dedicate a total of five acres to the City. In this instance, the value of the additional three acres of land proposed for dedication to the City (three acres/130,680 square feet valued at \$1/square foot equals \$130,000) would offset the estimated cost of the required improvement. If accepted, the City would then be responsible for the ownership, development, and maintenance of the park.
 - (a) In the preceding example, the Project Sponsor could propose a combination of an additional set aside of land and payment in lieu of the required improvements. In this instance, the Project Sponsor could propose, in lieu of making the required improvements, to set aside two additional acres of land for parks and open space and dedicate a total of four acres to the City along with a voluntary payment of \$43,000 to be used by the City for improvements to the park.
 - (3) A new 15-lot residential subdivision with duplexes, would be required to place in a park and open space tract and improve 30,000 square feet of land, in accordance with City standards. If the parcel to be subdivided had an assessed/appraised value of \$1/square foot, the Project Sponsor could propose, in lieu of setting aside and improving the required park and open space area, a voluntary payment to the City of \$30,000 plus the estimated cost of the improvements to be used to make improvements to a nearby City-owned neighborhood park.
 - (4) A new 10-lot single-family residential subdivision would be required to place in a park and open space tract and improve 10,000 square feet of land, in accordance with City standards. In lieu of setting aside and improving the required park and open space area, the Project Sponsor could propose to spend at least an equivalent amount to construct a trail, built to City standards, to connect the subdivision with a nearby City-owned park.
6. The City's Parks, Arbor, and Recreation Board shall review all proposed voluntary payments and/or dedications in lieu of setting aside or making required improvements

and shall make a recommendation to the Mayor and City Council to accept, accept with modifications, or not accept the proposed voluntary payment.

7. Nothing in these regulations is intended to interfere with:
 - a. The completion of the required environmental review process and conditions of approval that may be required to avoid, minimize, or mitigate potential adverse impacts, or the use of the City's authority to deny an application that could create probable, significant adverse impacts that cannot be reasonably mitigated.
 - b. The City and the Project Sponsor executing a Development Agreement, in accordance with the provisions of state law, that meets or exceeds the provisions of this Chapter, based on a finding that it is in the public interest.

14.90.050 General Application Requirements.

- A. All subdivisions, short plats, and binding site plans are subject to a four-step review and approval process in accordance with the provisions of this Chapter and Chapter 14.30 Permit Processing Procedures. The steps include:
 1. Pre-application consultation and preparation of application materials.
 2. Preliminary review and approval.
 3. Civil plan review and approval, construction, inspection, acceptance of improvements, and the execution of access and maintenance agreements; and
 4. Final review and approval, including the establishment of monitoring protocols, as appropriate.
- B. Preliminary subdivision, short plat, and binding site plan applications shall include such forms, maps, plat maps, narrative, special studies, environmental assessments, drawings, and documentation as may be required by the City. This may include, but is not limited to the following:
 1. Required City application forms.
 2. A title report prepared no more than 30 days before the date the application is submitted.
 3. SEPA Checklist and proposed mitigation measures.
 4. Required critical area reports.

5. Required geo-technical reports and liquefaction assessment.
6. Required cultural resources report or tribal documentation that a report is not required.
7. Required traffic impact analysis.
8. Utility plan.
9. Preliminary stormwater design report.
10. Proposed landscaping and screening plan.
11. A description of proposed phasing plans.
12. Proposed restrictive covenants to be imposed upon land within the subdivision.
13. Survey.
14. Proposed preliminary plat map that includes, but is not limited to:
 - a. Name of subdivision, short plat, or binding site plan. This name must not duplicate the name of another subdivision in Walla Walla County (please check with Walla Walla County Assessor).
 - b. Date, north arrow, and scale of drawing.
 - c. Vicinity map with the location of the proposed development.
 - d. Proposed development boundaries, a legal description of the site, and location by section, township, and range.
 - e. Names, addresses, and telephone numbers of the owners, contact person, designer or engineer, and surveyor, and the date of the survey with surveyor's certificate.
 - f. Existing and proposed public and private streets, tracts, driveways, open space, parks, trails, etc. with location, names, right-of-way dimensions, and approximate radius of street curves. Tracts shall also have approximate dimensions, area calculation in square feet, and identification numbers or letters.
 - g. Lot and block dimensions, area calculation in square feet, and building setbacks for all lots.
 - h. The location, width, and purpose of all existing and proposed easements.

- i. Monuments.
- j. Proposed uses of the property, including all areas proposed to be dedicated to the public, or preserved as open space, for the purpose of surface water management, recreation, or other use.
- k. Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established benchmark or other datum approved by the City Engineer.
- l. Existing structures that will remain on site including abandoned underground infrastructure, such as septic tanks.
- m. Conditions of adjacent property, platted or unplatted, and if platted, giving the subdivision name and showing the streets.
- n. Existing and proposed utilities.
- o. The proposed number and location of public or shared parking places.
- p. The location and proposed buffers of critical areas.
- q. Proposed phases of development, if applicable.
- r. Data table, as applicable:
 - (1) Future Land Use Map designations.
 - (2) Existing and proposed zoning.
 - (3) Existing and proposed land uses.
 - (4) Proposed number of lots.
 - (5) Residential density calculations.
 - (6) Parks and open space calculations; and
 - (7) Parking calculations.
- s. A place for required signatures, in a format prescribed by the City. This may include, but is not limited to:

- (1) Property Owners of Record.
- (2) Licensed Surveyor.
- (3) Walla Walla County Auditor.
- (4) Walla Walla County Treasurer.
- (5) City Community Development Director; and
- (6) City Engineer.

C. The City may approve, approve subject to conditions, or deny an application for a proposed subdivision, short plat, or binding site plan.

- 1. Approval shall be based on a finding that the proposal:
 - a. Conforms to the comprehensive plan and meets the requirements of this Chapter.
 - b. Makes adequate provisions for, water supply, sewage disposal, storm water management, fire protection, and other necessary services.
 - c. Is accessible by City streets and provides means of ingress and egress in accordance with the provisions of the College Place Engineering Design Standards; and
 - d. Protects the public health, safety, and welfare and serves the public's interests.
- 2. Conditions of approval may include measures necessary to assure compliance with applicable codes and ordinances of the City; to protect the health, safety, and welfare of the public; or as mitigated by compliance with the State Environmental Policy Act; or as required by RCW 58.17.

D. During the preliminary review of the application, the City shall determine whether appropriate provisions are made for, but not limited to the public health, safety, and general welfare; open spaces, parks, and playgrounds; school grounds; streets, alleys, sidewalks, and other public ways; water supplies; sanitary sewers; stormwater facilities; and sanitary and solid waste disposal. The burden of proof shall lie with the Applicant. If the City finds that such appropriate provisions are not made, the proposal will not be approved. As provided in RCW 58.17.110, the City may require dedication of land to any public body as a condition of approval.

- 1. The City shall consider the physical characteristics of the proposal and may request that modifications be made or disapprove the application because of any identified or suspected natural limitations, including but not limited to slope, soil stability, flood

- hazard, inundation, swamp conditions, drainage conditions and location in or proximity to critical areas as described in Chapter 14.70. The burden of proving that disruption of areas identified or suspected of being critical will not endanger the public health, safety welfare, or the environment shall lie with the Applicant.
2. The City will consider the effects, if any, of a proposal on adjacent properties and on off-site or city-wide public facilities and services, such as existing parks, recreation facilities, schools, streets, transit facilities, and stormwater facilities. The City may require construction, repair, expansion, improvement, or other provision of off-site improvements by the Project Sponsor. Such requirements may include but shall not be limited to dedication of land for right-of-way, resurfacing a street that provides access to a subdivision or replacement of inadequately sized off-site utilities whose capacity will be affected by the development.
 3. The City may condition the approval of a preliminary application in order to promote the public interest, safety, health, and welfare. Conditions of approval shall be listed on the face of the plat, including that the City is a beneficiary of such conditions.
- E. Preliminary approval shall constitute authorization for the Project Sponsor to prepare detailed construction plans, profiles, and specifications for the required improvements in accordance with the provisions of this Title, the City of College Place Engineering Design Standards, and applicable conditions of approval. Upon approval by the City, and the issuance of any permits that may be required, the Project Sponsor shall construct the required facilities and improvements.
1. The Project Sponsor shall have five years from the date of preliminary approval to submit to the City a final application meeting all requirements of this Title, or as otherwise provided in RCW 58.17. Failure to submit a final application within the five-year period shall result in expiration of preliminary approval; however, a Project Sponsor who files a written request with the City at least thirty days before the expiration of the five-year period may be granted up to a one-year extension upon a showing that the Project Sponsor has attempted in good faith to submit the final application within the five-year period. Good faith shall be interpreted as having made substantial progress in making improvements required under preliminary approval. Disapproval of a request for extension shall mean expiration of preliminary approval.
 2. The City may permit the proposal to be developed in two or more phases and may impose such conditions upon the filing of phases as it may deem necessary to assure the orderly development. Prior to the final approval of individual phases, the City may require additional conditions such as interim improvements, and/or a financial guarantee of the construction of required improvements in subsequent phases if it finds that such improvements are necessary to ensure that the phase being approved meets all conditions of the preliminary approval even though all phases have not been completed.

3. The application for final approval of the first phase of a phased development shall be submitted to the City not later than five years from the date of the preliminary approval, and the applications for final approval of the subsequent phases shall be submitted in accordance with a timetable approved by the City.
- F. The Project Sponsor must inform the City if the phasing timetable cannot be complied with, or construction of the development is to cease.
1. The City reserves the right to require certain improvements to assure the health, safety, and welfare of the public and residents will be satisfied.
 2. The City may accept financial guarantees for improvements not completed or voluntary payments in lieu of improvements in accordance with the provisions of Section 14.10.070 Financial Protections.
- G. Final Plat. Upon construction of all required improvements and the satisfaction of all conditions of approval, the Project Sponsor may prepare and submit in a format prescribed by the City, the final documents for City review and approval.
1. The City may approve the final documents based on a finding that:
 - a. All conditions of the preliminary approval have been met.
 - b. All required improvements have been installed, inspected, and accepted by the City.
 - c. Financial protections have been provided in accordance with this Title to assure completion of the improvements.
 - d. The requirements of local, state, and federal law and this Title have been, or will be satisfied by the Project Sponsor; and
 - e. Approval is in the public's interest.
 2. If any of the above criteria have not been met the City may return the application for final approval to the Applicant for full compliance.
 3. Upon approval by the City, and all signatures have been made to the final documents, the Project Sponsor shall be responsible for transmitting all approved documents to the Walla Walla County Assessor and Auditor for recording. Failure to do so shall void the approval.
 4. After recording with the County Auditor, the Project Sponsor shall provide such digital and hard copies as may be required by the City.

5. No person shall transfer, sell, lease, or offer for transfer, sale or lease any land subject to the requirements of the subdivision, short plat, or binding site plan approval, until all required documents have been approved and properly recorded.

14.90.060 Alterations and Vacations.

- A. Any person may submit for City review and approval an application to vacate a subdivision, short plat, or binding site plan, or portion thereof, or any area designated for public use, in accordance with the provisions of this Section and RCW 58.17.212, provided that:
 1. The Application shall state the reasons for the proposed vacation and shall contain the signatures of all parties that have an ownership interest in the portion of the subdivision to be vacated.
 2. If the proposed vacation would affect any covenants or would alter the terms and conditions of plat approval, an agreement signed by all parties shall be submitted documenting agreement to the proposed termination or alteration of the covenants and conditions of approval.
 3. The City finds that the proposed alteration or vacation will not adversely affect the public health or safety and is in the public interest.
 4. The proposed vacation streets and roads must comply with the provisions of state law, including but not limited to RCW 35.79.030, 35.79.035, and 36.87.130; and
 5. The proposed alteration will be processed by the City in the same manner as a new application for a subdivision, short plat, binding site plan.
- B. When the vacation application is specifically for a City street, the procedures for street vacation in RCW 35.79 will be used. When the application is for the vacation of the plat together with streets, the procedure for vacation in this Chapter will be used, but vacations of streets may not be made that are prohibited under RCW 35.79.030.
- C. Proposed alterations to an approved subdivision, short plat, or binding site plan shall be classified as a major or a minor alteration and shall be processed in accordance with the provisions of Chapter 14.30 Permit Processing Procedures.
 1. Proposed alterations shall be considered major, based on a finding by the City that one or more of the following provisions is met:
 - (a) A change in the approved land use(s).
 - (b) An increase in the number of dwelling units.

- (c) A change in the location or design of approved streets, driveways, or parking areas that affects traffic flows.
 - (d) A reduction in the approved parks or open space.
 - (e) Changes that require a new or supplemental environmental assessment; and/or
 - (f) Substantive changes to required mitigation measures or proposed improvements.
- 2. Proposed alterations that meet or exceed the approved plans or that do not meet the criteria for major alterations, may be considered by the City as a minor alteration.
- D. The City may approve an alteration or vacation of an approved subdivision, short plat, or binding site plan based on a finding that the proposal:
 - 1. Complies with the provisions of this Title.
 - 2. Is in the public interest; and
 - 3. Does not adversely affect the public health, safety, and welfare.

14.90.70 Boundary Line Adjustments.

- A. A boundary line adjustment is a mechanism by which the City may approve the alteration of a boundary line between legally created lots, provided that:
 - 1. Such an adjustment shall not create any additional lot, tract, parcel, site, or division, nor create lots which are nonconforming or more nonconforming than exists; and
 - 2. A boundary line adjustment may consolidate lots under common ownership.
- B. Applications for a boundary line adjustment shall be submitted in a format prescribed by the City and may include, but is not limited to:
 - 1. A preliminary survey map identifying:
 - a. All existing and proposed lot lines and lot dimensions.
 - b. Before and after legal descriptions.
 - c. Footprints and dimensions of existing structures (including accessory structures) and setbacks from existing and proposed lot lines.

- d. The location and dimensions of driveways and public and private streets within or abutting the subject lots.
 - e. Existing fences and walls.
 - f. The location of critical areas, shoreline areas, and required buffers; and
 - g. Any other information deemed necessary by the City to ensure compliance with the provisions of the College Place Municipal Code and the College Place Engineering Design Standards.
- 2. Such forms as may be required by the Walla Walla County Assessor or Auditor.
- C. The City may approve an application for a boundary line adjustment based on a finding that:
 - 1. The boundary line adjustment does not result in the creation of any additional tract, lot, parcel, site, or division.
 - 2. The lots, tracts, or parcels resulting after the boundary line adjustment meet all dimensional requirements specified for the applicable zone as outlined in this Title, or do not increase an existing legal nonconformity.
 - 3. All lots modified by the boundary line adjustment have legal access meeting the standards of the City of College Place; and
 - 4. The boundary line adjustment does not violate an applicable requirement or condition of a previous land use action, subdivision, short subdivision, or binding site plan.
- D. An approved boundary line adjustment must be recorded by the Applicant with Walla Walla County within 90 days of approval, along with the submission of any forms that may be required by the County, provided that:
 - 1. The Applicant shall provide the City with a copy of the recorded documents and submitted forms; and
 - 2. The failure to record the boundary line adjustment as approved, or to provide the City with documentation of the recorded documents and required forms, within the required timeframes, will result in the nullification of the boundary line adjustment.

Chapter 14.100 Master Planned Developments

14.100.010 Purpose.

14.100.020 General.

14.100.030 Preapplication Requirements.

14.100.040 Application Requirements.

14.100.050 Approval Criteria.

14.100.060 Development Agreements.

14.100.070 Modification to Approved Master Planned Developments.

14.100.010 Purpose.

The purposes of a Master Planned Development are:

- A. To accommodate and facilitate creative and innovative larger-scale development utilizing diverse uses and flexible planning to promote well-designed, orderly, efficient, and functional development consistent with the goals and policies of the College Place Comprehensive Plan.
- B. To promote urban infill, consistent and efficient infrastructure development, varying use, economic development, job creation, private investment, public amenities, and increased and varied housing opportunities.
- C. To provide for development cost recovery or cost sharing when appropriate.

14.100.020 General.

- A. Applicability. This Chapter shall apply to all zoning districts except those designated “University”. If a land use designation or zoning change is proposed as part of the project, a comprehensive plan land use and zoning map amendment is necessary.
- B. Supplemental. This Chapter is in addition to and not in limitation of any other authority provided by law.
- C. A Master Planned Development must be a minimum of 100 contiguous acres, or less than 100 contiguous acres if the City determines the project serves the purposes of this Chapter due to the characteristics of the project, including but not limited to, the variety of uses, density of use, infrastructure development, or location.
- D. No duty or benefit created. This Chapter does not confer a benefit or create a duty to any one person, entity, or group of people or entities, and confers only benefit or duty to the public as a whole. No individual administering or interpreting this Chapter is liable for any damages for acts or omissions in administration or enforcement.

- E. All references to College Place Municipal Code (CPMC) include any future amendments or recodifications.

14.100.030 Preapplication Requirements.

Prior to the submission of a Master Planned Development, the following applies:

- A. The Applicant shall participate in a pre-application meeting in accordance with the provisions of Section 14.30.030.
- B. The City shall, at its sole discretion, determine whether the proposed Master Planned Development serves the purposes of this Chapter.
 - 1. The City may request additional information in order to make this determination and shall provide a date when the additional information is due.
 - 2. The City shall provide the Applicant of a written copy of its determination.
- C. At the direction of the City, the Applicant shall hold a public meeting as directed by the Community Development Director to present the proposed development, answer questions, identify concerns, and to identify potential project impacts.
- D. The Applicant must agree to in writing to pay for any and all costs designated by the City to process the Application.

14.100.040 Application Requirements.

The Applicant shall, in the form required by the City, provide the following:

- A. Master site plan and supporting drawings and narratives including:
 - 1. Designation of the project boundaries.
 - 2. Designation of all existing parcels within the project boundaries.
 - 3. For land within 500' of the project boundaries, identification of zoning districts, existing uses, and any comprehensive plan future land use designations, including any such land located outside the city limits.
 - 4. Arial image and designation of existing conditions and features such as topography, natural features, existing roads and access, public and private utilities, public and private easements/right of ways, structures, and improvements.

5. Designation of areas proposed for development or redevelopment and a description of the type of development proposed for each area.
 6. Identification and description of any areas not suitable for development or which may be subject to any special restrictions such as critical areas.
 7. Identification of location of proposed open or common spaces, or public spaces such as parks.
 8. Identification of proposed road corridors, sidewalks, parking areas, and pedestrian facilities.
 9. Identification of proposed utilities and description of projected utility needs.
- B. Designation of existing City development or building standards, including zoning districts, from which the project may deviate, proposed deviations and explanation of need for deviations.
 - C. Comprehensive description of design standards and requirements to meet the purpose of this Chapter to promote creative and innovative larger-scale development utilizing diverse uses and flexible planning to provide well-designed, orderly, efficient, and functional development.
 - D. Proposed development schedule, including proposed phases identifying proposed uses and residential densities.
 - E. Completed SEPA checklist.
 - F. Title report prepared no more than 30 days before application submission date.
 - G. Identify potential public or quasi-public funding and cost-sharing and cost-recovery agreements.
 - H. Additional information required by the City which may include, but is not limited to traffic impact analysis, stormwater analysis, geotechnical studies, cultural resources report, historical preservation analysis, and critical area report.

14.100.050 Approval Criteria.

- A. Applications for a Master Planned Development shall be processed in accordance with Section 14.30.080, Type 3 Permit, (or equivalent should the classifications change after enactment of this Chapter), except that, in addition to any requirements in Section 14.30.080, the hearings examiner shall issue a decision to approve, deny, or approve subject to conditions, the application based on findings that:

1. The proposal meets or does not meet the need for deviation from existing City development or building requirements and standards, including zoning requirements.
2. The proposal meets or does not meet the geographical size and/or density requirement of this Chapter.
3. The proposal meets or does not meet the innovative, creative, unique mixed, or varying use requirement of this Chapter.
4. The proposal does or does not promote consistent or compatible urban infill if applicable.
5. The proposal does or does not provide for or promote consistent, efficient, and sufficient infrastructure development within and without the project site.
6. The proposal does or does not promote economic development, job creation, private investment, public amenities and/or increased and varied housing opportunities.
7. The proposal is or is not sufficiently well-designed, calling for consistent, orderly, and efficient land use.
8. The proposal does or does not provide for cost recovery or cost sharing if applicable.
9. The proposal does or does not promote development consistent with the College Place Comprehensive Plan; and
10. The proposal does or does not meet additional requirements designated by the City, if any, such as mitigation of impact on neighboring properties.

14.100.060 Development Agreements.

The City and the Project Sponsor may execute one or more development agreements to implement the provisions of the approved Master Planned Development as provided for in Section 14.10.080 (and as amended), except that, mandatory Development Agreement requirements may be waived or modified to serve the purpose of this Chapter and any Development Agreement pursuant to this chapter is binding on all property owners within the Master Planned Development and their heirs, successors and assigns and is not subject to time limitation. Development Agreements may be modified with approval by the City when such modification serves the purpose of this Chapter.

14.100.070 Modification to Approved Master Planned Development.

- A. Minor modification. Upon written request the Project Sponsor, the City may approve minor modifications to an approved Master Planned Development, provided that the requested modification does not substantially change the nature or level of uses and does not require

a new environmental review. Applications for minor amendments shall be processed Type 1 reviews in substantial compliance with Section 14.30.060, Type 1 review, (or equivalent should the classifications change after enactment of this Chapter).

- B. Major modification. All other requests for modifications shall be considered a major modification and shall be subject to review and approval in the same manner as the original Master Planned Development was considered.

Chapter 14.110 Historic Preservation

Sections:

- 14.110.010 Purpose.**
- 14.110.020 Historic Preservation Commission.**
- 14.110.030 College Place Register of Historic Places.**
- 14.110.040 Special Valuation for Historic Properties.**
- 14.110.050 Demolition of Historic Structures.**

14.110.010 Purpose.

- A. The purpose of this Chapter is to provide for the identification, evaluation, and protection of historic resources within College Place and preserve and rehabilitate eligible historic properties within the city for future generations in order to:
 - 1. Safeguard the heritage of College Place as represented by those buildings, districts, objects, sites, and structures which reflect significant elements of the city's history.
 - 2. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on the city's history.
 - 3. Stabilize or improve the aesthetic and economic vitality and values of those buildings, districts, objects, sites, and structures which reflect significant elements of the city's history.
 - 4. Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites, and structures.
 - 5. Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and
 - 6. Conserve valuable material and energy resources by encouraging the ongoing use and maintenance of the built environment.

14.110.020 Historic Preservation Commission.

- A. There is established the College Place Historic Preservation Commission, consisting of five members. Members of the Historic Preservation Commission shall be appointed by

the Mayor and approved by the City Council and shall be residents of the city, except as provided in this Chapter.

1. All members of the Commission must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and receptiveness, be willing and able to work in groups and with others, and be familiar with the city comprehensive plan, zoning code, and strategic plan.
 2. The Commission shall always include at least two professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, landscape architecture, archivist, archaeology, cultural geography, American studies, law, and real estate. The Commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the Commission action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the City and the State Historic Preservation Officer. Furthermore, exception to the residency requirement of Commission members may be granted by the Mayor and City Council in order to obtain representatives from these disciplines.
 3. Appointments shall be made for a three-year term. Vacancies shall be filled by the Mayor for the unexpired term in the same manner as the original appointment.
 4. All members shall serve without compensation.
 5. Professional staff assistance shall be provided to the Commission by the Community Development Director or his/her/their designee and by such qualified professionals, as may be required to support the performance of the duties of the Commission.
 6. The Commission may, in consultation with City staff and the City Attorney, adopt administrative rules and rules of procedures to implement its powers and duties.
 7. All commission meetings shall be conducted in compliance with Chapter 42.30 RCW, Open Public Meetings Act.
- B. As requested by the City, the Historic Preservation Commission may:
1. Promote awareness and preservation of the city's history.
 2. Maintain a comprehensive inventory of historic resources within the city.
 3. Officially recognize excellence in the rehabilitation of historic buildings and structures.

4. Maintain the College Place Register of Historic Places. This official register shall include buildings, structures, sites, objects, and districts identified by the Commission as having historic significance worthy of recognition and protection by the City and encouragement of efforts by owners to maintain, rehabilitate and preserve properties.
5. Review and make recommendations to the City Council on nominations to the College Place Register of Historic Places according to criteria in this Chapter and Chapter 84.26 RCW.
6. Review and comment on applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to properties on the Register.
7. Maintain standards to be used to guide the review and the issuance of a Certificate of Appropriateness or waiver.
8. Review proposals to construct, change, alter, modify, remodel, move, demolish, and significantly affect properties or districts on the College Place Register of Historic Places.
 - a. Approve or deny requests for Certificates of Appropriateness or waivers.
9. Serve as the local review board for special valuation in accordance with the provisions of Chapter 84.26 RCW, and:
 - a. Make determination concerning the eligibility of historic properties for special valuation.
 - b. Verify that the improvements are consistent with the Washington State Advisory Council's Standards for Rehabilitation and Maintenance.
 - c. Enter into agreements with property owners for the duration of the special valuation period as required under WAC 254-20-070(2).
 - d. Approve or deny applications for special valuation; and
 - e. Monitor the property for continued compliance with the agreement and statutory eligibility requirements during the ten-year special valuation period.
10. Perform tasks assigned by the City Council or the Mayor.

14.110.030 College Place Register of Historic Places.

- A. Any building, structure, site, object, or district may be designated for inclusion in the College Place Register of Historic Places if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community; if it has integrity; is at least fifty years old, or is of lesser age and has exceptional importance; and if it falls in at least one of the following categories:
1. Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history.
 2. Embodies the distinctive architectural characteristics of a type, period, style or method of design or construction.
 3. Is an outstanding work of a designer, builder, or architect in national, state, or local history.
 4. Exemplifies or reflects special elements of the city's cultural, special, economic, political, aesthetic, engineering, or architectural history.
 5. Is associated with the lives of persons significant in national, state, or local history.
 6. Has yielded or may be likely to yield important archaeological information related to history or prehistory.
 7. Is a building or structure removed from its original location, but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with an historic person or event.
 8. Is a birthplace or grave, tomb, crypt, or the like of an historical figure of outstanding importance and is the only surviving structure or site associated with that person; or
 9. Is a cemetery or burial ground which derives its primary significance from age, from distinctive design features, or from association with historic events or cultural patterns; and
 10. Is a reconstructed building that has been executed in an historically accurate manner on the original site.
- B. Any person may nominate a building, structure, site, object, or district for inclusion in the College Place Register of Historic Places. All nominations shall include the written consent or approval of the property owner(s) or his/her/their agent.

1. The nomination shall include all features, interior and exterior, and outbuildings that contribute to its designation.
 2. The nomination shall include a legal description of the property wherein a building or structure is located, or of the site in the case of a site. In the case of an object, the location shall be described with sufficient detail to identify the object's physical location.
 3. In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district which justifies its designation; and a list of all properties including features, structures, sites, and objects which contribute to the designation of the district.
- C. The Historic Preservation Commission shall consider the merits of the nomination in accordance with the criteria set forth in this Chapter.
1. Consideration of the merits of the application and the Commission's recommendation shall occur at a public meeting or meetings. The application and documentary materials should be provided to the Commission members and available to the public in advance of the meeting.
 2. Notice that the Commission will be considering a nomination application shall be provided as required by the Open Public Meetings Act. Written notice shall be mailed via USPS to the nominee owner(s) of record and the nominator (if different) prior to all public meetings unless requested otherwise. Notice shall include posting at the property, when reasonably feasible.
 3. If the Commission finds that the nominated property is eligible for inclusion in the College Place Register of Historic Places, the Commission shall make a recommendation to the City Council that the property be listed in the register. In the case of historic districts, the Commission shall consider a simple majority of property owners (50 percent plus one vote) to be adequate for owner consent. Owner consent and notification procedures in the case of districts shall be further defined in rules. The property owner(s) of record shall be notified of the listing. Notice of the listing to the property owner(s) of record shall be by mail.
- D. The Commission may consider removal of a property from the College Place Register of Historic Places by the same procedure as provided for in establishing the designation and may remove the property upon a finding that it no longer qualifies with the listing criteria. A property may be removed from the register of historic places without the owner's consent.
- E. Listing on the College Place Register of Historic Places is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural

heritage of the community. Properties may be listed individually or as contributing to an historic district.

1. Prior to the commencement of any work on a register property, excluding ordinary repair and maintenance and emergency measures as defined in this Chapter, the owner must request and receive a Certificate of Appropriateness from the Commission for the proposed work. Violation of this rule may be grounds for the Commission to review the property for removal from the register, to recommend to the City Council removal of the property from the register, or any other action available to the City.
 2. As a certified local government (CLG), all properties listed on the College Place Register of Historic Places may be eligible for a special tax valuation on their rehabilitation.
- F. Properties designated on the College Place Register of Historic Places shall be subject to the provisions set forth in this Chapter, as well as the bulk, use, setback, and other controls of the zoning district in which they are located. Nothing contained herein shall be construed to be repealing, modifying, or waiving any zoning provisions or other local, state, or federal laws or regulations.
- G. No change of use, construction any new building or structure, or reconstruction, alteration, restoration, remodel, repair, removal, or moving any property on the College Place Register of Historic Places shall occur without review by the Historic Preservation Commission and issuance of a Certificate of Appropriateness.
1. The owner or his/her/their agent shall apply to the City for a review of proposed changes on a College Place Register property or within a College Place Register historic district and request a Certificate of Appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by such information as is required by the City for the proper review of the proposed project. The Commission's decisions shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision.
 2. The Commission shall attempt to meet with the Applicant and review the proposed work according to the design review criteria established in rules. Commission members of the commission as a whole may visit the property or site for the purpose of inspection and information gathering, but no deliberation shall occur by the Commission or its members outside of the public meeting. The Commission shall complete its review and make its recommendations within 30 calendar days of the date of receipt of the application. If the Commission is unable to process the request, the Commission may ask for an extension of time. If the Commission is unable to process the request due to the applicant failing to meet with the Commission, failing to submit required information, failing to permit site visit to the Commission or any of its members, or failing to comply with any other reasonable request of the Commission or any

Commission rule, regulation, or guidelines, or this Chapter, the Commission may deny the application.

3. The Commission's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. Any conditions agreed to by the applicant in this review process shall become conditions of approval of any permits granted. If the owner agrees to the Commission's recommendations, a Certificate of Appropriateness shall be awarded by the Commission according to standards established in the Commission's rules.
4. The Commission's recommendations and, if awarded, the Certificate of Appropriateness shall be transmitted to the building or zoning official for consideration in making a decision on the building permit application.

14.110.040 Special Valuation for Historic Properties. The purpose of this Section is to implement special tax valuation for rehabilitation of historic properties under which the assessed value of eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation, in accordance with the provisions of RCW 84.26.

A. Property owners seeking special tax valuation shall submit applications for special tax valuation to the County Assessor's office.

1. Applications shall be forwarded to the City by the Assessor, typically within ten calendar days of filing.
2. The Commission shall review the application(s), consistent with its rules of procedure, and determines if the application(s) is complete and if the properties meet the criteria set forth in WAC 254-20-070(1) and this Chapter.
 - a. If the Commission finds the property meets all the criteria, then, on behalf of the City, it shall seek to execute an historic preservation special valuation agreement (set forth in WAC 254-20-120) with the property owner. No application shall be approved without an historic preservation special valuation agreement duly executed by the Commission and the property owner(s).
 - b. If the Commission determines the application incomplete, lacks required supporting documentation or information, or the property does not meet all applicable criteria, then it shall deny the application.
3. The Commission certifies its decisions in writing and states the facts upon which the approvals or denials are based and the City files copies of the certifications with the County Assessor, typically within ten calendar days.
4. For approved applications the City shall:

- a. Forward copies of the agreements, applications, and supporting documentation (as required by WAC 254-20-090 (4)) to the County Assessor; and
 - b. Notify the State Review Board that the properties have been approved for special valuation.
- 5. For approved applications the owner shall:
 - a. Monitor the property for continued compliance with the agreements throughout and continued qualification for the special valuation for the ten-year special valuation period.
 - b. Immediately report to the City any actual or suspected agreement non-compliance or special tax disqualification.
 - c. Make the historic aspects of the property accessible to public view at least one day a year if the property is not substantially visible from public rights-of way; and
 - d. Comply with any other provisions in the agreement.
- 6. The Commission may determine, in a manner consistent with its rules of procedure, whether a property should be disqualified from special valuation, based on a finding that:
 - a. The owner failed to comply with the terms of the agreement; or
 - b. There was a loss of historic value resulting from physical changes to the building or site; or
 - c. The disqualification is necessary and appropriate to fulfill the purposes of this Chapter.
- 7. In the event that the Commission finds that a property is no longer qualified for special valuation, the City shall notify the owner, the County Assessor, and State Review Board in writing and state the facts supporting its findings.

B. Applications for special tax valuation shall be subject to review as follows:

- 1. Properties listed on the College Place Register of Historic Places or that have been certified as contributing to a historic district on the College Place Register of Historic Places which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW are eligible to apply.

2. Complete applications shall consist of the following documentation:
 - a. A legal description of the historic property.
 - b. Comprehensive exterior and interior photographs of the historic property before and after rehabilitation.
 - c. Architectural plans or other legible drawings depicting the completed rehabilitation work.
 - d. A notarized affidavit attesting to the actual cost of the rehabilitation work completed prior to the date of application and the period of time during which the work was performed and documentation of both to be made available to the Commission upon request; and
 - e. For properties located within historic districts, in addition to the standard application documentation, a statement from the Secretary of the Interior or appropriate local official, as specified in local administrative rules or by the local government, indicating the property is a certified historic structure is required.
3. In its review of complete applications, the Commission shall determine if the properties meet all the following criteria:
 - a. The property is historic property.
 - b. The property is eligible for special valuation by the City.
 - c. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within 24 months prior to the date of application; and
 - d. The property has not been altered in any way which adversely affects those elements which qualify it as historically significant as determined by applying the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (WAC 254-20-100(1)).
4. Rehabilitation and Maintenance Criteria. The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-20-100 shall be used by the Commission as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.
5. The historic preservation special valuation agreement in WAC 254-20-120 shall be used by the Commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).

6. Any decision of the Commission acting on any application for classification as historic property, eligible for special valuation, may be appealed in accordance with the provisions of Chapter 14.30.
 - a. The appeal must be filed in the timeframe and format prescribed by the City and must state the grounds upon which the appeal is based.
 - b. The appeal shall be reviewed on the records of the Commission (closed record appeal).

14.110.050 Demolition of Historic Structures. The purpose of this Section is to establish a means by which the beauty and authenticity of College Place's historic structures may be conserved as reminders of the community's heritage.

- A. A thirty (30) day holding period shall be observed, following notification to the local newspaper, prior to issuance of a Development Authorization for demolition of structures over fifty (50) years old, or places of historic value, during which time staff will invite comments from the Washington State Office of Archaeology and Historic Preservation and local interest groups having on file a request for notification of such applications, on the possible historic or architectural significance of the structure or place to the community.
- B. If, based on comments received from the Office of Archaeology and Historic Preservation or local interest groups notified as per Subsection A, staff determines that the subject structure or place possesses sufficient community-wide historic or architectural significance that further public input is warranted, the proposal will be subject to the following:
 1. A sixty (60) day staff level stay during which the Director may consult with local and/or state organizations concerned with historic or architectural values. If the structure or place is found to be significant, staff or the concerned group(s) or agency(s) may petition the Historic Preservation Commission for a public hearing to consider significance of the structure or place and options available to preserve the public interest.
 2. Based on input received at the public hearing, the Historic Preservation Commission may:
 - a. Authorize issuance of a Development Authorization by Staff; or
 - b. Issue a continuance of the stay for no longer than one (1) year to provide opportunity for acquisition, easement, or other preservation mechanism to be negotiated; or

- c. Take other action as required by State statutes or administrative code as advised by authorized representatives of the Archaeology and Historic Preservation Division of the State Department of Community Development.

Chapter 14.120 Building and Construction

Sections:

14.120.010	Introduction.
14.120.020	Applicability.
14.120.030	General Design Requirements.
14.120.040	International Codes Adopted.
14.120.050	Moving Buildings.
14.120.060	Swimming Pools.
14.120.070	Playground Equipment for Public Use.

14.120.010 Introduction. The purpose of this Chapter is to identify the provisions of the International Codes and amendments that have been adopted by the City as well as to establish local regulations necessary to govern building and construction.

14.120.020 Applicability. It shall be a violation of this Chapter for any individual or entity to erect, construct, alter, extend, repair, move, remove, demolish, or occupy in whole or in part 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 Chapter or to fail to comply with any stop work order or other order of the City's Building Official.

- A. No building or other structure shall be erected, moved, added to, or structurally altered without a Building Permit issued by the City, provided that building permits are not required for the following improvements, as determined by the City:
 - 1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
 - 2. Sidewalks, decks, and driveways not more than 30 inches above adjacent grade, and not over any basement or story below, and are not part of an accessible route.
- B. No building or structure may be demolished without a Demolition Permit issued by the City in accordance with the provisions of the International Codes as adopted by the City.
- C. Proposed modifications or the demolition of buildings, structures, sites, and properties on the City of College Place, State of Washington, or National Historic Register must comply with the provisions of Chapter 14.110.
- D. Building permit applications shall be submitted in a format prescribed by the City and shall be of sufficient detail, as determined by the City, to show the entire project with emphasis on the following:

1. Structural integrity.
 2. Life safety.
 3. Architectural barriers (ADA handicap compliance).
 4. Compliance with all codes having jurisdiction.
 5. Scope of work.
 6. Special inspection requirements and protocols; and
 7. Deferred submittal schedule.
- E. A qualified professional, as determined by the City, must prepare or oversee the preparation of plans for any building or structure containing three or more residential dwelling units and all commercial or industrial buildings or structures.
- F. Building permits shall become invalid if the work authorized by such permit is not commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Permittees that do not request and pass a City inspection within 180 days of permit issuance or within 180 days since the previous City approved inspection, shall automatically expire and become invalid. The City may grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons, as determined by the City. Permittees must submit to the City a written extension request prior to the date of permit expiration and shall demonstrate good cause. Extensions are at the sole discretion of the City.
- G. Upon notice from the City that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such stop work order notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the City official shall not be required to give a written notice prior to stopping the work. Any person or entity who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

14.120.030 Design Requirements.

- A. The following general design requirements apply to all construction in the City of College Place. In the event of a conflict between these provisions and the provisions of Section 14.120.040, these requirements shall apply.

1. Roof snow load: 30 pounds per square foot.
 2. Wind speed: 110 miles per hour and a three second gust of 85 miles per hour.
 3. Seismic design category: D₀.
 4. Weathering: Severe.
 5. Frost line depth: 24 inches below grade.
 6. Termites: Slight to moderate.
 7. Decay: None to slight.
 8. Winter design temperature: Ten degrees Fahrenheit.
 9. Ice shield underlay: Yes.
 10. Flood Hazards:
 - a. Map Index Community-Panel Number 530195INDO effective September 7, 2001.
 - b. FIRM Community-Panel Number 5301950440B, effective September 7, 2001.
 - c. FIRM Community-Panel Number 5301940445B, effective December 1, 1983, Revised; and
 - d. Letter of Map Revision (LOMR) IA-RA-RS-530194, April 13, 1988.
 11. Annual freeze index: 1,000; and
 12. Mean annual temperature: 53.4 degrees Fahrenheit.
- B. Except as may be otherwise provided herein, the following apply to new structures and existing buildings when the occupancy classification changes or when they are being used as mixed occupancies.
1. All occupancy classifications referenced in this Section are as defined in the International Fire Code as adopted by the City of College Place.
 2. The College Place Fire Chief must approve all automatic sprinklers, fire extinguishing systems, and other fire or smoke suppression and/or retardant apparatus mentioned in this Section.

3. An automatic fire sprinkler system shall be installed in:
 - a. Drinking or dining establishments when the total floor area exceeds 3,000 square feet.
 - b. All multi-theater complexes.
 - c. In basements larger than 1,500 square feet in floor area except Group R, Division 3 occupancies.
 - d. When a structure has over 4,000 square feet of floor area, is more than two stories, or is more than 30 feet in height.
 - e. In all amusement buildings.
 - f. All theatrical stages and contiguous accessory spaces such as dressing rooms, workshops, and storerooms where the combined area is more than 1,000 square feet.
 - g. All Group E occupancies over 3,000 square feet or more than two stories in height.
 - h. All Group F occupancies over 4,000 square feet or more than 30 feet in height.
 - i. All Group H, Division 1, 2, 3 and 5 occupancies.
 - j. All Group H, Division 4 occupancies having a floor area of more than 3,000 square feet or more than 30 feet in height.
 - k. All Group I Occupancies. In addition, quick response or residential sprinklers shall be installed throughout patient/inmate sleeping areas.
 - l. Group M occupancies with floor areas over 4,000 square feet or more than 30 feet in height.
 - m. Group S occupancies with floor areas over 4,000 square feet or more than 30 feet in height.
 - n. Group U occupancies with floor areas over 4,000 square feet or more than 40 feet in height.
4. As noted in the International Building Code, area separation walls are not considered to separate a building to enable deletion of the required fire alarm/detection and fire sprinkler systems required by this Section.

5. The Fire Chief may exempt the following rooms or areas from the requirement to install sprinkler systems:
 - a. Where sprinklers are considered undesirable because of the nature of the contents of the rooms or in rooms or areas which are of noncombustible construction with wholly noncombustible contents, and which are not exposed by other areas. Sprinklers shall not be omitted from any room merely because it is damp or of fire resistive construction.
 - b. Where the application of water or flame and water to the contents may constitute a serious fire or life hazard, as in the case of the manufacture or storage of quantities of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quick lime, magnesium powder, or sodium peroxide; and
 - c. Safe deposit and other vaults of fire-resistive construction, when used for storage of records, files, and other documents, when stored in metal cabinets.
6. Alternative approved automatic fire extinguishing systems may be installed to protect against special hazards or occupancies in lieu of automatic sprinklers when approved by the Fire Chief, or his/her/their designee.
7. The installation of an automatic fire sprinkler system does not eliminate the need for alarm and fire detection systems required by the International Building or Fire Code.
8. In the event there is a conflict between any of the provisions of this Section and the provisions of the most current edition of International Building or Fire Code as published by the International Code Council and adopted by the City, then the provisions of the more restrictive code, as determined by the City, shall apply.
9. A qualified service technician, as determined by the City, shall service all automatic fire sprinkler systems annually only. A copy of the annual service report, certified by the signature of the technician who performed the inspection, shall be forwarded to the Fire Department within five working days of such inspection.
10. If, at any time, any automatic fire sprinkler system becomes inoperative, the property owner shall immediately notify the College Place Fire Chie. "Inoperability" shall be defined as any condition that prevents any sprinkler from operating as designed or any alarm from sounding at its designated location.
11. All automatic fire sprinkler systems shall be equipped with an alarm, which shall give an audible signal on the building exterior. This shall be a bell or horn strobe of sufficient volume to alert passersby in a location approved by the Fire Chief.

12. Automatic fire sprinkler systems shall be designed, installed, tested, and maintained per the National Fire Sprinkler Code as published in the National Fire Protection Association Chapter 13.

13. The violation of any of the provisions of this notice shall constitute the suffering of nuisance on the affected premises and such nuisance may be abated as in the case of any other nuisance per the provisions of the College Place Municipal Code or those provisions of the Revised Code of Washington respecting nuisance abatement.

C. **Damaged Buildings.** If the Building Official finds that the value of proposed work equals or exceeds 50 percent of the assessed valuation of the building or structure before the damage has occurred or the improvement is started, then existing portions of the entire building or structure shall be improved to meet the requirements of the International Codes as adopted.

14.120.040 International Codes Adopted. The following Codes are hereby adopted by the City of College Place:

A. The ~~2018~~ 2021 of the International Building Code, as adopted and hereafter amended by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-50 is hereby adopted along with Appendix E and ICC/ANSI A117.1-2017-~~2009~~, the ~~2018~~ 2021 International Existing Building Code, and the International Swimming Pool and Spa Code.

These codes are amended as follows:

Section 101.1. Insert: City of College Place.

Section 113 Substitute: Hearing Examiner, in lieu of Board of Appeals.

Section 113.1 General. The Hearing Examiner for the City of College Place shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

Section 113.2 Limitations of 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 Hearing Examiner shall have no authority to waive requirements of this code.

Section 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 guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in jail for a period not to exceed ninety days or by both such fine and imprisonment.

Section 1612.3. Insert: City of College Place.

- B. The ~~2018~~ 2021 Edition of the International Residential Code (IRC), as adopted and hereafter amended by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-51, as published by the International Code Council, including Appendices F, Q, and U, but excluding Chapter 11, “Energy Efficiency,” and Chapters 25 through 43.

These codes are amended as follows:

Section R101.1. Insert: City of College Place.

Section R112. Hearing Examiner, in lieu of Board of Appeals.

Section R112.1 General. The Hearing Examiner for the City of College Place shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

Section R112.2 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 Hearing Examiner shall have no authority to waive requirements of this code.

~~R112.2.1 Determination of substantial improvement in flood hazard areas. When the building official provides a finding required in Section R105.3.1.1, the Hearing Examiner shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:~~

~~1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official, and which are the minimum necessary to assure safe living conditions; or~~

~~2. Any alteration of an historic building or structure, provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:~~

~~2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.~~

~~2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district, or a district preliminarily determined to qualify as an historic district; or~~

~~2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.~~

~~R112.2.2 Criteria for issuance of a variance for flood hazard areas. A variance shall be issued only upon:~~

~~1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R322 inappropriate.~~

~~2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.~~

~~3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~

~~4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.~~

~~Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.~~

R112.4 Administration. The Building Official shall take immediate action in accordance with the decision of the Hearing Examiner.

Section R113.4. 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 guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in jail for a period not to exceed ninety days or by both such fine and imprisonment.

~~Section R403.1.3 Is modified to include the following: Due to the code's assumed minimum soil bearing of 1500 PSF and local soil conditions Foundation Stem Walls will incorporate a~~

Table R301.2 (1) Insert: See Section 14.120.030 Design Requirements A.

- C. The ~~2018~~-2021 Edition of the International Mechanical Code, as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-52, as published by the International Code Council, including the ~~2018~~-2021 International Fuel Gas Code, ~~2018~~-2020 NFPA 58 and the ~~2017~~-2021 NFPA 54, is hereby adopted.

These codes are amended as follows:

Section 101.1. Insert: The City of College Place.

Section ~~106.52~~-109. Fees shall be in accordance with the current City Fee Schedule.

Section 109.6. Insert: The City may refund a fee, or a part of a fee as follows:

- a. 100 percent of any fee erroneously paid or collected.
- b. Up to 80 percent of the applicable permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Up to 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official shall not authorize the refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Section ~~108.4~~-115. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 108.5-115. Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two times the value of the permit.

Section 109.114 Means of Appeal. Hearings Examiner, in lieu of Board of Appeals.

Section 109.114.2 Limitations on authority. A person shall have the right to appeal a decision of the code official to the Hearing Examiner. 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 Hearing Examiner shall have no authority to waive requirements of this code.

~~109.1 Application for Appeal.~~

~~109.1.1 Limitation of authority. The Hearing Examiner shall have no authority to waive requirements of this code.~~

~~109.2 Membership of board. Delete entire subsection.~~

~~109.3 Notice of meeting. Delete entire subsection.~~

~~109.4 Open hearing. All hearings before the Hearing Examiner shall be open to the public. The Appellant, the Appellant's representative, City staff and representatives of the City, and any person whose interests are affected shall be given an opportunity to be heard.~~

~~109.5 Postponed hearing. Delete entire subsection.~~

~~109.6 Board decision. Delete entire subsection.~~

~~109.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law in accordance with the provisions of this Title.~~

- D. The **2021 Edition of the International Fire Code**, as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-54, as published by the International Code Council, including Section 503, Section 507, and Appendix Chapters B, C and D (see International Fire Code Section 101.2.1, 2018 edition)

These codes are amended as follows:

Section 101.1 Insert: City of College Place.

Section 108. Hearing Examiner.

Section 108.1. Appeals. All appeals of orders, decisions or determinations made by the City Fire Marshal relative to the application and interpretation of this code shall be heard and decided by the Hearing Examiner.

Section 108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Hearing Examiner shall have no authority to waive requirements of this code.

Section 109.4 Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.A. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than three hundred dollars or more than one thousand dollars.

That the geographic limits referred to in certain sections of the **2021 International Fire Code** are hereby established as follows:

Section 5704.2.9.6.1. In all zones established in Title 14 of the College Place Municipal Code **except heavy industrial**.

Section 5706.2.4.4. In all zones established in Title 14 of the College Place Municipal Code except **light and heavy industrial**, provided that up to one hundred ten gallons may be stored for domestic purposes.

Section 5806.2. In all zones as established in Title 14 of the College Place Municipal Code except **heavy industrial**.

Section 6104.2 the storage of liquefied petroleum gases in excess of 500 gallons is prohibited in all zones established in Title 14 of the College Place Municipal Code except ~~Light and Heavy~~ **heavy industrial**. Bulk storage of liquefied petroleum gas is prohibited in all zones as established in Title 14 of the College Place Municipal Code except **heavy industrial**.

- E. The ~~2018~~-2021 Edition of the Uniform Plumbing Code (UPC), as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapters 51-56, as published by the International Association of Plumbing and Mechanical Officials (IAPMO), is hereby adopted, including Appendices A, B, ~~I~~ and M. Any provisions of such code affecting sewers or fuel gas piping are not adopted and are specifically rejected. Also, Chapters 12 and 14 of this Code are not adopted. Additionally, those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.

These codes are amended as follows:

104.5 Fees. Applicable plumbing fees shall be in accordance with the current City Fee Schedule.

~~102.4~~ 106.1 Violations. It shall be unlawful for a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain plumbing or permit the same to be done in violation of this code.

~~102.5~~ 106.3 Penalties. A person, firm, or corporation violating a provision of this code shall be deemed guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 107.0 Hearing Examiner, in lieu of Board of Appeals.

~~102.3~~ 107.1 Hearing Examiner. The Hearing Examiner shall hear and decide all appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction relative to the application and interpretations of this code.

~~102.3.1~~ 107.2 Limitations of Authority. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Hearing Examiner be empowered to waive requirements of this code.

~~Any provisions of such code affecting sewers or fuel gas piping are not adopted and are specifically rejected. Also, Chapters 12 and 14 of this Code are not adopted. Additionally, those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.~~

- F. The ~~2018~~-2021 Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11C and 51-11R WAC, is hereby adopted, including Commercial appendices A, B, C and D.

This code is amended as follows:

R~~109.1~~ 110.1 and C~~109.1~~ 110.1 Hearing Examiner. The Hearing Examiner shall hear and decide all appeals of orders, decisions, or determinations relative to the application and interpretations of this code.

R~~109.2~~ 110.2 and C~~109.2~~ 110.2 Limitations of Authority. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Hearing Examiner be empowered to waive requirements of this code.

R~~110~~ 111 and C~~110~~ 111. Violations. It shall be unlawful for a person, firm, or corporation to erect, construct, any building, or remodel or rehabilitate any existing building or structure in the state, or allow the same to be done, contrary to or in violation of any of the provisions of this code.

- G. Standards for Accessibility of Buildings and Facilities to Elderly and Handicapped, RCW 70.92.100 through 70.92.160, are hereby adopted by reference.
- H. The National Fuel Gas Code (NFPA 54), as adopted by the State Building Code Council in Chapter 51-52 WAC, and as published by NFPA, is hereby adopted.
- I. The Liquefied Petroleum Gas Code (NFPA 58), as adopted by the State Building Code Council in Chapter 51-52 WAC, and as published by NFPA, is hereby adopted.

14.120.050 Moving Buildings.

- A. No individual or entity shall move any building over, upon or along any street or alley in the city without a City-issued permit, provided that:
1. The City shall, in the permit(s) issued under this Section, prescribe the mode of moving of such building or buildings and the street or alleys over which the removal may be made, and the move shall at all times be subject to the control and direction of the City.

2. The route and timing of the move may be limited through a right-of-way use or another permit issued by the City.
3. The City may require the mover to obtain the necessary permission, including but not limited to permits, from any other individual or entity who owns or has an interest in the property over which the building is being moved and provide proof thereof to the City; and
4. The property owner or designated Project Sponsor shall be responsible for all costs and claims of any nature associated with the moving of a building.

14.120.070 Swimming Pools. No individual or entity shall construct a public or semipublic swimming pool nor make changes in any public or semipublic swimming pool already built, or any appurtenances thereof, until the plans and specifications thereof shall first have been submitted to and received the approval of the Washington State Department of Health and a copy of said approval provided to the City. Failure to comply with this section may result in owner being required to remove said swimming pool or appurtenances thereof, or changes thereto or result in the City removing or causing the removal said swimming pool or appurtenances thereof or changes thereto. In the event that the City must act to rectify a non-compliance with this Section, the owner shall be responsible for any and all costs associated therewith. The owner shall be responsible, in addition to the cost of correction, any and all costs of collection of such amount, including but not limited to attorneys' fees and costs and any and all amounts due and owing the City shall become a lien on the real property.

14.120.080 Playground Equipment for Public Use. All play equipment installed on City owned property, or property to be dedicated to the City, shall meet or exceed:

- B. *ASTM F1487 – 17 Standard Consumer Safety Performance Specification for Playground Equipment for Public Use*, and;
- C. Section 424 – Children's Play Structures of the International Building Code.

Chapter 14.130 Nonconforming Buildings, Structures, Uses, and Lots

Sections:

- 14.130.010 Introduction.**
- 14.130.020 Illegal Buildings, Structures, Lots, and Uses Not Permitted.**
- 14.130.030 Nonconforming Buildings and Structures.**
- 14.130.040 Nonconforming Uses.**
- 14.130.050 Nonconforming Lots.**
- 14.130.060 Sale of a Nonconforming Building, Structure, Lot, or Use.**

14.130.010 Introduction. This Chapter provides for the regulation of buildings, structures, lots, and uses that do not comply with the provisions of this Title and specifies the circumstances, conditions, and/or procedures under which these nonconformities may be permitted to continue and/or to expand.

14.130.020 Illegal Buildings, Structures, Lots, and Uses Not Permitted. Structures, lots, site improvements, uses, and/or development activities which were not legally established or conducted, as determined by the City, must fully conform and comply with the provisions this Title or be abated, provided, that:

- A. The burden of documenting and showing that any nonconformity is a legal nonconformity shall, in all cases, be upon the owner of such nonconformity and not upon the City.
- B. If the Community Development Director or his/her/their designee cannot conclusively determine that the nonconformity was lawfully established and in continuous use or operation, then the matter may be referred to the Hearing Examiner for review. The Hearing Examiner shall be authorized to render a decision as to whether the nonconforming building, structure, lot, or use or structure was lawfully established and/or in continuous operation or not and determine the measures necessary for compliance with this Title, and/or to order abatement.

14.130.030 Nonconforming Buildings and Structures. Buildings and structures that were legally established, but do not comply with current regulations, may be used subject to the following provisions:

- A. Nothing in this Chapter shall be construed to restrict normal structural repair and maintenance of a nonconforming structure, including the replacement of walls, fixtures, and plumbing, provided that the degree of nonconformity is not increased.
- B. Legal nonconforming structures may be remodeled, improved, and/or expanded; provided, that the proposed activities do not increase the degree of nonconformity.

- C. Nonconforming buildings or structures shall not be relocated on the same site unless the move results in bringing the building or structure into closer conformance with the provisions of this Title.
- D. Should the structure be destroyed by any means to an extent equal to or more than 50 percent as determined by the City, it shall not be reconstructed except in conformity with the provisions of this Title.

14.130.040 Nonconforming Uses.

- A. A nonconforming use of a building, structure, or land shall not be extended or enlarged, unless otherwise provided in this Title.
- B. A nonconforming use shall be discontinued and may not be reinstated if use has been vacated or discontinued and not reestablished within 12 months as determined by the City.
 - 1. When a nonconforming use becomes discontinued or succeeded by a conforming use, it shall be deemed that such prior non-conforming use has ceased to exist and thus loses its status as a legal nonconforming use.
 - 2. Any subsequent use shall conform to the provisions of this Title.
 - 3. The City shall have the discretion to extend the time limitation due to special circumstances beyond the control of the owner or occupant of the nonconforming use or nonconforming structure. Examples of special circumstances include but are not limited to disputes over insurance settlements in the case of fire or other casualty, delay in transferring title due to probate proceedings, litigation that impacts continuation of a nonconforming use or nonconforming structure, labor strikes, war, and acts of God. If the delay is due to the actions or inactions of the individual or entity that desires to continue the nonconforming use, as determined at the sole discretion of the City, the City may deny any requested extension of time limitation.

14.130.050 Nonconforming Lots.

- A. A legal nonconforming lot may be developed, provided, that:
 - 1. It meets all other requirements of this Title and/or has obtained a variance pursuant to this Title; or
 - 2. A reasonable use exception has been obtained in accordance with the provisions of this Title.

14.130.060 Sale of a Nonconforming Building, Structure, Lot, or Use. Property classified as nonconforming may be transferred or sold without that fact alone affecting the right to continue the nonconforming use or use of a nonconforming structure.

G. R. Dohrn and Associates

Memorandum

Date: June 13, 2023

To: Jon Rickard

From: Gregg Dohrn

Subject: City of College Place Unified Development Code
SEPA Exemptions for Minor New Construction

The Washington State Environmental Policy Act (SEPA) requires that the permitting of new construction activities include an environmental analysis except when specifically exempted. There are 27 categories of exemptions including minor new construction activities. Within this category local governments have the flexibility to set the threshold for certain types of construction activities and recently the State Legislature increased the range of these flexible thresholds. The following provision from the College Place Unified Development Code highlights the current flexible thresholds and the maximum they could be increased to under the revised state law.

14.40.040 Categorical Exemptions. All proposed projects or development activities are subject to the provisions of this Chapter and WAC 197-11, except those activities that are identified in WAC 197-11-800 as being categorically exempt from SEPA, including:

A. The following minor new construction activities are exempt from the provisions of this Chapter unless the site contains critical areas or otherwise does not meet the exemption criteria of WAC 197-11-800:

1. The construction or location of up to and including thirty (30) single family residential dwelling units. *{Note: This is the new maximum threshold, the City of Walla Walla set their new threshold at 14.}*

a. The construction or location of up to and including one hundred (100) single family residential dwelling units if the square footage of each dwelling unit is less than 1,500 square feet. *{Note: This is a new maximum threshold, the City of Walla Walla did not adopt it.}*

2. The construction or location of up to two hundred (200) multi-family residential dwelling units. *{Note: This is the maximum new threshold, the City of Walla Walla set their new threshold at 60.}*

3. The construction of a barn, loafing shed, farm equipment storage building, produce storage, or packing structure, or similar agricultural structure, covering up to 40,000 square feet, provided that said structure is to be used by the property owner or his or her agent in the conduct of permitted farming on the property. This exemption shall not

G. R. Dohrn and Associates

apply to feed lots. *{Note: This is the maximum new threshold, the City of Walla Walla has kept their threshold at 10,000 sq. ft. and added the provision pertaining to feedlots.}*

4. The construction of an office, school, commercial, recreational, service, storage building, or parking facility with up to 30,000 square feet of gross floor area and associated parking facilities designed for no more than 90 automobiles. *{Note: This is the new maximum threshold, and it has been adopted by the City of Walla Walla.}*
5. Any landfill or excavation of up to 1,000 cubic yards throughout the total lifetime of the fill or excavation. *{Note: This is the new maximum threshold, and it has been adopted by the City of Walla Walla.}*

It is important to note that increasing the exemption levels for these minor new construction activities only applies to the requirement that an Applicant prepare a SEPA Checklist and the need for the City to make a SEPA Threshold Determination. Proposed development activities still would be subject to the City's development regulations and standards and would still need to apply for the appropriate City, State, and Federal permits and approvals. It is also important to note that before adopting an ordinance to revise these thresholds, the City must provide at least a sixty-day public review and comment period.

City of College Place, Washington
ORDINANCE NO. 24-002

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON TO AMEND COLLEGE PLACE MUNICIPAL CODE TITLE 14, UNIFIED DEVELOPMENT CODE; PROVIDING FOR ADMINISTRATIVE INTERPRETATIONS OF THE AMENDED TITLE 14; AUTHORIZING CLERICAL ADJUSTMENTS; ADOPTING FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

Whereas, the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

Whereas, the City of College Place has been implementing a Comprehensive Plan and Development Regulations in accordance with the provisions of the Washington State Growth Management Act; and

Whereas, the City annually reviews and prepares amendments to the College Place Unified Development Code (CPMC Title 14) as necessary; and

Whereas, the recent adoption of SSSB 5290 by the Washington state legislature requires the City review and amend the local review processes of development proposals; and

Whereas, the recent adoption of EHB 1337 by the Washington state legislature requires the City review and adopt the regulations governing the development and use of accessory dwelling units; and

Whereas, recent amendments to the Washington Administrative Code Chapter 197-11-800 enabled the City to review and revise the thresholds for categorical exemptions under the Washington State Environmental Policy Act for minor new construction; and

Whereas, City staff prepared for review, discussion, and revision by the City Planning Commission, amendments to Title 14 of the College Place Municipal Code to implement these legislative enactments and amendments to state law and code respectively; and

Whereas, amendments to Title 14 are necessary to update the references to and applicability of the International Building and related codes as adopted and implemented by the City in accordance with state law; and

Whereas, City staff in consultation with the City Planning Commission has prepared amendments to CPMC 14.60.140 Mobile Vendors and Vendor Food Courts and CPMC 14.60.145 Temporary Use of Sidewalks and Public Spaces to further streamline the permitting of food carts and food courts, to provide appropriate measures to protect the public health and safety, and in consideration of regulations adopted by the City of Walla Walla to provide for a more uniform regional approach; and

Whereas, City Staff has identified several minor “housekeeping amendments” necessary to clarify the intent and update the provisions of the Unified Development Code; and

Whereas, the City has conducted an integrated SEPA/GMA review process to receive comments from the public and state agencies on the proposed amendments to the Unified Development Code in accordance with the provisions of the Washington State Growth Management Act and the Washington State Environmental Policy Act; and

Whereas, the City Planning Commission conducted a public hearing on the proposed amendments to update the Unified Development Code on November 21, 2023; and

Whereas, upon reviewing all comments received the City Planning Commission further discussed the proposed amendments and has forwarded its recommended version to the City Council; and

Whereas, the City Council reviewed and deliberated the proposed amendments in a Study Session-Workshop on December 5, 2023.

Now therefore, the City Council of the City of College Place do hereby Ordain as follows:

Section 1: Administrative Interpretations. In the event of a conflict between any provisions of this amended Title 14 and previously adopted ordinances, this ordinance shall prevail. The Mayor and his/her/their designee(s) are hereby authorized to make such administrative interpretations as may be necessary to implement this Ordinance.

Section 2: Findings of Fact. The “Whereas” clauses in this ordinance are hereby adopted as Findings of Fact that support amending the Unified Development Code here.

Section 3: CPMC 14.10.010 is amended as follows:

Introduction. The City of College Place has consolidated the primary regulations governing the use and development of land into a single unified development code. College Place Municipal Code Title 14, also known as the College Place Unified Development Code, includes a single set of definitions, procedures, and standards and is intended to be the principal source of information for business and property owners, developers, residents, and interested citizens. If you have questions about this document, please don't hesitate to contact the City of College Place Planning Department.

A. The following is a brief summary of key planning roles in the City of College Place:

1. The College Place City Council is the legislative body of the City and is the only body which can adopt or amend an ordinance, which includes amendments to the City Comprehensive Plan and Development Regulations. The City Council also confirms the appointment by the Mayor of the City Administrator, the Hearing Examiner, Planning Commissioners, Historic Preservation Commissioners, and members of the Economic Development, Tourism, and Events Commission. In addition, the City Council appoints the members of the Parks, Arbor, and Recreation Board.
2. The Mayor is the chief executive officer and ceremonial head of the City. The Mayor appoints the City Administrator and sees that all laws and ordinances are faithfully enforced.
3. The City Administrator assists the Mayor in the performance of his/her/their duties and supervises the various City departments. The City Administrator functions as the chief administrative officer, serves as the personnel officer for the City, designates city staff responsible for the performance of duties identified in this Title, and performs other administrative duties as assigned.
4. The Community Development Director, as authorized by the City Administrator, serves as the lead staff person responsible for the administration of this Title, overseeing the implementation of all planning requirements and activities in the City, making administrative decisions on certain land use applications, and interpreting the provisions of this Code.

5. The City Building Official, as authorized by the Community Development Director, administers, and enforces the International Building and related codes, as adopted by the City.
6. The City Fire Marshal, as authorized by the City Fire Chief, administers and enforces the International Fire Code, and related codes, as adopted by the City, including but not limited to inspection of structures and land uses for compliance.
7. The City Public Works Director, as authorized by the City Administrator, is responsible for the operation and maintenance of essential City services including water, sanitary sewer, storm water management, and streets. In this capacity, the Public Works Director participates in the review and approval of development permits and the enforcement of City standards.
8. The City Engineer, including any City contract engineer, (hereinafter referred to as "City Engineer") as authorized by the Public Works Director, is responsible for the implementation of the City of College Place Engineering Design Standards, In this capacity the City Engineer participates in the review and approval of development applications, the review and approval of the design and construction of infrastructure improvements, approving financial protections, and the enforcement of City standards.
9. The City Hearing Examiner is authorized to receive and examine available information, conduct public hearings, prepare a record thereof, enter findings of fact and conclusions based upon those facts, make recommendations, and prepare a record of decision for certain land use applications and appeals.
10. The City Attorney advises the Mayor, City Administrator, City Council, City boards and commissions, and City staff regarding the legal interpretations, applications, and the enforcement of this Title. In addition, the City Attorney may initiate code enforcement actions on behalf of the City.
11. The City Planning Commission is the planning advisory body to the Mayor and City Council and makes recommendations on long range planning matters, supports current planning activities as specified in this Title, and performs other duties as assigned by the City Council. For more information

about the College Place Planning Commission see College Place Municipal Code Chapter 2.32.

12. The Historic Preservation Commission has been established to promote awareness and preservation of the city's history. One major responsibility of the Historic Preservation Commission is reviewing proposed changes to the College Place Register of Historic Places. The Commission also serves as the local review board for special valuation of historic properties as provided in RCW 84.26. For more information about the College Place Historic Preservation Commission see College Place Municipal Code Chapter 14.110.
13. The Parks, Arbor and Recreation Board makes recommendations to the Mayor and City Council on the acquisition, control, improvement, beautification, and planning of all public parks and recreation facilities. For more information about the College Place Parks, Arbor, and Recreation Board see College Place Municipal Code Chapter 2.62.
14. The Economic Development, Tourism, and Event Commission provides special knowledge and expertise to the Mayor and City Council relative to monitoring, assessing and strengthening existing economic development strategies and developing new strategies. For more information about the College Place Economic Development, Tourism, and Event Commission see College Place Municipal Code Chapter 2.3.

Section 4: CPMC 14.10.020 is amended as follows:

Administrative Roles and Responsibilities.

- A. Unless otherwise provided by the City Administrator, the Community Development Director, and his/her/their designees, are hereby authorized to perform, the following:
 1. Establish and maintain such application forms and administrative procedures as may be necessary to implement this Title.
 2. Interpret ordinances, codes, and requirements and determine the applicability of this Title to proposed uses, projects and development activities.

3. Prepare and upon approval by the City Council, implement a fee schedule for all land use, development, and building permit activities.
 4. Serve as the SEPA Responsible Official.
 5. Review and approve or deny land use, shoreline, building permit, and related permits in accordance with the provisions of this Title.
 6. Inspect and examine any structure or tract of land and within the sole discretion of the City, to order in writing the remediation of any condition found to exist or reasonably likely to occur in violation of any provision of the College Place Municipal Code.
 7. Enforce City ordinances, codes, and regulations including the approval of compliance plans, the imposition of fines for violations, the issuance of stop work orders, and/or the imposition of penalties.
 8. Manage the activities of City staff and liaison with consultants involved in planning and land use activities; and
 9. Represent the City in working with other local, county, state, and federal planning and natural resource management agencies, and the like.
- B. Unless otherwise provided, the Building Official is authorized to perform such activities as may be necessary to administer the International Building and related codes as adopted by the City. This may include, but is not limited to:
1. Review building plans and building permit applications.
 2. Issue or deny building permits.
 3. Inspect construction; and
 4. Issue Certificates of Occupancy.
 5. The Office of the Hearing Examiner is established along with the authority and duties of the position in College Place Municipal Code Chapter 2.50.

Section 5: CPMC 14.10.040 is amended as follows:

General Provisions.

A. Except as provided in this Title, the following general provisions apply:

1. No land, building, structure, or premises shall be used, designed, or intended to be used for any purpose or in any manner other than in a use listed in this Title or amendment thereto as permitted in the zone in which such land, building, structure, or premises is located.
2. No designated yards or open spaces surrounding any building or structure shall be encroached upon or reduced in any manner except in conformity with the building site, area and yard requirements established by this Title, nor shall any yard or open space associated with any building or structure for the purpose of complying with the requirements of this Title or amendments thereto be considered as providing a yard or open space for any other building or structure.
3. No building or structure shall be erected or moved onto a site and no existing building or structure shall be altered, enlarged, or reconstructed except in conformity with this Title. Nor shall any building or structure be erected or structurally altered to exceed in height the limit established by this Title or amendment thereto for the zone in which such building or structure is located.
4. No buildings or permanent structures shall be permitted over a utility easement.
5. All new buildings and development activities that require water and sewer service shall connect to the City systems if available, in accordance with the provisions of the Laws of Washington State.

B. Nothing contained in this Title shall require any change in any existing building or structure, construction or planned use of a proposed building, which would conform to the zoning regulations then in effect and for which building permit plans are on file in City Hall prior to the effective date of the ordinance codified in this Title and

- the construction of which building or structure shall have been started within the time requirements of such building permit and diligently worked upon to its completion, unless by some other operation of applicable law.
- C. No land use in violation of local, state, or federal law shall be allowed in any zone within the City of College Place and are hereby expressly prohibited.
 - D. In cases where multiple lots under common ownership will be used for one building site, and in particular those cases where a structure is proposed to be built across a lot line or within lot setbacks, the lots shall be consolidated into one lot.
 - 1. The consolidation shall be prepared by the owner(s) or their representative and subject to review and approval by the City in the same manner as a boundary/lot line adjustment; and
 - 2. Upon approval, the consolidation shall be recorded at the Office of the County Auditor.
 - E. Upon discovery of any human remains, artifacts, or evidence of potential archaeological or cultural resources all construction activities or uses authorized under this Title shall be suspended pending authorization to proceed from the City, and/or the Washington State Department of Archaeology and Historic Preservation, in accordance with the provisions of state and federal law, including, but not limited to Revised Code of Washington Sections RCWs 68.50.645, 27.44.055, and 68.60.055.
 - 1. If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the Washington State Department of Archaeology and Historic Preservation (DAHP) provides notice to proceed. The finding of human skeletal remains will be reported to the College Place Police Department and the Walla Walla County Coroner in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The County Coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the County Coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation who will then take jurisdiction over

the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the Confederated Tribes of the Umatilla Indian Reservation. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.

2. If ground disturbing activities encounter artifacts, or evidence of potential archaeological or cultural resources during construction, then all activity will cease that may cause further disturbance to those items. The Project Sponsor shall immediately contact the College Place Department of Community Development to determine how best to secure the site and to consult with the Confederated Tribes of the Umatilla Indian Reservation and the DAHP.

Section 6: CPMC 14.10.060 is amended as follows:

Fees. Fees and charges for administering the provisions of this Title shall be set by action of the City Council.

- A. Applicants for ~~permits and approvals~~ permits/approvals/actions shall be responsible for reimbursing the City for the cost of professional consultant services, if the City determines such services are necessary to complete its review of the application submittal.
 1. The City may require the applicant to deposit an estimated amount with the City, to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement to the City for such costs. This may include the execution of a formal cost recovery agreement.
 2. Any unused funds will be returned to the Applicant upon completion and/or finalization of project.

Section 7: CPMC 14.10.070 is amended as follows:

Financial Protections. During the review of any application for a land use, zoning, building, or other development activity, a Project Sponsor may propose, subject to City review and

approval, and/or the City may require that a bond(s) or similar forms of financial guarantee or protection be posted to ensure continued compliance with any conditions imposed, including the construction of required improvements, the adherence to city standards, and/or maintenance, repair, or replacement of such improvements.

A. Financial protection for performance.

1. The acceptance of financial protection in lieu of completion of required improvements on developments and projects shall be at the sole discretion of the City.
2. Conditions for financial protection on subdivisions, developments, projects, or phases thereof with a residential component shall be as follows:
 - a. Financial guarantees shall not be accepted in lieu of required improvements until:
 - (1) The requesting party demonstrates ownership by means acceptable to the City.
 - (2) Permanent slope retention improvements (cut, fill, retaining walls, etc.) and permanent measures and improvements necessary to mitigate floodplain, stormwater and groundwater concerns have been completed with erosion control measures in place and maintenance bonds, where required, are provided in an amount and term acceptable to the City, to ensure the long-term integrity of the improvements.
 - (3) The party requesting a financial guarantee executes and records an agreement with the City with language acceptable to the City that runs with the land such that:
 - (a) The requesting party acknowledges that no structures will be occupied, and no occupancy permits shall be issued by the City until all improvements approved for construction, including financially guaranteed improvements are completed to City satisfaction.

- (b) All purchase and sales agreements include language notifying prospective buyers that occupancy will not be granted until all infrastructure is complete to City satisfaction.
 - (c) All purchase and sales agreements shall include blanket construction access easements to allow construction of required improvements after sale of property and an indemnification clause to protect the city against issues related to construction access, improvements, and corrections on sold properties until final acceptance.
 - (d) City shall be reimbursed for all costs related to addressing buyer concerns over incomplete and/or unapproved infrastructure where reimbursement shall be required prior to issuance of occupancy permits.
 - (e) The requesting party warrants all improvements for a period of two years after the final improvement is approved.
- (4) Additionally, the following requirements shall apply to all subdivisions:
- (a) Lot pins on all property corners and where necessary to establish ownership are established by a surveyor licensed to practice in the state of Washington.
 - (b) Conditions of approval include requirement to note on the plat that no occupancy permits shall be issued by the city until all improvements approved for construction, including financially guaranteed improvements are completed to City satisfaction.
- b. No occupancy permit for a structure other than a temporary contractor's office or temporary storage building, or a single model home shall be issued for a structure on a lot or parcel within an

approved subdivision or within a development, project, or phase prior to:

- (1) Final inspection and approval of all required infrastructure improvements approved for construction including financially guaranteed improvements, and
- (2) Provision of any financial guarantees for maintenance where required by special council resolution.

c. Partial financial protection releases shall be allowed for approved infrastructure upon the following conditions:

- (1) Requestor provides a list of all improvements requested for release with originally guaranteed amounts.
- (2) Requestor reimburses the City for partial release inspection and review at three percent of total requested release to include the costs of incomplete or unapproved items previously requested for release if included in the request. Reimbursement shall be made in advance of review.
- (3) Release of requested infrastructure shall be at City discretion based on whether or not the infrastructure has been approved.
- (4) Request for final release of all improvements where some improvements are not approved, shall be considered a partial release.

3. Conditions for financial protection on subdivisions, developments, projects, or phases thereof without a residential component shall be established by the City on a case-by-case basis.
4. Applicants applying to financially guarantee improvements shall submit an itemized estimate of all improvements to be financially guaranteed. Estimates shall either be prepared and stamped by a professional engineer

licensed to practice in the state of Washington or shall meet alternative requirements satisfactory to the City Engineer.

5. The City Engineer shall review and modify the submitted estimate to ensure adequate City protection in event of default of the applicant and shall set the financial protection amount at 125 percent of the final estimate.

B. Improvement warranty required.

1. All public improvements or improvements with a public nexus such as water, sewer and stormwater lines, streets, sidewalks, permanent slope retention improvements (cut, fill, retaining walls, etc.) and permanent measures and improvements necessary to mitigate floodplain, stormwater and groundwater concerns approved by the City shall be warranted for a period of two years. Alternatively, staff may recommend financial protection for maintenance of critical improvements for a period not to exceed two years.
2. The warranty period shall start upon final approval of all improvements.

C. Financial protection options.

1. Performance Bond. A performance bond shall be obtained from a surety bonding company authorized to do business in the state. The bond shall be payable to the City and shall be in an amount sufficient to cover the cost of the improvements as estimated by the City Engineer. The duration of the bond shall be until such time the improvements are accepted by the City.
2. Financial Institution Financing. If this type of financial protection is selected by the subdivider, the following steps shall be taken:
 - a. The subdivider shall provide, from a bank or other reputable lending institution or an individual subject to the approval of the City, a letter of credit. This letter shall be deposited with the City and shall certify that:
 - (1) The lending institution does guarantee funds in an amount equal to the estimate prepared by the City Engineer.

- (2) In the case of failure on the part of the applicant to complete the specified improvements within the required time period, the lending institution shall pay to the city immediately within legal action time limits and notification, and without further action, such funds as are necessary to finance the completion of those improvements up to the limit of the funds so guaranteed.
 - (3) These funds may not be withdrawn or reduced in amount until released by the City.
 - (4) The subdivider executes a security agreement in which the funds so guaranteed shall be listed as security with appropriate financing statements filed in accordance with Revised Code of Washington Title 62A ~~Washington's Uniform Commercial~~ Code (RCW 62A. ~~9A~~-401).
- b. List all work in payable items, e.g., quantity, description, unit, it cost and amount.
 - c. Payment for the work done by the subdivider may be made in one lump payment upon completion of all of the work and acceptance thereof, or in smaller payments covering a completed segment or segments of work and acceptance thereof. In either case, at the subdivider's request, the City ~~Engineer~~ and a representative of the lending institution involved will inspect the work and release funds for payment of acceptable work. The lending institution shall make arrangements so that disbursements will be made to contractors whose work has been accepted, and the contractor shall certify that the work was done on the project, and that he/she/they waives his/her/their lien against the project. The contractor shall further certify that the wages of his employees as they pertain to the project have been paid in full. The financial institution shall also honor drafts drawn by the City for work done on the project by the city. The subdivider would qualify as a contractor if he/she/they did a portion of the work.

- d. The percent of the funds shall be retained in the account until the City has accepted the entire development.
- 3. Personal Fund Financing. If this type of financial protection is selected by the subdividers, he/she/they shall take the following steps.
 - a. The subdividers shall deposit cash, or other instrument readily convertible into cash at face value, either with the city or in escrow with a bank or other reputable financial institution. The use of the instrument other than cash, and in the case of an escrow account, the financial institution with which the funds are to be deposited, shall be subject to the approval of the City. The amount of the deposit shall not be less than the cost estimate of the improvements as prepared by the City Engineer. In the case of an escrow account, the subdivider shall file with the City an agreement between the financial institution and himself/herself/theirself guaranteeing the following:
 - (1) That the funds of said escrow account shall be held in trust until released by the City Engineer and may not be used or pledged by the subdivider as security in any other matter during that period.
 - (2) That in the case of failure on the part of the subdivider to complete said improvements in the specified time, then the financial institution shall immediately make the funds in said account available to the City for use in completion of those improvements.
 - b. List all work in payable items, e.g., quantity, description, unit, it cost and amount.
 - c. Payment for the work done by the subdivider may be made in one lump payment upon completion of all of the work and acceptance thereof, or in smaller payments covering a completed segment or segments of work and acceptance thereof. In either case, at the subdivider's request, the City Engineer and a representative of the lending institution involved will inspect the work and release funds

for payment of acceptable work. The lending institution shall make arrangements so that disbursements will be made to contractors whose work has been accepted, and the contractor shall certify that the work was done on the project, and that he/she/they waives his/her/their lien against the project. The contractor shall further certify that the wages of his/her/their employees as they pertain to the project have been paid in full. The financial institution shall also honor drafts drawn by the City for work done on the project by the City. The subdivider would qualify as a contractor if he/she/they did a portion of the work.

- d. Any interest accrued to the funds in escrow shall be credited to the subdivider to be used as desired.
 - e. The percent of the funds shall be retained in the account until the City has accepted the entire development.
4. Any other financial arrangement having features which will guarantee performance without loss to the City and reimbursement in the event of default on completion of work as specified.

Section 8: CPMC 14.10.090 is amended as follows:

Liability. ~~The granting of approval or the issuance of a permit or denial thereof for any structure or use does not constitute a representation, guarantee, or warranty of any kind or nature whatsoever, by the City or any City employee, official, or agent, on the practicality, feasibility, or safety of any structure or proposed use and does not create liability upon or cause of action of any kind or nature whatsoever against the City, City employee, official, or agent for any death and/or damage(s) of any nature that may result therefrom.~~

A. ~~None of the provisions of this Title are intended to create a cause of action or provide the basis for a claim against the City, its officials, employees, or agents for the performance or failure to perform an action, duty, or obligation running to a specific entity, individual or individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public.~~

B. ~~This Title shall not be construed to hold the City, or any officer or employee thereof, responsible for any death or damages to persons, group, or property by reason of the~~

~~certification, inspection or non-inspection of any building, equipment, construction, system, or the like, or property.~~

A. Interpretation, enforcement, and all other actions or inactions taken pursuant to this Title by the City and its employees, volunteers, and agents, are general governmental functions creating a duty to the public as a whole and not to any one person, group, other governmental or regulatory agency, or entity, including to third-parties and no claim, liability, or cause of action may arise from the City's acts or inactions.

B. The City assumes no responsibility and is not liable for any injury, death, or damages of any kind whatsoever resulting from any act or inaction taken by the City pursuant to this Title.

C. No City action or inaction relieves a person, group, or entity of responsibility for all injury, death or damages, of any kind whatsoever arising out of the person, group, or entity's acts or omissions.

D. The denial or issuance of a permit, approval or denial of use, inspection, non-inspection, certification, approval, disapproval, charge or acceptance of payment, security, or proof of insurance, or other review or action by the City is not a representation, guarantee, promise, or warranty, expressed or implied, of any kind or nature whatsoever that any structure, component, material, device, service, installation, equipment, facilities and the like, improvement, property, land, or use is appropriate, safe, functional, or complies with all applicable laws. Nor is it permission to use or not use land in a way that does not comply with all applicable laws and duty of care.

E. The use of land in College Place is done at the sole risk of the user.

Section 9: CPMC 14.20.030 is amended as follows:

Definitions.

A. The following words and phrases are hereby defined as follows, unless otherwise determined by the City through an administrative code interpretation:

"Accessory building" means a building or structure, the use of which is incidental and subordinate to the principal or main building or use on the same lot, including a private garage or carport. If an accessory building is attached to the main building by a common wall or roof, the accessory building shall be considered a part of the main building. Garden houses, tool sheds, playhouses or greenhouses are examples of accessory buildings.

"Accessory use" means a use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use.

"Adjacent" in the context of administering the critical areas protections in College Place Municipal Code Chapter 14.70 shall mean any activity or development located:

- a. On a site immediately adjoining a critical area.
- b. A distance equal to or less than the required critical area buffer width and building setback.
- c. A distance equal to or less than 200 feet upland from a stream, wetland, or water body.
- d. Bordering or within the floodway, floodplain, or channel migration zone; or
- e. A distance equal to or less than 200 feet from a critical aquifer recharge area.

"Adult home" or "Adult family home" means a residential home, licensed by Washington State, to provide personal care to up to six adults.

"Base flood" means a flood event having a one percent chance of being equaled or exceeded in any given year, also referred to as the 100-year flood. Designations of base flood areas on flood insurance map(s) always include the letters A or V.

"Bed and breakfast inn" means a hotel or similar lodging facility offering from one to eight overnight lodging units to travelers or guests.

"Boarding, rooming and lodging house" means a dwelling unit having only one kitchen within which is provided not more than two guest rooms providing lodging (with or without provision of meals) for compensation. A boarding, rooming, and lodging house containing three or more

guest rooms shall be considered a hotel. Boarding, rooming, and lodging houses shall not be construed to mean convalescent, nursing, adult family, or retirement homes.

"Camper" means a structure designed to be mounted upon a motor vehicle which provides facilities for human habitation or for temporary outdoor or recreational lodging and which is five feet or more in overall length and five feet or more in height from its floor to its ceiling when fully extended, but shall not include motor homes as defined in RCW 46.04.305.

"Child day care center" means an agency that regularly provides child day care and early learning services for a group of children for periods of less than 24 hours.

"Child day care, home facility" means a facility licensed by Washington State where care is provided for not more than 12 children in the provider's home living quarters.

"Closed record appeal" means an administrative appeal on the record to a local government body or officer, including the legislative body, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

"Co-housing" means a residential development that combines individual owned dwelling units clustered around shared space. Units may have smaller kitchens with a larger community kitchen and dining room intended for communal use on a regular basis. The development may also provide other facilities for communal use and interaction, and in which residents may agree to share in the provision of regular communal services such as cooking meals or providing childcare.



(Source: strongtowns.org / cohousing.org)

“Cottage housing” means a grouping of small, single-family dwelling units clustered around a common area and developed with a coherent plan for the entire site.



"Critical aquifer recharge area" means areas designated by the City in accordance with the provisions of WAC 365-190-030(3) and WAC 365-190-100 080 that are determined to have a critical recharging effect on aquifers used for potable water, ~~as defined by WAC 365-190-030(3).~~

"Dwelling" means a building designed for residential purposes that contains complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

"Dwelling, multiple residential units" or "Multiple family dwelling" means a building containing three or more dwelling units. This definition includes "row house" and may include condominiums.

"Dwelling, single residential unit " or "single-family residence", means a building containing one dwelling unit. Single residential dwelling units may be site-built or manufactured off-site, such as modular housing.

"Dwelling, two residential units" or "duplex", means a building on a lot containing two dwelling units.

"Dwelling unit, accessory (ADU)" means a dwelling unit that is use incidental and subordinate to a principal use that is located on the same lot or in the same building as the principal use.

"Early learning" includes but is not limited to programs and services for childcare; state, federal, private, and nonprofit preschool; childcare subsidies; childcare resource and referral; parental education and support; and training and professional development for early learning professionals.

"Fish and wildlife habitat conservation area" means areas as determined by the City to be necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. These areas are as designated in accordance with the provisions of ~~by~~ WAC 365-190-030 (6) 80(5) and WAC 365-190-130. These areas are guided by the state's priority habitats and species list and include the following:

- a. Areas with which state or federally designated endangered, threatened, and sensitive species have a primary association.
- b. Habitats of local importance, including but not limited to areas designated as priority habitat by the department of fish and wildlife, areas that provide important habitat for neotropical migratory songbirds, areas that provide important habitat for wintering birds of prey, and areas that provide unique habitats within the city.
- c. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds.
- d. Waters of the state, including lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the State of Washington.
- e. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.
- f. State natural area preserves and natural resource conservation areas; and

- g. Land essential for preserving connections between habitat blocks and open spaces.

“Floodplain” means the total land area adjoining a river, stream, watercourse, or lake subject to inundation by the base flood.

“Floodway” or “zero rise floodway” means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the surface water elevation more than one foot.

~~“Food cart” means a mobile vehicle, such as a food truck, trailer, or cart, from which service of food and/or beverages is provided to walk up customers.~~

~~“Food cart pod” means a site containing one or more food carts and associated amenities on private property.~~

“Frequently flooded areas” means lands in the floodplain subject to a one percent or greater chance of flooding in any given year and those lands that provide important flood storage, conveyance, and attenuation functions, as determined by the ~~City~~city official in accordance with the provisions of WAC 365-190-030(8) 80(3) and WAC 360-190-110. Frequently flooded areas perform important hydrologic functions and may present a risk to persons and property. Classifications of frequently flooded areas include, at a minimum, the 100-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program.

“Functions and values” mean the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, ground water recharge and discharge, erosion control, wave attenuation, protection from hazards, historical and archaeological and aesthetic value protection, and recreation. These beneficial roles are not listed in order of priority.

“Geological hazard areas” ~~or “Geologically hazardous areas”~~ mean areas as determined by the City that may not be suited to development consistent with public health, safety, or environmental standards, because of their susceptibility to erosion, sliding, earthquake, or other geological events in accordance with the provisions of ~~as designated by~~ WAC 365-190-030(9) and WAC 365-190-120080(4). Types of geologically hazardous areas include erosion, landslide, seismic, mine, and volcanic hazards.

"Group home" means a residential facility designed and operated to serve persons with disabilities, mental or physical.

"Habitats of local importance" mean areas as determined by the City that include a seasonal range or habitat element with which a given species has a primary association, and which, if altered may reduce the likelihood that the species will maintain and reproduce over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alterations such as cliffs, talus, and wetlands. (WAC 365-190-0130).

"Hazardous substance" means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

"Hemp production" refers to planting, cultivation, growing, or harvesting of hemp, including seed hemp, as licensed by the State of Washington.

"Home business" means a commercial enterprise operated within a dwelling or accessory building, which use is distinctly incidental and secondary to the dwelling purposes and does not change the character thereof.

"Hydric soil" means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual, as amended.

"Impervious surface" means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.

"Injection well", or "underground injection control well", or "UIC well" means a well that is used to discharge fluids into the subsurface. A UIC well is one of the following: (1) A bored, drilled, or driven shaft, or dug hole whose depth is greater than the largest surface dimension; (2) an

improved sinkhole; or (3) a subsurface fluid distribution system. UIC wells are regulated by the State of Washington and subject to the provisions of WAC 173-218.

“Inter-rill” means an area subject to sheetwash.

"Kennel" means a place where four or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs or cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic.

“Landfills” includes the underground storage of hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste.

“Landslide hazard area” means an area that is potentially subject to risk of mass movement due to a combination of geologic landslide resulting from a combination of geologic, topographic, and hydrologic factors. These areas are typically susceptible to landslides because of a combination of factors including bedrock, soil, slope gradient, slope aspect, geologic structure, ground water, or other factors.

“Lot” means a fractional part of divided lands having fixed, legal boundaries, established in conformance with the applicable state and local laws in effect at the time it was created. The term shall include tracts or parcels.

- a. Lots being of sufficient area and dimension to meet minimum zoning requirements for width and area may be considered legal, conforming lots.
- b. Lots with dimensions that do not comply with current minimum zoning requirements but did comply with minimum zoning requirements at the time they were created may be considered legal, non-conforming lots.

~~“Lot—Interior, normal corner, through and reversed frontage”. The following diagram illustrates terminology used in this Title with reference to interior, normal corner, through and reversed frontage lots:~~

~~A = Normal corner lot~~

~~B = Interior lot~~

~~C = Through lot~~

~~D = Reversed~~

~~a. — Normal Corner Lot. A lot located on the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.~~

~~b. — Interior Lot. A lot other than a corner lot with only one frontage on a street. Interior lot lines between two or more lots under the same ownership may be built upon and across by buildings and structures. For the purpose of this definition, if interior lot lines between two or more lots under the same ownership are built across, the entire ownership is deemed to be one lot.~~

~~c. — Through Lot. A lot other than a corner lot with frontage on more than one street.~~

~~d. — Reversed Frontage (Corner) Lot. A lot on which the frontage is at right angles or approximate right angles (interior angle less than 135 degrees) to the general layout of lots in the area.~~

"Lot width" means the dimension of the lot line at the street; or, in an irregularly shaped lot, the dimension across the lot at the building setback line; or, in a corner lot, the narrow dimension of the lot at a street or building setback line.

"Manufactured home" means a structure, designed, and constructed to be transportable in one or more sections, and is built on a permanent chassis, and designed to be used as a single-family dwelling with or without a permanent foundation when connected to required utilities (plumbing, heating, and electrical systems, built in accordance with regulations adopted under the National Manufactured Housing Construction and Safety Standards Act, of 1974.

"Marijuana medical cooperative" or "marijuana cooperative" means a group of more than one, but no more than four, qualified medical marijuana patients and/or designated providers registered with the Washington State Liquor and Cannabis Board who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative, in accordance with the Laws of Washington State.

"Marijuana processing" or "marijuana processor" means a person licensed by the Washington State Liquor and Cannabis Board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana

concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers, in accordance with the Laws of Washington State.

“Marijuana production” or “marijuana producer” means a person licensed by the Washington State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers, in accordance with the Laws of Washington State.

“Marijuana retail sales” or “marijuana retailer” means a person licensed by the Washington State Liquor and Cannabis Board to sell marijuana concentrates, useable marijuana, and marijuana-infused products in a retail outlet, in accordance with the Laws of Washington State.

"Mini-warehouse" or “self-storage” means a fully enclosed building or group of buildings in a compound that contains individual, compartmentalized and controlled-access stalls, lockers, or units for the storage of customer’s tangible personal property.

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to standards other than the National Manufactured Housing Construction and Safety Standards Act, of 1974, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state of Washington.

"Mobile home lot" or "mobile home space" means a portion of a mobile home park or manufactured housing community designated as the location of one mobile home, manufactured home, tiny home on wheels, or park model and its accessory buildings, and intended for the exclusive use as a primary residence by the occupants of the mobile home, manufactured home, or park model.

"Mobile home park," "manufactured housing community," or "manufactured mobile home community" means any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

“Mobile vendor” means a vendor or seller of merchandise or food from a motorized or trailered vehicle or other motorized or trailered conveyance. ~~upon the public streets, alleys, public property of the city, or upon private property.~~

“Mobile vendor food court” means a site where two or more mobile food vendors congregate to offer food or beverages for sale to the public as the principal use of the land.

"Modular home" means a factory-assembled structure designed primarily for use as a dwelling when connected to the required utilities that include plumbing, heating, and electrical systems contained therein, does not contain its own running gear, and must be mounted on a permanent foundation. A modular home does not include a mobile home or manufactured home.

"Motel" or "hotel" means a building or group of buildings containing six or more individual sleeping units or guest rooms, where lodging with or without provision of meals is provided for compensation. Motels are designed to temporarily accommodate the automobile tourist or transient with parking facilities conveniently located near each unit. The term includes tourist, motor and automobile courts and motor lodges.

"Non-project permit" or "non-project permit application" includes the following:

- a. Building permit.
- b. Accessory dwelling unit permit.
- c. Special use permit.
- d. Boundary or lot line adjustment.
- e. Interior alterations to approve site plans including construction activities that do not modify the exiting site layout or its current use and involve no exterior work adding to the building footprint in accordance with the applicable provisions of state law including RCW 36.70B.130.
- f. Adoption or amendment of a comprehensive plan, subarea plan, or development regulations.
- g. Landmark designations.
- h. Street vacations.
- i. Approvals relating to the use of public right of ways, areas, or facilities.

- j. Other permits, approvals, and actions, as determined by the City not subject to RCW 36.70B.060 through RCW 36.70B.090 and RCW 36.70B.1310 through RCW 36.70B.130.

"Open record hearing" means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information, under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government's decision on a project permit to be known as an "open record pre-decision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record pre-decision hearing has been held on the project permit.

"Ordinary high-water mark (OHM)" means that mark which is found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, that the soil or vegetation has a character distinct from that of the abutting upland.

"Park Model" or "Park Trailer" means a park trailer as defined in the American national standards institute A119.5 standard for park trailers.

"Primary association area" means area used on a regular basis by, is in close association with, or is necessary for the proper functioning of the habitat of a critical species. Regular basis means that the habitat area is normally, or usually known to contain a critical species, or based on known habitat requirements of the species, the area is likely to contain the critical species. Regular basis is species and population dependent. Species that exist in low numbers may be present infrequently yet rely on certain habitat types.

"Priority habitat" means habitat types or elements with unique or significant value to one or more species as classified by the department of fish and wildlife. A priority habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element. (WAC 173-26-020(3034))

"Project permit" or "project permit application" means any land use or environmental permit, or license required for a project action, including but not limited to subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, or site-specific rezones that do not require a comprehensive plan amendment.

"Public utilities" means an organization performing some public service and subject to government regulation, the services of which are paid for by the recipients thereof. The services include but are not limited to electrical substation; pumping lift stations or similar regulatory appurtenances for the transmission or distribution of electricity, natural gas, water and sewer, oil or steam and storage tanks for any of incinerators and sanitary landfills; radio, television and telephone stations, exchanges, transmitting, receiving or relay structures; and wireless communications.

"Qualified professional" means a person with required applicable education, training, and experience in the field or profession and who holds the necessary license(s), certificate(s), registration(s), or permit(s) necessary to qualify to provide services therein. The City shall determine whether a particular person or entity is a Qualified Professional for the purposes of this Title.

- a. For the purposes of administering the regulations to protect environmentally sensitive areas a qualified professional shall include a person with experience and training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology or related field, and two years of related work experience.
 - (1) A qualified professional for habitats or wetlands must be a professional wetland scientist with at least two years of full-time work experience as a wetland professional, including delineating wetlands using the state or federal manuals, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans.
 - (2) A qualified professional for a geological hazard must be a professional geologist (preferred) or engineer, licensed in the State of Washington.
 - (3) A qualified professional for critical aquifer recharge areas means a currently licensed Washington State geologist holding a current specialty license in hydrogeology.
- b. For purposes of administering the International Codes a qualified professional shall include a design professional, architect, engineers, and land surveyors licensed under the provisions of RCW 18.08, WAC 308-12, or RCW 18.43.

- c. For purposes of administering the land use regulations and development standards a qualified professional may include urban planners, architects, landscape architects, attorneys, civil engineers, and traffic engineers, and GIS specialists.

"Recreational vehicle" means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes.

"Retail sales, large scale" means a retail establishment, or any combination of retail establishments in a single building with:

- a. A building footprint of fifty thousand (50,000) square feet or more (including outdoor display and sales areas).
- b. A gross square footage of eighty thousand (80,000) square feet or more (including outdoor display and sales areas); or
- c. Multiple retail establishments in separate but abutting buildings, reviewed as one site plan, with a combined building footprint of one hundred thousand (100,000) square feet or more (including outdoor display and sales areas) (also known as "Big Box" Retail or "Superstores").

"Riparian habitat" means an area adjacent to surface water which possesses elements of both aquatic and terrestrial ecosystems that mutually influence each other. The width of these areas extends from the OHM to that portion of the terrestrial landscape that directly influences the aquatic ecosystem by providing shade, fine or large woody material, nutrients, organic and inorganic debris, terrestrial insects, or habitat for riparian-associated wildlife. It includes the entire extent of the floodplain and the extent of vegetation adapted to wet conditions as well as adjacent upland plant communities that directly influence aquatic ecosystem. Riparian habitat areas include those riparian areas severely altered or damaged due to human development activities.

"Secure community transition facility" means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative in accordance with the provisions of RCW 71.09. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services.

"Service station" means a drive-up type of business in which service can be provided with or without the customer's leaving the vehicle. Service to vehicles can also include the following:

- a. The servicing of motor vehicles and operations incidental thereto limited to the retail sale of petroleum products and automotive accessories; tire changing and repair (excluding recapping); battery service, charging and replacement and installation of accessories.
- b. Operations, including but not limited to the following, if conducted within a building: lubrication of motor vehicles; brake servicing limited to servicing and replacement of brake cylinders, lines, and brake shoes; wheel balancing; testing, adjustment, replacement, and servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses, minor engine repair and wiring.
- c. This does not include auto body and wrecking activities, painting or seal coating, major engine repair and overhaul, machine shop functions, steam and pressure cleaning and use of oxyacetylene and electric welding and cutting.

"Sexually oriented business" and "sexually oriented business and services" include, but is not limited to movie theaters, bookstores, video stores, adult-only hotels/motels or other temporary hourly or overnight accommodations, massage parlors, peep shows, and erotic dancing establishments and any other service or business that caters to adults only and is in sexually oriented as determined by the City.

"Short subdivision" or "short plat" means the division of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale or lease.

"Sign" means any device for visual communications that is used for the purpose of bringing the subject thereof to the attention of the public.

"Special flood hazard area" means the land in the floodplain within an area subject to a one percent or greater chance of flooding in any given year. Designations of special flood hazard areas on flood insurance map(s) always include the letters A or V.

"Species, priority" means a fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as

classified by the department of fish and wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance (WAC 173-26-020(31)).

“Species, threatened” means a fish or wildlife species that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

“Street vendor” means a vendor selling food, nonalcoholic beverages, and/or other goods or services within a public or private parking lot, pedestrian plaza, public street, alley, sidewalk, public right-of-way, or public property using a nonmotorized cart or temporary structure.

"Subdivision" means the division of land into ten or more lots, tracts, parcels, sites, or divisions for the purpose of sale or lease and includes all re-subdivision of land into ten or more parcels.

"Tiny house" and "tiny house with wheels" means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code.

“Townhouse” means a building constructed in a group of two or more attached dwelling units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Townhouses may be constructed on one lot or on more than one lot as a zero-lot line residential structure.

“Vacation rental” or “short-term rental” refers to the use of real property for less than 30 consecutive days, such as a bed and breakfast inn or a vacation rental by owner. Under the Laws of Washington State, a vacation rental or short-term rental involves a license to use real property, as opposed to the use of real property for 30 or more consecutive days, which is considered a lease or rental of real estate and is taxed differently. Guests, residents, or other occupants of short-term rentals are considered transient tenants.

“Wetland” means an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990,

that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. For identifying and delineating a wetland, local government shall use the Washington State Wetland Identification and Delineation Manual, as amended.

“Wetland, high quality” means a wetland that meet the following criteria:

- a. No, or isolated, human-caused alteration of the wetland topography.
- b. No human-caused alteration of the hydrology or the wetland appears to have recovered from the alteration.
- c. Low cover and frequency of exotic plant species.
- d. Relatively little human-related disturbance of the native vegetation, or recovery from past disturbance.
- e. If the wetland system is degraded, it still contains a viable and high-quality example of a native wetland community; and
- f. No known major water quality problems.

“Wireless communication facility, minor” is wireless communication facility that consists of antennas equal to or less than ten feet in height or up to one meter (39.37 inches) in diameter and with an area not more than thirty square feet in the aggregate that is affixed to an existing structure that is not considered a component of the facility.

“Wireless communication facility, major” is an attached wireless communication facility that consists of antennas greater than ten feet in height, one meter (39.37 inches) in diameter and with an area greater than 30 square feet in the aggregate that is affixed to an existing structure or any size antenna or related equipment that is attached to a lattice tower or monopole.

“Wireless communication facility, academic” means the facilities, structures, and equipment associated with providing educational, experimental, and/or instructional activities within the designated boundaries of an academic institution.

Section 10: Chapter 14.30 CPMC is amended as follows:

14.30.010 Introduction. This Chapter provides for effective and efficient review of project and non-project applications with consistent procedures for similar ~~projects~~ types of actions and combines procedural and substantive environmental reviews with the review of project permit applications under other applicable requirements. This Chapter also provides a framework within which the consistency of project permit applications with the City Comprehensive Plan and Development Regulations can be determined.

14.30.020 ~~Application~~Project Review Classifications. Four classes of review are established for the purposes of administering this Title. The permits/approvals/actions included in each class, the public notice requirements, hearing body, decision maker, and appellate body are summarized in Table 14.30.050.

- A. The Community Development Director or his/her/their designee is authorized to determine the classification of review for any permit, action, or approval not identified on the following table.
- B. ~~It is the~~ The City's goal is to consolidate the permit processing for projects and/or non-projects ~~or development activities that require~~ requiring two or more permits/or approvals/actions. The Community Development Director or his/her/their designee shall determine the appropriate means of consolidating the processing of all permits, ~~and approvals, and actions~~ and shall assign the highest-class review classification of the individual permits, being sought to the consolidated permit application (with Type 4 being the highest followed by Type 3, 2, and 1). This consolidation, sometimes referred to as a "master" application, may include integrating public hearings, establishing unified comment periods, and/or concurrent reviews. The Community Development Director or his/her/their designee is authorized to make modifications to the procedural requirements of this Title in order to effectively consolidate project reviews.

- 1. Except for the appeal of a SEPA Determination of Significance as provided in RCW 43.21C.075, no more than one open record public hearing and no more than one closed record appeal may occur on a single permit application or master application.

~~2. A public meeting(s) and/or a workshop may be held prior to an open record hearing. A public meeting may include but is not limited to a scoping meeting for the preparation of a draft environmental impact statement (DEIS) or presentation of a final environmental impact statement (FEIS), an informational meeting, and/or or neighborhood meeting. The proceedings~~

~~at a public meeting may be recorded and a report or recommendation made may be included in the project permit application file.~~

C. When determining the timeframes referenced in this Section, the following shall apply:

1. The date that a determination or decision is made shall be Day 0 (zero) and the next day shall be Day 1. For instance, if a Notice of Decision is published on a Thursday, then the next day (Friday) shall be Day 1.

2. The number of days shall be calculated by counting every calendar day.

Section 11: CPMC 14.30.040 is amended as follows:

Consultation with the Confederated Tribes of the Umatilla Indian Reservation. It is the intent of the City to establish policies and procedures for consultation with the Confederated Tribes of the Umatilla Indian Reservation during the review of project applications under this Title. This consultation may occur during the pre-application review process or during the review of applications for Type 1, 2, 3 or 4 project permits or approvals.

Section 12: CPMC 14.30.060 is amended as follows:

Procedures for Type 1 Review. Applications subject to a Type 1 review involve administrative action by the Community Development Director or his/her/their designee without public notice or an open record public hearing. The City Hearing Examiner shall conduct an open record public hearing for appeals of decisions on Type 1 permits unless otherwise noted in this Title.

A. Applications for Type 1 permits shall be processed by the City in accordance with the following general procedures unless the Applicant is otherwise notified in writing:

1. Determination of Completeness.
2. Determination of Consistency:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review, as appropriate.

3. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 4. SEPA Threshold Determination, if required.
 5. Notification to the Applicant of approval or denial of the application.
- B. A decision on a Type 1 application shall be effective upon issuance unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

Section 13: CPMC 14.30.70 is amended as follows:

Procedures for Type 2 Review. Applications subject to a Type 2 review involve administrative action by the Community Development Director or his/her/their designee following distribution of a public notice and the opportunity to submit written comments. The City Hearing Examiner shall conduct an open record public hearing for appeals of decisions on Type 2 permits unless otherwise noted in this Title.

- A. Applications for Type 2 permits shall be processed by the City in accordance with the following general procedures unless the Applicant is otherwise notified in writing:
1. Pre-application conference, if appropriate.
 2. Determination of Completeness.
 3. Notice of Application.
 4. Determination of Consistency:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review, as appropriate.
 5. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 6. SEPA Threshold Determination, if required.

7. Review of public comments.

8. Notice of Decision.

- B. A decision on a Type 2 application shall be effective at the conclusion of a 15-day notice period unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

Section 14: CPMC 14.30.100 is amended as follows:

Applications and Determination of Completeness.

- A. All applications must ~~shall~~ be submitted in the manner required by the City on such forms and all information required by the City must be provided with the application (procedural submission requirements) ~~shall provide such information as may be prescribed by the City,~~ provided that:

1. All applications shall be signed by the property owner or show owner consent of the application by the agent acting on the owner's behalf.
2. Applicable fees shall be submitted at the time of application unless otherwise specified.
3. The Applicant shall be responsible for the preparation of all application materials including all special studies and reports, this may include, but is not limited to the following, which shall be prepared by a qualified professional:
 - a. Environmental checklist.
 - b. Critical area reports.
 - c. Survey and site plan.
 - d. Landscaping plans.
 - e. Stormwater modeling.
 - f. Fire flow calculations.

- g. Transportation studies and traffic impact analysis; and
- h. Preliminary civil plans.

B. Upon acceptance of a project permit application, the City will review all materials received from the Applicant to determine if the application is complete and ready for processing. Within twenty-eight (28) days ~~after of receiving a project permit application~~at, the City shall ~~mail, email, or provide in person written notification a~~ written determination to the Applicant. This written determination must state either:

1. The City has determined the application to be complete, (Notice of Completeness). The Notice of Completeness will establish the date that the application is ready for processing. This notification may also include:
 - a. A description of the process to review the application(s) and projected timeframes.
 - b. A preliminary determination of those development regulations that will be used for project mitigation.
 - c. To the extent known by the City, other agencies that may also have jurisdiction over the application and/or other permits or approvals that may be required.
 - d. Additional information that may be required to complete the review of the application.
 - e. A preliminary determination of consistency.
2. The City has determined the application to be incomplete and ~~that the~~ procedural submission requirements have not been met. This determination shall outline what is necessary to make the application procedurally complete, ~~and as well as~~ the timeframes for submitting additional information.
 - a. Upon receipt of the required additional information within the stated ~~required~~ timeframes, the City shall notify the Applicant within 14 days if the

application is complete or ~~if that~~ additional information is required and state the timeframe for submitting the required additional information.

- b. The Applicant may request a time extension to submit the requested information. The City may grant or deny the request or grant a time extension different than requested. All time extensions must be made in writing.
- c. If the Applicant fails to respond or to submit the requested information in the established time frames, the City shall notify the Applicant in writing that the application has lapsed and become void.

~~C. The issuance of a Determination of a Completeness shall not preclude the City from requesting additional information from or actions by the Applicant in order to complete the processing of an application.~~

- 3. A project permit application is complete for the purposes of this Section when it meets the procedural submission requirements of the City. Additional information or studies may be required, or project modifications may be undertaken subsequent to the procedural review of the application by the City. The Determination of Completeness shall not preclude the City from requesting additional information or studies either at the time of the Notice of Completeness or subsequently if new information is required or substantial changes in the proposed action occur. However, if the procedural submission requirements, as outlined on the project permit application have been provided, the need for additional information or studies may not preclude a completeness determination.
- 4. A project application shall be deemed procedurally complete on the 29th day after the City has received the application if the City has not provided a written determination to the Applicant that the application is procedurally incomplete. This provision does not preclude the City from seeking additional information or studies as provided above.

Section 15: CPMC 14.30.110 is amended as follows:

Notice of Application. Within 14 days of the issuance of a Determination of a Completeness, the City shall issue a Notice of Application for all Type 2, 3, and 4 permit applications, in accordance with the provisions of Section 14.30.230 Public Notice requirements.

A. Notices of Application must ~~shall~~ include:

1. The date of application, the date of the Notice of Completion for the application, and the date of the Notice of Application.
2. A description of the proposed project action, a list of the project permits included in the application and, if applicable, a list of any studies requested by the City.
3. Identification of the permits not included in the application to the extent known by the City. ~~and approvals that may be required and opportunities for public review and comment,~~
4. The identification of existing environmental documents that evaluate the proposed project and the location where the application and any studies can be reviewed.
5. A statement of the public comment period, which shall be not less than fourteen nor more than thirty days following the date of Notice of Application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. The City may accept public comments at any time prior to the closing of the record of an open record pre-decision hearing, if any, or, if no open record pre-decision hearing is provided prior to the decision on the project permit.
6. The date, time, place, and type of hearing, if applicable and if scheduled at the date of Notice of the Application.
7. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency; and
8. Any other information determined appropriate by the City.

~~SEPA actions taken or Preliminary SEPA Threshold Determinations, if any.~~

- B. A preliminary SEPA Threshold Determination or Preliminary SEPA action may be included with Notice of Application if such preliminary actions have been made at the time the Notice of Application is issued. A preliminary SEPA Threshold Determination, or preliminary SEPA action, does not substitute, or in any way circumvent, the process for making a final SEPA Threshold Determination or in taking a SEPA action. Preliminary SEPA determinations are intended to encourage early public comment on project applications.

Section 16: CPMC 14.30.130 is amended as follows:

Determination of Consistency. As part of all project and application reviews, the City shall determine if a proposed project or development activity is consistent with the provisions of the College Place Unified Development Code, or in the absence of applicable development regulations, the Vision, Values, Goals, and Policies, and Objectives, of the College Place Comprehensive Plan. ~~Goals, Policies, and Objectives of the College Place Comprehensive Plan and the provisions of the College Place Unified Development Code.~~

- A. The Determination of Consistency shall include a review to verify that the proposed action will not cause levels of service to fall below the level of service standards established in the College Place Comprehensive Plan.
1. This shall include locally adopted regulations, procedures, and methods for determining concurrency in accordance with the provisions of WAC 365-196-840.
 2. In the case of transportation, proposed developments that would cause the level of service on a locally owned transportation facility to decline below the adopted standards shall not be approved unless improvements or strategies to accommodate the impacts of development are made concurrent with the development.
 - a. These strategies may include increased public transportation service, ride sharing programs, demand management, pro-rated financial contributions toward future improvements, and other transportation systems management strategies.

- b. "Concurrent with development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.
3. The City may require that any outstanding code enforcement actions be addressed, or unpaid fees, fines, or taxes paid before a final Determination of Consistency is made.

Section 17: CPMC 14.30.140 is amended as follows:

Site Plan Review. The purpose of a site plan review is to determine whether new development activities will or will not have an adverse effect on the public health, safety, and welfare of residents of College Place, and that new development activities are compatible with existing patterns of development and the provisions of the College Place Comprehensive Plan.

- A. A site plan review is required for all proposed development activities in the Multi-Family Residential (MFR), General Commercial (GC), Light Industrial (LI), and the Downtown Mixed-Use zone (DMU), as well as for manufactured home and mobile home parks, unless waived in writing by the City.
 1. Development activities subject to a site plan review shall be determined by the City and may include new construction, modifications to existing uses or structures that increase the size of the building or the intensity of the use, and/or changes of use.
 2. The site plan review shall include the whole site including subsequent phases of development without regard to existing or proposed lot lines as well as nearby infrastructure.
 3. A site plan review permit is separate from and does not replace other required permits such as a conditional use permit or a shoreline substantial development permit. A site plan review may be combined and reviewed concurrently with other permits/ ~~and approvals~~ actions, as determined by the City.

B. A site plan review application, prepared by a qualified professional, shall be submitted in a format prescribed by the City, and should include, but is not limited to, the following:

1. An accurate scaled drawing(s) depicting:
 - a. The location and dimension of the lot(s).
 - b. Existing topography and natural features.
 - c. The nature, location, dimensions of critical areas, shorelines, and their associated buffers, if any, on or adjacent to the site.
 - d. The footprint of existing and proposed structures, proposed building heights, proposed building setbacks, and the proposed uses.
 - e. The location of existing and proposed utilities including but not limited to water, hydrants, irrigation, sanitary sewer, electrical, light poles, and cable.
 - f. Existing and proposed easements.
 - g. The location of existing and proposed roads, driveways, parking facilities, loading areas, curbs, sidewalks, pedestrian facilities, bike lanes and facilities, and signage.
 - h. Existing and proposed walls, fences, and landscaping.
 - i. Existing and proposed open space, parks, plazas, public spaces, and public art.
 - j. Proposed grading and drainage facilities in accordance with the provisions of College Place Municipal Code Chapter 13.86 Stormwater Management and the City of College Place Engineering Design Standards.
 - k. Other items as may be required by the City in writing.
2. Technical reports prepared by a qualified professional. This may include, but is not limited to:
 - a. Critical area reports.
 - b. Landscaping plans.
 - c. Geo-technical reports.
 - d. Preliminary stormwater report.
 - e. Traffic impact analysis; and
 - f. Parking studies.

3. Any additional information deemed necessary by the City.
- C. The City may approve a proposed site plan in whole or in part, with or without conditions, based on a finding that:
1. The project is consistent with the College Place Comprehensive Plan and meets the requirements and intent of the College Place Municipal Code, including the type of land use and the intensity/density of the proposed development.
 2. The physical location, size, and placement of the development on the site and the location of the proposed uses within the project avoid or minimize impacts to any critical resource or flood plain area to the greatest extent possible or are compatible with the character and intended development pattern of the surrounding properties.
 3. The project makes adequate provisions for water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health, welfare, and safety.
 4. Public access and circulation including non-motorized access and emergency vehicle access, as appropriate, are adequate to and on the site.
 5. Adequate setbacks and buffering have been provided. Any reduction to setbacks or buffer widths is the minimum necessary to allow for reasonable economic use of the lot and does not adversely impact the functional value of the critical resource area or adjoining land uses.
 6. The physical location, size, and placement of proposed structures on the site and the location of proposed uses within the project are compatible with and relate harmoniously to the surrounding area.
 7. The project adequately mitigates impacts identified through the SEPA review process, if required.
 8. The project would not be detrimental to the public interest, health, safety, or general welfare.

- D. Approval of a Site Plan shall be valid for five years after the effective date and shall lapse at that time unless a building permit or other associated permits, as determined by the City, has been issued. The City may extend the Site Plan approval if it finds that the facts on which the site plan review is approved have not changed substantially.

Section 18: CPMC 14.30.150 is amended as follows:

Application ~~Permit~~ Processing.

~~A. Applications determined to be complete shall be processed in accordance with the procedures in this Chapter, provided that:~~

~~1. The City may request additional information from the Applicant at any time and may suspend the processing of an application(s) pending the receipt of requested information.~~

~~a. Such requests shall be made in writing and shall identify the additional information required, the reason for the information, and the timeframes for submitting the additional information.~~

~~b. If the Applicant does not respond to the request for additional information within sixty days, the application may be terminated.~~

A. For project permit applications submitted after January 1, 2025, the time periods for the City to issue a final decision for each type of complete project permit application or project type subject to this Chapter should not exceed the following time periods:

1. For project permits subject to a Type 1 Review a final decision must be issued within 65 days of the Determination of Completeness.
2. For project permits subject to a Type 2 Review a final decision must be issued within 100 days of the Determination of Completeness.
3. For project permits subject to a Type 3 Review a final decision must be issued within 170 days of the Determination of Completeness.

B. The following time periods shall not be counted when determining the number of days required to make a final decision:

1. Any period between the day the City notified the Applicant, in writing, that additional information is required to process the application and the day when responsive information must be submitted or resubmitted by the Applicant.
 2. Any period after an Applicant informs the City, in writing, that they would like to temporarily suspend review of the project permit application until the time that the Applicant notifies the City, in writing, that they would like to resume the review of the application. The City may set, by written policy, conditions for the temporary suspension of a permit application.
 3. Any period after an administrative appeal is filed until the administrative appeal is resolved and any additional time period provided by the administrative appeal has expired.
- C. The time periods for the City to process a project permit shall start over if an Applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the City.
- D. If, at any time, an Applicant informs the City in writing, that the Applicant would like to temporarily suspend the review of the project for more than 60 days, or if an Applicant is not responsive for more than 60 consecutive days after the City has notified the Applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for the City to issue a final decision for each type of project permit that is subject to this Chapter.
1. Any written notice from the City to the Applicant that additional information is required to further process the application must include a notice that non-responsiveness for 60 consecutive days may result in 30 days being added to the time for review.
 2. For the purposes of this subsection, "non-responsiveness" means that an Applicant is not making demonstrable progress on providing additional requested information to the City, or that there is no ongoing communication from the Applicant to the City on the Applicant's ability or willingness to provide the additional information.

E. The City may approve, approve subject to conditions, or deny an application based on the information included in the record.

1. In approving an application, the City may impose such conditions and safeguards as may be required to comply with the provisions of this Title and to protect the health, safety, and welfare. These conditions and safeguards may include, but are not limited to, the following:

- a. Measures identified during the environmental review process.
- b. Measures necessary to comply with the provisions of the College Place Comprehensive Plan.
- c. Measures necessary to comply with provisions of the College Place Municipal Code; and/or
- d. Measures necessary to ensure compatibility of the proposed development activity with neighboring land uses, and consistency with the intent and character of the zoning district. This may include, but is not limited to:

(1) Increasing the required lot size, setback, or yard dimensions.

(2) Limiting the height of buildings or structures.

(3) Controlling the number and location of vehicular access points.

(4) Requiring the dedication of additional rights-of-way for future public street improvements identified in an adopted transportation plan.

(5) Requiring the designation of public use and utility easements and the recording of same.

(6) Increasing or decreasing the number of required off-street parking and/or loading spaces as well as designating the

location, screening, drainage, surfacing or other improvement of a parking area.

- (7) Frontage improvements or infrastructure improvements.
- (8) Limiting the number, size, height, shape, location, and lighting of signs.
- (9) Requiring view-obscuring fencing, landscaping, or other facilities to protect adjacent or nearby properties.
- (10) Requiring site reclamation upon discontinuance of use and/or expiration or revocation of the project permit.
- (11) Limiting hours and size of operation; and
- (12) Controlling the siting of the use and/or structures on the property.

2. The City may deny an application based on finding that the proposed action:

- a. Would endanger the public health, safety, and welfare.
- b. Would have a probable, significant, adverse impact on the environment that cannot be reasonably mitigated.
- c. Is not consistent with the Goals and Policies of the College Place Comprehensive Plan.
- d. Does not comply with the provisions of the College Place Municipal Code; or
- e. Information required by the City in order to complete the processing was not provided in accordance with the provisions of this Title.

Section 19: CPMC 14.30.170 is amended as follows:

Special Use Permits. ~~Certain Temporary~~ uses may be permitted for a specific period of time in a zoning district through the issuance of a Special Use Permit. ~~Limited duration activities on public property may also be permitted through a Special Event Permit or a Right-of-Way Use Permit.~~

- A. Applicability. ~~The Uses or activities that may be permitted through a Special Use Permit are identified in the Table of Permitted Uses (CPMC 14.30.050), provided that:~~
1. The City may approve additional uses based on a finding that they are compatible with neighboring uses.
 2. Uses that are specifically prohibited in a Zoning District may not be permitted through the issuance of a Special Use Permit in that district.
- B. Approval Criteria. ~~The City may approve, approve with conditions, or deny a request for approval of an application for a Special Use Permit subject to compliance with the following criteria:~~
1. The Applicant owns the property to be used or has provided proof of the property owner's permission to use his/her/their property.
 2. The proposed site is adequate to accommodate the use while providing for appropriate protection of the public health, safety, and welfare as determined by the City, which may include, but is not limited to, appropriate traffic control measures, emergency service access, potable water supply and sanitation facilities, stormwater control, sewage, solid waste services, and environmental protection. The project makes adequate provisions for access and circulation, water supply, storm drainage, sanitary sewage disposal, solid waste management, recycling, emergency services, adverse weather conditions, environmental protection, and the protection of the public health, safety, and welfare, as determined by the city;
 3. The proposed site is adequate to accommodate the special use and appropriate measures to mitigate impact on neighboring properties and uses are taken or exist on the property to be used. The proposed site is adequate in size and shape with appropriate screening or landscaping to accommodate

~~the temporary use without detriment to the use and enjoyment of other properties in the project vicinity;~~

4. ~~The proposed site has adequate parking or public transportation available for the use. Adequate temporary parking to accommodate vehicular traffic to be generated by the temporary or special use will be available either on-site or at alternate locations acceptable to the City.~~
5. ~~The proposed site and use comply with all other City requirements imposed in the interest of public safety and welfare. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a threat to the public health, safety, or general welfare.~~

Section 20: CPMC 14.30.180 is amended as follows:

Variances. This Section shall govern the issuance of variances to reduce or modify certain provisions of this Title.

- A. A variance may be granted to the density, dimension, height, setback, and development standards, provided that all other provisions of this Title can be met. A variance of a numerical standard, such as a setback or density, shall not exceed 20%. For example, a 10' setback could be reduced up to 2'.
- B. Under no circumstances shall the City grant a variance to allow a use not permissible under the terms of this Title in the zoning district involved, or any use expressly or by implication prohibited in the zoning district by the terms of this Title.
- C. Variances shall be processed in conjunction with associated ~~permits and approvals~~permits/approvals/actions. For example, a variance request submitted with a short plat application, will be processed in accordance with the Type 2 Review procedures, a variance request submitted with a subdivision application will be processed in accordance with the Type 3 procedures.
- D. Variances may be approved by the City based on a finding that such variance will not be contrary to the public interest and the Comprehensive Plan or where literal enforcement of the provisions of this Title would result in undue hardship. A

variance shall not be granted unless the City further finds that the Applicant has demonstrated all of the following:

1. That special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, do exist; and
2. That because of such special circumstances, strict application of this Title would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity under identical zoning district classification; and
3. That the granting of the variance will not be materially detrimental to the public health, safety, and welfare or injurious to the property or improvements in the vicinity and zoning district classification in which the property is situated; and
4. That the special circumstances do not result from the actions of the Applicant; and
5. That the granting of a variance will be in harmony with the general purpose and intent of this Title, the specific zoning district, and the City Comprehensive Plan.

Section 21: CPMC 14.30.200 is amended as follows:

- A. Standing to initiate an appeal of Type 1, 2, 3 and 4 Reviews is limited to the Applicant, Project Sponsor, or owner of the property in which the project permit is proposed, parties of record, affected agencies or tribes, or any person aggrieved by the final decision and who will suffer direct and substantial impacts from approval or denial of the project. A person is aggrieved or adversely affected within the meaning of this Section, only when all of the following conditions are present:
 1. The land use decision has prejudiced or is likely to prejudice that person.
 2. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision.

3. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
 4. The petitioner has exhausted his/ ~~or her~~ their administrative remedies to the extent required by law.
- B. All appeals of interpretations or actions regarding Type 1 and 2 Reviews shall be filed in a format prescribed by the City along with the required fee, within 14 days of the date of the interpretation or action. If the deadline to file an appeal falls on a weekend or on a City Holiday, the deadline shall become the next business day. The City shall mail written notice to all parties of record to apprise them of all open and closed record public appeal hearings and shall place a public notice in the City's Newspaper of Record at least fourteen days before the open record appeal hearing.
1. The Notice of Appeal shall specify the claimed error(s) and issue(s) which the Appellate Body is asked to consider and shall specifically state all grounds for such appeal. Issues or grounds of appeal which are not so identified need not be considered by the Appellate Body.
 2. The Appellants and any Respondents to the Notice of Appeal shall have the opportunity to present oral and written arguments during open record appeal hearings. For all closed record appeals, the record shall be limited to information presented during the preceding open record hearing. Oral argument shall be confined to the established record and to any alleged errors in the decision.
 3. Following an appeal hearing, the Appellate Body may affirm, reverse, or modify the decision of record and shall adopt its own written findings and conclusions in support of its decision; and
 4. The City may require an Applicant and/or the Appellant to reimburse the City for the cost of preparing materials to be used during open record public hearings or closed record appeals, including but not limited to the cost of copying, taping, and/or transcribing a certified record of the proceedings.
 5. Appeals of SEPA threshold Determinations or SEPA actions shall be combined with any appeals of associated applications or permits. If the final decision

incorporates the SEPA threshold determination subject to a fourteen-day comment period, a joint twenty-one-calendar-day appeal period shall be provided on both the project decision and the SEPA threshold determination.

- C. All Type 3 and Type 4 land use decisions and the decisions of the Hearing Examiner on appeals of Type 1 and 2 permits may be appealed by a party with standing to file a land use petition in Washington State Superior Court, unless otherwise specified, in accordance with the provisions of Chapter 36.70C RCW. Such petition must be filed within twenty-one days of issuance of the decision. This process shall be the exclusive means of judicial review except for local land use decisions reviewable by a quasi-judicial body created by state law, such as the shorelines hearings board.

Section 22: CPMC 14.30.210 is amended as follows:

Amendments. The purpose of this Section is to establish the process for amending project specific ~~permits and approvals~~ permits/approvals/actions, as well as the City's Comprehensive Plan and the Unified Development Code and related maps.

- A. Project Specific ~~Permits and Approvals~~ Permits/approvals/actions - Minor Amendments.
 - 1. Proposed amendments to project specific permits and approvals ~~permits/approvals/actions~~ may be determined by the City to be minor amendments, and subject to the provisions of this Section, provided that the proposed amendments do not:
 - a. Alter the overall character of the project.
 - b. Increase the number of lots, dwelling units, or density.
 - c. Decrease the quality or amount of open space.
 - d. Significantly increase the demand for public utilities or services.
 - e. Trigger the need for a new or supplemental environmental review; or
 - f. Introduce a new use that is prohibited in the zone or that may only be permitted through a conditional use permit.

2. Minor amendments shall be processed in accordance with the provisions of Section 14.30.080 and may be approved, modified with conditions of approval by the City, or denied, provided that:
 - a. A proposed change to a condition of approval does not modify the intent of the original condition; and
 - b. The perimeter boundaries of the original site shall not be extended by more than five percent of the original lot area; and
 - c. The proposal does not add more than ten percent gross square footage of structures on the site; and
 - d. ~~The proposal does not increase the overall impervious surface on the site by more than ten percent; and~~ Proposed changes to yard and height requirements are limited to ten percent of the required dimension.
3. Any additions or expansions approved through minor amendments that would cumulatively exceed the requirements of this Section shall be reviewed as a major amendment.

B. Project Specific ~~Permits and Approvals~~ Permits/approvals/actions - Major Amendments.

1. Proposed amendments to project specific ~~permits and approvals~~ permits/approvals/actions that do not meet the criteria for a minor amendment, as determined by the City, shall be considered a major amendment and subject to the provisions of this Section.
2. Major amendments shall be subject to processing in the same manner as the original permit or approval, as determined by the City.

C. Amendments to the College Place Comprehensive Plan. Proposed amendments to the Comprehensive Plan including, but not limited to the Goals and Policies, Level of Service Standards, and the Future Land Use Map shall be processed as a Type 4 review, in accordance with the provisions of Section 14.30.080, provided that:

1. Applications from the public shall only be accepted for review in accordance with the provisions of the public participation plan adopted by the City to guide the annual review of Comprehensive Plan amendments.
2. The City may propose amendments at any time.
3. Amendments shall be considered by the City Council no more frequently than once a year, except when the proposed amendment:
 - a. Is for the initial adoption of a sub-area plan.
 - b. Adopts or amends a Shoreline Master Program; or
 - c. Amends the capital facilities element concurrent with the adoption of the City's budget.

D. Amendments to the Unified Development Code and/or Official Zoning Map.

Applications to amend Title 14 of the College Place Municipal Code, also known as the Unified Development Code and/or a general, non-site-specific amendment to the Official Zoning Map, also known as a general rezone, may be submitted at any time, in a format prescribed by the City. These applications shall be processed as a Type 4 review, in accordance with the provisions of Section 14.30.080, provided that:

1. Site specific rezone applications that require an amendment to the Comprehensive Plan or Future Land Use Map, shall be processed in conjunction with those amendments, and shall be subject to the annual limitations for processing proposed amendments to the Comprehensive Plan.
2. Amendments to the Unified Development Code may be held by the City for processing in conjunction with the annual review of Comprehensive Plan amendments.
3. The diagrams and illustrations contained in the Unified Development Code are provided as a resource to the reader and may be changed by City staff without formally amending the code.

E. Upon review of the application materials, the City staff report, environmental documents, written comments from the public as well as from local, state, and federal

agencies, and testimony presented at the required public hearing, the Planning Commission shall make a recommendation to the City Council to approve, approve subject to conditions, or deny the Application. The recommendation of the Planning Commission shall be based on the official record of their proceedings and deliberations and shall include written findings addressing the following:

1. The need for the proposed rezone.
2. Whether the proposed rezone is in the public interest.
3. Consistency with the College Place Comprehensive Plan and related documents.
4. Consistency with the College Place Future Land Use Map.
5. Compliance with the provisions of the College Place Unified Development Code; and
6. Compliance with the provisions of the Laws of Washington State including, but not limited to, the Washington State Growth Management Act and the Washington State Environmental Policy Act.
7. The City Council shall make a decision to approve, approve subject to conditions, or deny the application(s) based on a review of the record provided by the Planning Commission, provided that the City Council may also remand proposed amendments to the Planning Commission for further research, review, and deliberations.

- F. Nothing in this Chapter shall preclude the City Council from adopting Moratoria or Interim Zoning Controls in accordance with the provisions of RCW 36.70A. 390 or as subsequently amended.

Section 23: CPMC 14.20.230 is amended as follows:

Public Notice Requirements.

- A. These public notice requirements shall apply to the following unless otherwise specified:

1. Notices of Application.
2. Public hearing notices.
3. SEPA Threshold Determinations.
4. Notices of Decisions; and
5. Notices of Appeals.

B. Prior to any public comment period and at least fifteen days prior to the date of any open record public hearing and/or any public comment periods the City shall:

1. Publish the notice in the general newspaper of record.
2. Post the notice on the City website and at City Hall.
3. Place a sign that displays the public notice on each street frontage in accordance City specifications and installation requirements; and
4. Mailed to the:
 - a. Applicant.
 - b. Owners of all parcels within 300 feet of the boundaries of the parcel in question and any adjacent parcels under the ownership or control of the Project Sponsor.
 - c. Agencies with jurisdiction.
 - d. Parties who have provided oral or written testimony on the permit and requested to be on the mailing list.
 - e. Parties who have submitted written requests to receive notice; and
 - f. Parties of Record.

C. All SEPA Threshold Determinations shall be distributed to:

1. The Washington State Department of Ecology SEPA Register at separegister@ecy.wa.gov.
2. Agencies and jurisdictions on the City's SEPA mailing list; and
3. All parties listed in Section 14.30.230 B 4 above.

Section 24: CPMC 14.40.040 is amended as follows:

Categorical Exemptions. All proposed projects or development activities are subject to the provisions of this Chapter and WAC 197-11, except those activities that are identified in WAC 197-11-800 as being categorically exempt from SEPA, including:

A. The following minor new construction activities are exempt from the provisions of this Chapter unless the site contains critical areas or otherwise does not meet the exemption criteria of WAC 197-11-800:

1. The construction or location of up to and including fourteen (14) single family residential ~~nine (9)~~ dwelling units.
2. ~~The construction or location of up to sixty (60) multi-family residential dwelling units~~ The construction of a barn, loafing shed, farm equipment storage building, produce storage, or packing structure, or similar agricultural structure, covering up to 30,000 square feet, provided that said structure is to be used by the property owner or his/ ~~or~~ her/their agent in the conduct of permitted farming on the property. This exemption shall not apply to feed lots.
3. The construction of an office, school, commercial, recreational, service, storage building, with up to 30,000 square feet of gross floor area and associated parking facilities designed for no more than 90 automobiles.; or
4. Any landfill or excavation of up to ~~200~~ 1,000 cubic yards throughout the total lifetime of the fill or excavation.
5. The construction of a parking lot not associated with a specific structure designed for up to 90 automobiles.; ~~or~~

- B. Actions which must be undertaken immediately, or within a time period too short to allow full compliance with this Chapter, to avoid an immediate threat to public health, safety, and welfare to prevent an immediate danger to public or private property, or to prevent an imminent threat to serious environmental degradation, shall be exempt from the procedural requirements of this Chapter.
 - 1. The SEPA Responsible Official shall determine on a case-by-case basis those emergency actions which qualify for this exemption.
 - 2. The City's determination that a proposal is exempt shall be final and not subject to appeal. If a proposal is exempt, none of the procedural requirements of this Chapter shall apply to the proposal. The City shall not require completion of an environmental checklist for an exempt proposal.
- C. If a proposal includes exempt and nonexempt actions, the City may authorize exempt actions prior to compliance with the procedural requirements of this Chapter, except that:
 - 1. The City shall not give authorization under this Section for:
 - a. Any nonexempt action.
 - b. Any action that would have an adverse environmental impact; or
 - c. Any action that would limit the reasonable choice of alternatives.
 - 2. The City may withhold approval of an exempt action that would lead to modification of the physical environment when such modification would serve no purpose if nonexempt action(s) were not approved.
 - 3. The City may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.

Section 25: CPMC 14.50.020 is amended as follows:

Official Zoning Map. The City shall establish and maintain an Official Zoning Map consistent with the provisions of this Title and the Comprehensive Plan.

A. In order to classify, segregate and regulate the uses of land, buildings and structures, the city is divided into the following zoning districts:

1. Single-Family Residential (SFR). The purpose of the Single-Family Residential zoning district is to stabilize and protect residential neighborhoods; to prevent intrusion by incompatible uses; and to permit principal and accessory uses which will enhance the district's single-family residential character.
2. Multi-Family Residential (MFR). The purpose of the Multi-Family Residential zoning district is to provide a range of higher density residential opportunities in the vicinity of existing high-density residential areas, institutions, commercial areas, and major transportation routes.
3. Manufactured Housing/Mobile Home Park District (MHP). The purpose of this district is to provide and protect affordable opportunities for the long-term occupancy of manufactured housing and mobile homes and the like in a residential setting.
4. General Commercial (GC). The purpose of the General Commercial zoning district is to provide for the concentrated grouping of diversified retail trade, administrative, and professional offices, and services. This district encourages a full range of commercial activities, including convenience, comparison and professional shops and businesses serving the entire community trading area.
5. Downtown Mixed-Use (DMU). The purpose of the Downtown Mixed-Use zoning district is to promote innovative, well designed, mixed-use, higher density development along College Avenue. The DMU district is hereby created to:
 - a. Be consistent with City of College Place Comprehensive Plan goals and policies by encouraging more compact, higher density, mixed-use development of retail, office, and residential uses within the same building.

- b. Provide an area with a compatible mix of residential and commercial uses.
 - c. Promote innovative site and building design to achieve above purposes by allowing flexibility within and modification from existing codes through flexible residential densities while not compromising the requirements established within the College Place Municipal Code.
 - 6. Light Industrial (LI). The purpose of the Light Industrial zoning district is to provide for the location and grouping of industrial activities that do not generate offensive external impacts such as excessive noise, pollution, or emissions, involve limited assembly, fabrication, and handling of products, include research and technological processes, and do not create exceptional demands upon public facilities and services. A further purpose is to afford protection to the industries so located by prohibiting the intrusion of incompatible influences.
 - 7. University District (UD). The purpose of the University District zone is to promote the use and development of properties on and in the immediate vicinity of the Walla Walla University Campus in accordance with the provisions of a Master Plan and to promote the compatibility of uses between the University and neighboring properties.
 - 8. Public Use (PU). The purpose of the Public Use zoning district is to provide for the retention of lands necessary for open spaces, parks, K-12 schools, and City facilities such as the City Hall campus.
- B. The locations and boundaries of these zoning districts are depicted on the Official Zoning Map. The regulations of this Title governing the uses of land, buildings and structures, the size of yards and other matters as set forth in this Title are established and declared to be in effect upon all land encompassed within the boundaries of each district as shown on the Official Zoning Map.
- C. Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the Community Development Director or his/her/their designee may make an administrative determination.

Section 26: CPMC 14.50.030 is hereby amended as follows:

Table of Permitted Uses.

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use. C = May be permitted through a Conditional Use Permit. S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Accessory building/use	A	A	A (11)	A	A	A	A	A	Section 14.60.170
Accessory dwelling unit (ADU)	A	A	<u>A</u>	A			<u>A</u>		Section 14.60.170
Adult home	P	P	P	P	P				
Alternative energy infrastructure	A	A		A	A	A	A	A	Section 14.60.110
Animals	A	A							CPMC Title 6
Antique/Secondhand store				P	P				
Appliance repair shop					P	P			
Arcade/Amusement facility					P				
Automobile service/repair (1)				P	P	P			
Automobile/Truck sales, New and used					P				
Bakery				P	P	P			
				P	P				
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use. C = May be permitted through a Conditional Use Permit. S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Bank/Financial institution				P	P				
Beauty salon/Day spa				P	P				
Bed and breakfast inn	S	S		S					Section 14.60.160
Boarding house		P		P			P		
Brewery/Distillery					P				
Business park					P				
Business/Professional office				P	P				
Car wash					P				
Cemetery/Mausoleum					C		C	C	

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Church	C	C		C	C		P		
Clubhouses, community centers, and recreation facilities for the primary use of mobile and manufactured home parks			P						Section 14.60.190
Communications center/facility						P			
Contractor/ Construction yard					P	P			
Convalescent/ Nursing/Retirement home		C		C	C				
Co-housing	P	P							Section 14.60.180
Convenience grocery			C						
Cottage housing	P	P							Section 14.60.180
Cultural facility				P	P		P	P	
Day care center, Adult	P	P	C	P	P		P		
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Day Care Center, Child			C	P	P				
Day Care, Child In-Home Facility	A	A		A			A		
Drug store				P	P				
Dry cleaning					P				
Dwelling units (3+), Multiple		P		P	P		P		
Dwelling unit, Single	P	P	A (10)	(5)			(5)		
Dwelling units (duplex), Two	P	P		(5)			(5)		
Electric vehicle infrastructure				P	P	P	P	P	
Farmers market				S	S	S	S	S	
Food/Beverage				P	P				

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Food cart				P	P	P	P	P	
Food cart pod				S	S	S	S	S	
Golf course	C	C						C	
Government buildings				P	P		P	P	
Group home	P	P	P						
Hemp production	X	X		X	X	X	X	X	
Home business	A	A	A	A	A				Section 14.60.150
Hospital/Medical center					P				
Hotel				P	P				
Industry, Light						P			Section 14.60.240
Kennel					P				
Landfill	X	X	X	X	X	X	X	X	
Laundromat			C	P	P				
Lodges/Fraternal/ Social Organization				P	P				
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Manufactured home	P	P		(5)		(5)			Section 14.60.180
Manufactured home park	P (6)	P (6)	P						Section 14.60.190
Manufactured housing community			P						Section 14.60.190
Manufactured/Mobil home community			P						Section 14.60.190
Manufacturing/ Assembly, Light						P			Section 14.60.240
Marijuana, medical cooperative	X	X	X	X	X	X	X	X	
Marijuana processing	X	X	X	X	X	X	X	X	
Marijuana production	X	X	X	X	X	X	X	X	
Marijuana sales	X	X	X	X	X	X	X	X	
Master Planned Development	P	P	P	P	P	P	X	P	Section 14.100
Medical office/clinic				P	P				
Mining	X	X	X	X	X	X	X	X	
Mini storage			C			P			Section 14.60.100

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Mixed-use, Commercial/ Residential				P	P				Section 14.60.180
Mobile home	P (8)	P (8)	<u>P</u>						Section 14.60.190
Mobile home park	P (7)	P (7)	P						Section 14.60.190
<u>Mobile vendor</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	<u>Section 14.60.140</u>
<u>Mobile vendor food court</u>				<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>Section 14.60.140</u>
Motel				P	P				
Nursery/Greenhouse					P	P			
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Office, Business/Professional			C (9)	P	P				
Office, Government/ Non-Profit				P	P				
Park/Playground	P	P	P	P	P		P	P	
Park and ride facility					P				
Parking lot				P	P	P	P		
Personal service			C (9)	P	P				
Pop-up business				S	S	S	S	S	
Post office				P	P				
Public utilities	P	P	P	P	P	P	P	P	
Recreation, Private indoor				P	P		P		
Recreation, Public indoor				P	P		P	P	
Recreation, Private outdoor					P		P		
Recreation, Public sports complex							P	P	
Restaurant				P	P				
Restaurant/Coffee shop			C						
Retail sales				P	P				
Retail sales, Large-Scale					P				

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
RV Park		P	P		<u>P</u>		P	P	Section 14.60.200
Salvage/Wrecking operations						P			Section 14.60.100
School, Vocational/Trade				P	P	P			
School, Public/Private	C	C		C	C	C			
Seasonal use	S	S	S	S	S		S	S	
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Secure community transition facility	C	C							
Security building, On-Site						A		A	
Sexually oriented business						C			Section 14.60.120
Shipping/Receiving center						P			
Storage of flammable material/liquid									
Storage, Outdoor					P	P			Section 14.60.100
Tasting room				P	P				
Tavern/bar				P	P				
Technology center						P			
Temporary homeless encampment	S	S		S	S	S	S		Section 14.60.210
Temporary use	S	S	S	S	S	S	S	S	Section 14.60.130
Theater, Live/Movie				P	P				
Tiny home									Section 14.60.180
Townhouse	P	P		P					Section 14.60.180
Underground injection well	X	X	<u>X</u>	X	X	X	X	X	
University							P		Section 14.60.250
Vacation rental	S	S		S	<u>S</u>				Section 14.60.160

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
Veterinary hospital/clinic					C	C			
Warehouse/Shipping					P	P			Section 14.60.100
Winery					P	P			
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Wireless communication facility, Academic	P	P		P	P	P	P		Section 14.60.270
Wireless communication facility, Major	X	X		X	C	C	C	C	Section 14.60.270
Wireless Communication facility, Minor	P	P	P	P	P	P	P	P	Section 14.60.270

Footnotes:

1. All repair work shall be conducted indoors in accordance with applicable environmental and safety standards.
2. See Section 14.60.240 Light Industrial District Standards.
3. New developments must comply with the Downtown Mixed-Use District Standards, please see Section 14.60.230.
4. New developments must comply with the University District Standards, please see Section 14.60.250.
5. Legally established single-family and multi-family dwelling units, in use on January 1, 2020, are a permitted use.
6. Legally established manufactured home parks in existence on January 1, 2020, are a permitted use.
7. Legally established mobile home parks in existence on January 1, 2020, are a permitted use.

8. Legally established mobile homes in existence on January 1, 2020, are a permitted use and may continue to be used at that location. After January 1, 2020, mobile homes may only be placed in mobile home parks in existence before June 12, 2008.
9. Personal and professional services designed primarily to serve the residents of the neighborhood.
10. One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.
11. The following accessory uses may be permitted in the MHP District:
 - a. Garages and carports.
 - b. Garden house, tool shed, playhouse, or greenhouse not used for commercial purposes.
 - c. Any use customarily incidental to a permitted principal use, i.e., the sale of new or eligible used manufactured homes for use within the park.
 - a. One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.

Section 27: CPMC 14.60.030 is amended as follows:

Density, Dimension, Area, Height, and Setback Standards. The density, dimension, area, height, and setback standards of this Chapter shall apply to all lots, uses, structures, buildings, and fences, unless otherwise specifically provided by the provisions of this Title, or a variance is granted.

A. Table 14.60.030 Density, Dimension, Area, Height, and Setback Standards.

Zoning District	Maximum Density (dwelling units/acre) (1)	Minimum Lot Size (sq. ft.) (3)	Minimum Lot Width (6)	Maximum Building Height (7)	Setbacks		
					Front Yard (8)	Side Yard (8)	Rear Yard (8)
Single-Family Residential (SFR)	7	6,000 (4)	60' (4)	35'	20' (9)	5' (11)	20' (15) (16)
Multi-Family Residential (MFR)	(2)	None (4)	50' (4)	35'	20' (9)	5' (11) (12)	15' (15) (16)
Downtown Mixed-Use (DMU)	(2)	None (5)	50'	None	None (10)	None	None
General Commercial (GC)	(2)	None (5)	50'	None	None	None (13)	None (13)

Light Industrial (LI)		None (5)	50'	None	None	None (14)	None (14)
University District (UD)	(2)	None (5)	50'	None	None	None	None
Public Uses (PU)		None	50'	None	None	None	None

Table Footnotes:

(1) The maximum density for a specific parcel may be calculated as follows, provided that the achieved density will be based on compliance with the provisions of this Title, including minimum lot size, lot width, required improvements, etc.:

a. Single Family Residential: $\text{parcel size (square feet)} / 43,560 * 7$ (results ending in .51 or greater may be rounded up).

(2) The maximum density shall be determined based on compliance with the applicable development standards including building height, setbacks, lot coverage, parking, landscaping, building codes, and the like.

(3) Critical areas and their buffers shall not be included in lot size and lot coverage calculations.

a. ~~The maximum lot coverage requirement shall include the footprint of all buildings.~~

(4) For cottage housing and townhouses, the minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot coverage~~, and setback requirements can reasonably be met.

(5) There is no minimum lot size, provided that the density, lot width, setback, building height, and building separation, ~~and lot coverage~~ requirements can be met.

(6) Lot width means the dimension of the lot at the front property line, unless otherwise provided in this Title.

(7) Building heights are measured from the average elevation of the proposed finished grade around the building to the highest point of a flat roof and to the mean height between eaves and ridge of a pitched roof or to the mean height of any parapet or false front.

(8) Building setbacks shall be from property lines, or from critical area buffers when present.

a. Buildings must also be set back 2' from easements.

- b. No building, or foundation may encroach into a setback or easement.
 - c. Ramps, or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier Free Design, may be permitted in all required setbacks.
- (9) Garages must be set back at least 20' from the front property line, but the setback for the residential portion of building may be reduced to 15', if:
- a. The single-family residence includes a front porch open on three sides and is at least four feet deep; or
 - b. A 5' wide or larger planter strip is installed along the street frontage in accordance with City standards.
- (10) The maximum front yard setback shall be 10' and on corner lots 15'.
- (11) On corner lots, the exterior side yard setback shall be at least 15 feet from the property line.
- (12) Multi-story buildings adjacent to single-family residences and parcels in the Single-Family Residential Zone (SFR):
- a. The setback shall be equal to or exceed the height of the building at the eave, not to exceed 20'; and
 - b. The rear of the building shall be setback from the property line a distance greater than or equal to the height of the building at the eave, not to exceed 20'.
- (13) No setback is required, except when abutting a SFR, MFR, or PUD district, then the following landscaped buffers shall be required in accordance with the provisions of Section 14.60.040 Landscaping, Fences and Visibility Standards.
- a. Side yard: 10'.
 - b. Rear yard: 15'.
- (14) No setback required except when abutting a SFR, MFR, or PUD then a landscaped buffer equal to the height of the building at eave shall be required in accordance with the provisions of Section 14.60.040 Landscaping, Fences and Visibility Standards.
- (15) Accessory buildings may be located in the rear yard setback up to 5' from the property line.

(16) On corner lots the rear yard setback may be reduced to 5'.

Section 28: CPMC 14.60.040 is amended as follows:

Landscaping, Fences, and Visibility Standards.

A. Landscaping Standards.

1. All developments throughout the city shall provide adequate screening and landscaping of their use activities so as to reasonably protect abutting properties from the effects of noise, light, glare, exhaust fumes and other adverse impacts and to provide an attractive urban environment.
2. All required landscaping and landscaped buffers shall be designed by a qualified professional and submitted as a landscape plan in a format prescribed by the City, for review and approval.
 - a. Unless otherwise provided, all required landscaping shall be evenly distributed and shall consist of a mixture of hardy evergreen planted material including trees, low, medium, and high-profile shrubs, together with suitable ground cover consisting of natural grasses, vines, bark mulch, and rockeries.
 - b. When plantings are used in screening or landscaping, they shall be compatible with area climate conditions and shall be provided with either a manual or automatic irrigation system.
 - c. The use of native plants and low water usage plantings is encouraged; and
 - d. All landscaping shall be placed and maintained in such a manner as not to impair vehicular visibility at parking area points of ingress/egress, emergency vehicle access, City maintenance activities, and shall comply with the sight visibility requirements in this Section.
3. All shrubs, trees and vegetative material used in the screening or landscaping of these activities shall be perpetually maintained in a healthy, growing condition. Dead or dying trees or shrubs shall be replaced immediately and planting areas shall be maintained free of trash and weeds and shall not present a fire hazard. Fences used in screening and landscaping shall be perpetually maintained in an attractive and structurally sound condition.
4. All mechanical equipment, outdoor storage and manufacturing areas, and loading, service, and delivery areas, shall be screened from view from all public streets and any

Residential Zones. The screening shall be provided by one or more the following (minimum of 6 feet tall):

- a. Decorative wall (i.e., masonry or similar quality material).
 - b. Evergreen hedge.
 - c. Sight-obscuring fence; or
 - d. Similar feature that provides a non-see-through barrier.
5. Refuse Enclosures. Trash dumpsters or compactors that are required by this Code shall be enclosed by a refuse enclosure consisting of a six (6) foot tall decorative wall.
6. All required off-street parking facilities which have 15 or more parking spaces shall provide landscaping in conformance with the standards in this Section and the following:
- a. A perimeter landscaped border of at least 5' wide around the parking area.
 - b. Interior landscaping in at least ten percent of the total land area covered in parking.
 - c. The interior of the parking areas shall contain landscape islands and peninsulas located in such a manner as to:
 - (1) Divide and break up large expanses of paving.
 - (2) Guide traffic flow and direction.
 - (3) Promote pedestrian and vehicular safety; and
 - (4) Preserve existing trees and vegetation.
7. Landscape islands shall be installed to break up the parking area into rows of not more than 20 contiguous parking spaces or 10 spaces in one row.
- a. Each end of each row of parking spaces shall require a landscape island unless the end of such row of parking spaces is adjacent to a perimeter landscape.
 - b. The minimum width for a landscape island or peninsula shall be 5'; and

- c. Each landscape island or peninsula shall contain a minimum of one (1) shade tree and a combination of five (5) deciduous and evergreen shrubs or groundcover.

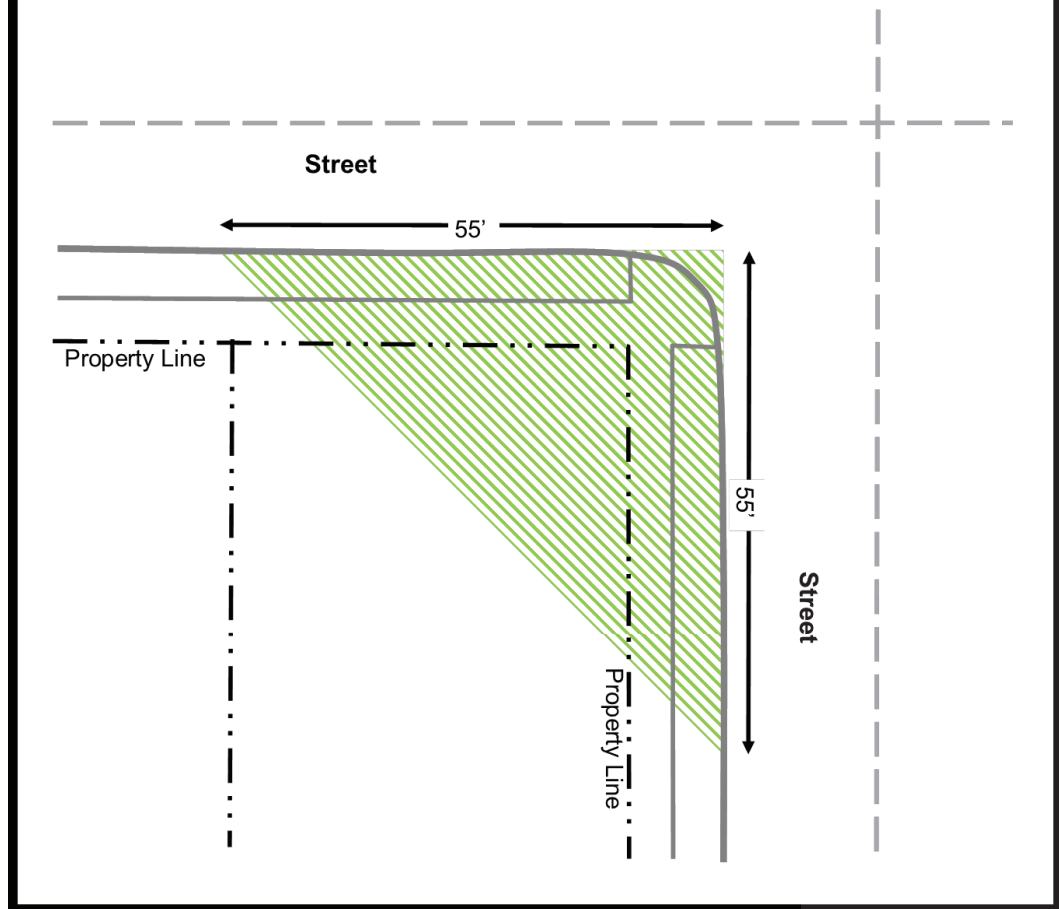
B. The following standards shall apply to all fences in the City:

1. No fence shall exceed eight feet in height measured from the existing grade to the highest board, rail, or wire, including any retaining wall.
 - a. Fences exceeding seven feet in height shall require a building permit and must comply with the provisions of the International Codes, as adopted by the City.
 - b. All fences of any height require a fence placement permit.
2. No fence located within a required front yard setback (including half depth front yards) shall exceed 42 inches in height; provided, however, that in the case of corner lots, fences exceeding 42 inches in height may be erected within the required front yard setback for second front yards so long as no fence exceeding 42 inches in height is erected within 30 feet of the front property line of the primary front yard.
3. The maximum fence height limitations are further qualified and limited by the sight visibility triangle provisions of this Section.
3. No privately-owned fence may be constructed on public property or encroach into public right-of-way.

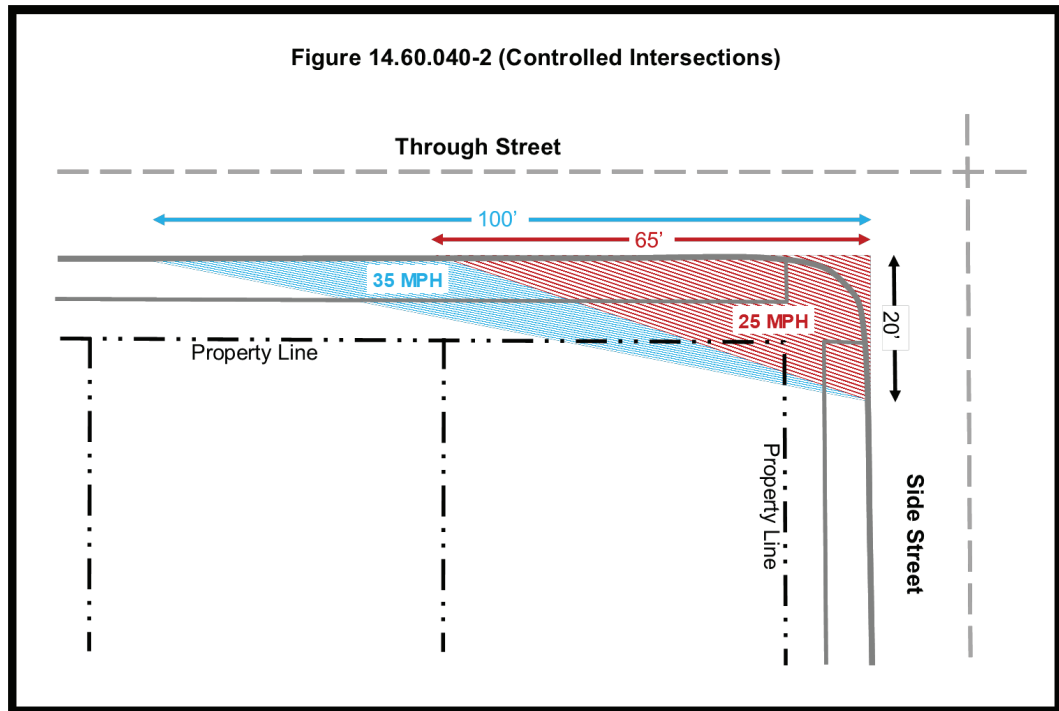
C. Site Visibility Triangles. In an effort to make intersections safer for vehicles, bicyclists, pedestrians, and other legal uses, the following standards shall apply to all buildings, structures, fences, vegetation, and landscaping.

1. Figures 14.60.040-1, 14.60.040-2, and 14.60.040-3 illustrate dimensions and terminology used in this Chapter with reference to sight visibility triangles.
2. At uncontrolled intersections, the sight visibility triangle shall be formed by measuring back from the point where the extensions of the face of curb (or edge of paved road surface for streets without gutters) meet, a distance of 55 feet along the extensions, with the third side of the triangle being the straight-line connection between the above-mentioned side lines (Refer to Figure 14.60.040-1.)

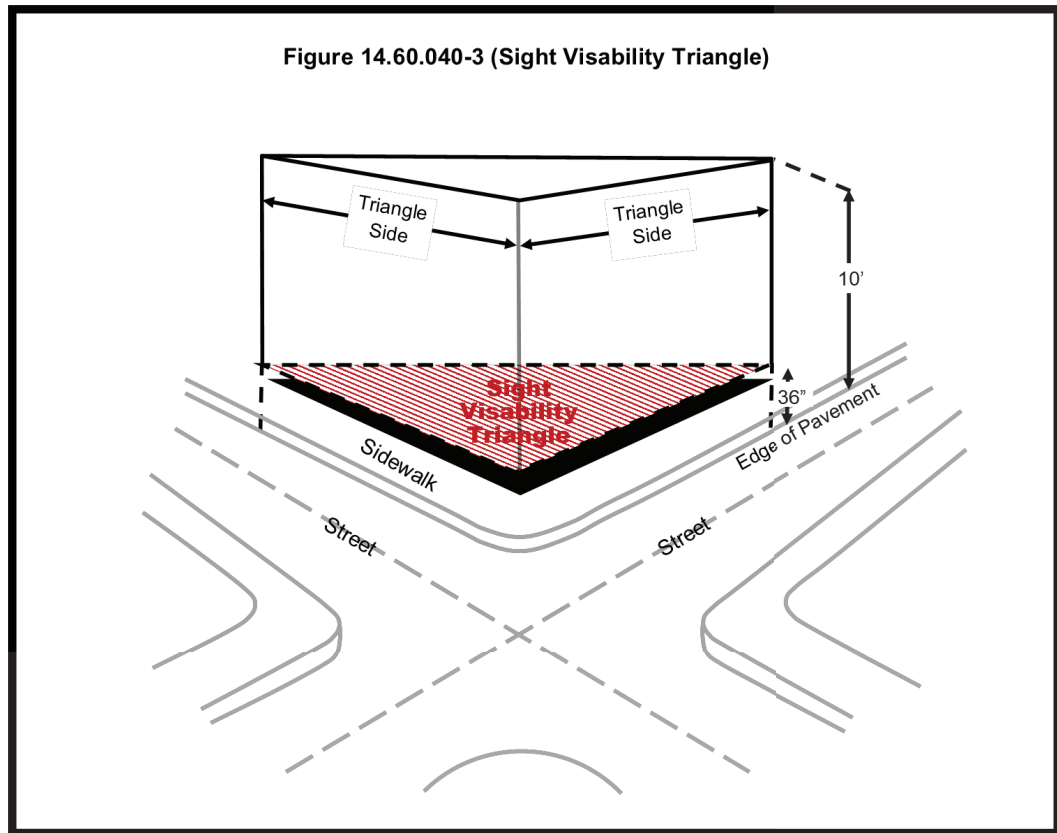
Figure 14.60.040-1 (Uncontrolled Intersections)



3. At controlled intersections the side street side of the sight visibility triangle shall be a distance of twenty feet measured back from the point where the extensions of the face of curb (or edge of paved road surface for streets without gutters) meet; the through street side of the triangle shall be a distance of 65 feet for speed limits up to 25 miles per hour and 100 feet for speed limits up to 35 miles per hour; the third side of the triangle being the straight line connection between the above-mentioned side lines. (Refer to Figure 14.60.040-2.)



4. On property located within any sight visibility triangle there shall be located no structure, fence, wall, hedge, natural growth, tree, sign, or other object which materially impairs vision between a height of 36" (thirty-six inches) and a height of ten feet above the edge of the pavement except as provided for in Section 14.60.040(C)(5). (Refer to Figure 14.60.040-3.)



5. The sight visibility triangle regulations of this Chapter shall not apply to:
 - a. Permanent structures and fences which were existing prior to passage of this Title unless such are determined by the City to be a public hazard or nuisance.
 - b. Existing public utility poles.
 - c. Existing trees, so long as they are not planted in the form of a hedge and are trimmed to the trunk to a height of at least ten feet above the grade level of the centerline of the intersection so as to leave, in all seasons, a clear and unobstructed cross view.
 - d. Official warning signs or signals; or
 - e. Where existing conditions preclude compliance, as determined by the City Engineer.
6. The sight visibility triangle requirements of this Chapter are declared to be minimums only and do in no way prohibit the City from applying more restrictive height and location requirements where this action is warranted in consideration of the public health, safety, and welfare.
7. Any structure, fence, wall, hedge, natural growth, tree, sign, or other object erected or placed in violation of the sight visibility triangle requirements of this Chapter is

declared to be a public nuisance and shall be subject to abatement in accordance with the provisions of College Place Municipal Code Chapter 8.24.

Section 29 CPMC 14.60.035 is amended as follows:

Addressing Standards and Guidelines.

A. The purpose of these standards is to:

1. Prescribe a system for the naming of streets and the numbering of structures.
2. Provide a uniform pattern of addresses for law enforcement, medical, fire, utility responders, and mail service.
3. Provide a uniform database to support the delivery of public services such as property research, GIS mapping, and enhanced 911 services.

B. The Public Works Director or his/her designee, is responsible for implementing, enforcing, and maintaining the City addressing and street naming standards, unless otherwise authorized by the City Administrator. This shall include, but is not limited to:

1. Establishing and implementing, as well as periodically reviewing and updating, such administrative procedures as may be necessary to achieve the purposes of these standards in an efficient and effective manner.
2. Maintaining a master list of all street and road names within the city, including both public and private streets.
3. Notifying public agencies and public service providers of approved street names and addresses in a timely manner. This may include, but is not limited to:
 - a. Regional 911 Dispatch Center.
 - b. US Postal Service.
 - c. Walla Walla County Master Street Addressing Guide Coordinator.
 - d. Walla Walla County GIS Office; and
 - e. City Departments including Police, Fire, and Community Development.
4. Erecting and maintaining public road signs.

C. The responsibilities of private property owners shall include:

1. Obtaining approval from the City for all street names and addresses on their properties.
 2. Erecting and maintaining private road signs and providing extra signs as required by the City.
 3. Posting and the continuing maintenance of address numbers in accordance with the provisions of this Section.
 - a. The City of College Place is not responsible if an emergency call cannot be located by emergency service personnel, if address numbers are not properly posted or are not visible from the street providing access to the property.
- D. All street names and addresses shall be approved by the City. Addresses may be assigned in conjunction with issuing a building permit, land use approval, issuance of a City business license, and/or upon request by a property owner, in accordance with these standards and guidelines.
1. The failure to obtain an address as required by the City, and/or the utilization street names or addresses not approved by the City, shall be considered a violation of the College Place Municipal Code, and subject to code enforcement actions.
 2. Upon notification that a private street sign or building number is missing, illegible, incorrect, or not properly posted, the property owner shall make the necessary corrections within 30 days of such notice. The failure of a property or business owner to comply with such notices shall be considered a violation of the College Place Municipal Code, and subject to code enforcement actions.
 3. Any person, firm or corporation that violates any portion of this Chapter may be subject to civil and/or criminal penalties, with each day considered to be a separate offense.
- E. All public and private streets and roads shall have a name approved by the City.
1. When selecting and approving street and road names, consideration shall be given to the following:
 - a. There shall be no duplication of existing names within like zip codes or ESN (Emergency Service Numbers) zones.
 - b. Names of similar pronunciation and/or spelling shall be avoided (ex: "Briar Lane," "Brier Lane").

- c. Variations of the same name within a different road designation shall be avoided (ex: "Pine Street," "Pine Drive," "Pine Lane").
 - d. Articles (the, a, an) shall not be used to begin names.
 - e. Names duplicating facilities shall not be used (ex: "Bowling Alley," "Tennis Court").
 - f. Names are limited to three words not including the road type designator.
 - g. Names that exceed 15 characters including spaces should be avoided.
 - h. Usage of names derived from community names or geographic features shall be limited to locations in close proximity to such communities or geographic features.
 - i. Where a proposed street or road is a continuation of or in alignment with an existing street or road, it should generally utilize the same name as the existing name. A new name shall be required if the proposed street or road is disconnected from the existing street or road by an offset greater than 60 feet.
 - j. Streets or roads that extend from unincorporated areas into incorporated areas may retain the same name.
2. Street type designators should be consistent with the roadway's expected traffic use, physical design, and location in accordance with the following guidelines, provided that the City may vary or waive these guidelines in certain circumstance, in accordance with established procedures.
- a. Court (CT): A dead-end street or cul-de-sac when not an extension of an existing road or a continuation of a proposed road.
 - b. Place (PL): A dead-end street or cul-de-sac from which other cul-de-sacs originate.
 - c. Loop (LP): A street that begins and ends on the same street.
 - d. Circle (CIR): A street that circles back on itself.
 - e. Avenue (AVE): A collector or arterial street in the community with a north/south directional course.
 - f. Street (ST): A collector or arterial street in the community with an east/west directional course.

- g. Drive (DR), Road (RD), and Way (WAY): Streets that do not have a definite directional course.
 - h. Boulevard (BLVD): A wide street with median and landscaping.
 - i. Parkway (PKWY): A scenic or landscaped street.
 - j. Highway (HWY): A federal or state designated primary street or road.
 - k. Bend (BEND), Cove (COVE), Grove (GRV), and Terrace (TER): Typically, a minor street in a subdivision.
 - l. Bluff (BLF): Typically, a street along high ground.
 - m. Crossing (CSG): A street that crosses a geographic feature (such as a creek), or a short street that serves as a connector between two other streets.
 - n. Lane (LN): A street that serves a limited number of lots.
3. All streets shall contain a directional prefix in accordance with the following standards:
- a. The base intersection for assigning a directional prefix will be College Avenue and Whitman Drive.
 - b. All streets that lie west of College Avenue and north of Whitman Drive shall have the prefix "northwest" attached to its name.
 - c. All streets that lie east of College Avenue and north of Whitman Drive shall have the prefix "northeast" attached to its name.
 - d. All streets that lie west of College Avenue and south of Whitman Drive shall have the prefix "southwest" attached to its name.
 - e. All streets that lie east of College Avenue and South of Whitman Drive shall have the prefix "southeast" attached to its name.
 - f. Whitman Drive shall have the prefix "west" attached to its name for that portion of the street that is west of College Avenue and Whitman Drive shall have the prefix "east" attached to its name for that portion of the road that is east of College Avenue.
 - g. College Avenue shall have the prefix "north" attached to its name for that portion of the street that is north of Whitman Drive and College Avenue shall

have the prefix "south" attached to its name for that portion of the street that is south of Whitman Drive.

~~E~~ F. All addresses shall consist of a number followed by a directional indicator, street name, and a street name designator. Numbering will be calculated by the position of the lot or building relative to the base streets of College Avenue and Whitman Drive. Address numbers shall be assigned in accordance with the following guidelines:

1. All addresses assigned to lots and buildings situated within the first block north or south of Whitman Drive fronting on intersecting or generally perpendicular streets shall be given numbers between one and 99 inclusive; within the second block, numbers between 100 and 199 inclusive shall be used, and so on, in each succeeding block.
2. All addresses assigned to lots and buildings situated within the first block east or west of College Avenue fronting on intersecting or generally perpendicular streets shall be given numbers between one and 99 inclusive; within the second block, numbers between 100 and 199 inclusive shall be used, and so on, in each succeeding block.
3. Within any block, the lots or buildings nearer the base street shall use the smaller numbers. In assigning numbers, consideration shall be given to vacant lots and the future development potential of lots.
4. Odd numbers shall be used on the left-hand side of streets and roads and even numbers shall be used on the right-hand side of streets and roads. In determining the right and left side of streets, it shall be assumed that the numbers are being assigned progressively with the smallest number at the base street and proceeding away from the same.
5. The following numbering guidelines shall also be used by the City:
 - a. Prior to the completion of a site plan or final plat, all lots will be given an address. Addressing will, as much as possible, be done with a ten-number spacing between lots (e.g., 701, 711, 721, etc.). However, numbers shall not be officially assigned until the final site plan or subdivision has been approved.
 - b. Loops: Streets begin at the low numbered intersection and are numbered with odd numbers on the left side of the road. The outside of the loop is numbered first and consecutively. The inside is then numbered to match and mix with the outside. This may result, in some cases, in fewer numbers on the inside of the loop, and with gaps in numbering sequences.
 - c. The numbering of corner lots shall be assigned utilizing the front of the lot, as determined by the City.

- d. Duplex/triplex: A number shall be provided for the building and each individual unit shall be assigned a unit number. The building number shall be placed in a conspicuous area visible from the street and the unit number placed by the individual unit door.
- e. Four-plexes and larger are considered multi-tenant structures and should be numbered with the middle of the building determining the number and then assigning apartment or suite numbers. An example of an apartment address would be 750 NE Bruce ST Suite 101. No alphabetical characters are to be used in place of numbers. In multi-level buildings, the main level will have 100 numbers, the second floor will have 200 numbers, and consecutively for each floor. The basement will be numbered from one to 99 inclusive.
- f. Addresses shall be assigned in mobile home parks, manufactured housing communities, or manufactured/mobile home communities, and RV parks in conjunction with the review and approval of required site plans. Numbers will be based on the primary access to each lot, building, dwelling, or designated RV space.
- g. Accessory dwelling units will be assigned an address upon approval by the City.

~~F.~~ G. Following approval by the City, address numbers shall be posted by property owners in accordance with the following guidelines:

- 1. All numbers shall be visible from streets in accordance with the following guidelines:
 - a. Residential Type Development. Property owners shall post Arabic numerals only in contrasting background with the residence (light on dark/dark on light). The numbers shall be at least four inches in height and shall be located above or to either side of the main entrance door.
 - b. Commercial/Industrial Type Development. Property owners shall post Arabic numerals only in contrasting background with the residence (light on dark/dark on light). The numbers shall be at least six inches in height and shall be located above or to either side of the main entrance door.
 - c. Buildings located more than 30 feet from the street and/or the front entrance is not visible from the street, the owner shall post addresses on a city-approved address post and placed in an area approved by the City. Dual postings and exceptions may be approved by the City in accordance with established procedures.
- 2. On corner lots, the number shall only be displayed to face the street upon which the property is numbered.

3. Any numbers previously displayed which could be confused with or mistaken for the assigned address number shall be removed from the mailbox and property.
4. Numbers shall be properly maintained by the property owner to ensure that they are clearly discernible from the roadway upon which the property is numbered.
5. It shall be the duty of each property owner assigned a property number to comply with this Chapter within 30 days of habitation.
6. Display of address numbers for multitenant structures and multi-building complexes:
 - a. If a building is divided into multiple units with separate entrances and each unit has been assigned an individual number, then each unit number shall be displayed on or next to the main doorway.
 - b. The address range of all individual unit numbers within a multi-unit building shall be displayed in a manner that is clearly visible from the road upon which the units are numbered. If more than one building shares an access, then the address range shall also be displayed on each building.

Section 30: CPMC 14.60.050 is amended as follows:

Clearing and Grading.

- A. All activities that involve the clearing, grading, filling, and/or covering of the ground with impervious surface must receive a City permit or written approval, unless specifically exempted by the City.
 1. Applications shall be submitted on forms provided by the City, provided that the City may authorize the submittal of the required information as a part of a related application, such as a building permit.
 2. Clearing and grading permit applications should be submitted and processed concurrently with all associated project ~~permits and approvals~~ permits/approvals/actions.
- B. The following activities may be determined by the City to be exempt from the requirements of this Chapter, provided that grading activities that would alter drainage courses, critical areas, archaeological sites, and/or impact stormwater facilities (with a public nexus) are not generally candidates for exemption:
 1. Excavating a foundation for a single-family residence, duplex, or accessory dwelling unit when authorized through a building permit.

2. Resurfacing a conforming impervious surface such as a parking lot, provided that it does not alter the flows or volumes of stormwater and/or does not require excavation.
 3. Construction or maintenance of public roads when done by a public agency when the project has completed an environmental checklist and has been approved by the City.
 4. The installation of utilities in accordance with a valid permit, franchise, or road construction plan from the City, well drilling activities, or excavation for soil logs.
 5. Excavation or fill quantities less than 50 cubic yards.
 6. The broadcasting of less than 50 yards of peat, sawdust, mulch, bark, chips, topsoil, or soil nutrients on a lot, tract or parcel of land, or the broadcasting of any amount of the above material to a maximum depth of twelve inches.
 7. Landscaping, routine vegetation management, and minor home improvement activities that do not involve heavy equipment such as excavators, bulldozers, etc.
 8. The storage or stockpiling of less than 50 cubic yards of material such as fill, gravel, sand, beauty bark etc.
 9. The removal of diseased, damaged, or unwanted trees from an existing yard or landscaped area.
 10. Routine maintenance and operation activities at cemeteries and public parks; and/or
 11. Emergency sandbagging, diking, ditching, filling, or similar work during or after periods of extreme weather conditions when done to protect life or property.
- C. All clearing and grading activities shall be designed and implemented in accordance with City standards, provided that the City may apply more stringent standards when necessary to protect the public health, safety, and welfare.
1. All clearing and grading activities shall include temporary erosion control and stormwater management provisions designed and implemented in accordance with the requirements of the City's Engineering and Design Manual, unless specifically exempted by the City.
 2. Excavation Standards – Cut Slopes.
 - a. Slopes shall be no steeper than is safe for the intended use and shall not be steeper than two horizontal to one vertical (2H:1V), unless otherwise recommended by a professional engineer licensed to practice in the State of Washington and approved by the City.
 - b. The top of cut slopes shall be set back from a down-grade site boundary line at a 2H:1V ratio or as dictated by the relevant building code, whichever is more restrictive, unless a retaining wall is designed by a qualified professional and approved by the City.

3. Fill Standards.

- a. No material other than earth material shall be buried or placed in fills, unless specifically approved by the City. Placement of other than earth material is regulated by state statutes or federal laws and additional permits may be required.
- c. Fill which is intended for building sites shall be constructed in conformance with the requirements of the latest edition of the International Codes, as adopted and administered by the City.
- c. The ground surface for fills over five feet in height shall be prepared by removing vegetation, noncomplying fill, topsoil, and other unsuitable materials, scarifying to provide a bond with the new fill, and, where existing slopes are steeper than five horizontal to one vertical, by benching into competent material as determined by the engineer. At a minimum, the bench under the toe of a fill on a slope steeper than five horizontal to one vertical shall be at least 10 feet wide or as dictated by the relevant building code, whichever is more restrictive, or as recommended by a geotechnical professional engineer licensed to practice in the State of Washington. Additionally, grading activities shall conform to the minimum requirements and standards of the City's Engineering and Design Manual.

Section 31: CPMC 14.60.090 is amended as follows:

Signs.

A. Intent and Purpose.

- 1. Signs have a strong visual impact on the character and quality of our community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for our community. The City relies upon its physical setting and beauty to attract commerce and aesthetic considerations assume economic value. The intent of this Chapter is to protect and enhance both the City's residential character and its economic base using appropriate and aesthetic signage.
- 2. The purpose of this Chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements that:
 - a. Promote and accomplish the goals and policies of the City's Comprehensive Plan.

- b. Provide minimum standards to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs.
- c. Recognize free speech rights by regulating signs in a content-neutral manner.
- d. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to signage.
- e. Promote a positive visual image of the City and protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses.
- f. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape.
- g. Provide consistent sign design standards.
- h. Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district.
- i. Provide an improved visual environment for the citizens and visitors of the City.
- j. Adopt clear, understandable regulations that will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this Section.
- k. Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and a strong focus on economic well-being, aesthetics, community, the environment, and public infrastructure.
- l. Support and enhance the economic well-being of all businesses within the city and recognize the needs of all businesses to identify their premises and advertise their products and services; and

- m. Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs, or the absence of regulations governing the size, location, or materials of signs detracts from the economic value of the community.
- B. Applicability. This Section applies to all signs within the city which may be visible from any street, sidewalk, or public place, regardless of the type or nature.
- 1. All signs shall fall into one of the following categories, as determined by the City:
 - a. Exempt signs. Signs that meet the criteria of Section 14.60.090 C may be installed without a Sign Permit from the City. Please note that exempt signs may be subject to other local, state, or federal regulations and persons installing signs are encouraged to contact the City to determine if other permits or approvals may be required.
 - b. Prohibited Signs. Signs determined by the City to meet the criteria in Section 14.60.090 D shall not be permitted or displayed in any zoning district.
 - c. Regulated Signs. Signs that are not specifically exempted or prohibited, may be displayed only in accordance with the provisions of this Section. Regulated signs include both temporary and permanent signs.
 - 2. No person shall erect, alter, or relocate any sign without first submitting the required application(s) and receiving an approved Sign Permit from the City, and any associated permits that may be required, in accordance with the provisions of this Title, unless the sign is determined by the City to be exempt, and a permit is not required.
 - 3. This Section is not intended to, and shall not be interpreted to, restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this Section which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, shall be interpreted to allow commercial or non-commercial speech on the sign. No part of this Section shall be construed to favor commercial speech over non-commercial speech. To the extent that any provision of this Section is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.
 - 4. It shall be the responsibility of the property owners, project sponsors, and applicants to be knowledgeable of and comply with the provisions of applicable local, state, and federal standards.
 - a. This shall include, but is not limited to, the International Building Code and related International Codes, as adopted and administered by the City.
 - b. It is important to note that some signs may also be subject to the provisions of state and federal laws, such as the Scenic Vistas Act (RCW 47.42), the regulations of the Washington State Department of Transportation, the regulations of the Washington

State Liquor and Cannabis Control Board, and/or the Manual of Uniform Traffic Control Devices.

~~5. The provisions of this Section shall not be construed as relieving or limiting in any way the responsibility or liability of any person, business, or organization erecting, owning maintaining, allowing, or operating a sign within the City of College Place for personal injury, or death, or property damage resulting from a sign, regardless of whether a permit is required, or the sign is temporary or permanent. Nor shall it be construed as imposing on the City or its officers or employees any responsibility or liability by reason of the approval or disapproval of any signs, materials, or devices under the provisions of this Section or enforcement of this Chapter, Title, or any other Code or policy relating to signs.~~

C. Exemptions. The following types of signs and activities may be exempt from the provisions of this Section and a Sign Permit may not be required, based on a finding by the City that the proposed sign does not present a risk to the public health, safety, and welfare. Please note that exempt signs must still comply with applicable provisions of the International Codes as adopted and administered by the City and a Building Permit may be required. Sponsors should contact the City to confirm that a permit is not required before installing or displaying any of the following types of signs, or initiating the following actions:

1. Changes to the face or copy of legal signs that do not change the material appearance, type, or size of the sign as originally permitted by the City.
2. The normal repair and maintenance of conforming and legal nonconforming signs.
3. The flag of any nation, state, city, or other governmental agency, nonprofit organization, or educational institution.
4. Signs necessary to the expression of constitutionally protected forms of free speech as determined by the City Attorney.
5. Signs or decorations temporarily placed on private property in observance of religious, state, or national holidays (i.e., Christmas, Halloween, Fourth of July).
6. Legal notices, postings, or similar sign placed by or required by a governmental agency carrying out its responsibility to protect the public health, safety, and welfare.
7. Signs of a noncommercial nature and in the public interest erected by or on the order of a public official in the performance of his/her/their public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and the like.
8. Signs owned and maintained by a federal, state, or local government agency including but not limited to, street and highway signs, signs necessary to protect the public health, safety, and welfare, directional and wayfinding signs, and/or public information signs.

9. Privately maintained traffic control signs or directional signs for pedestrians on private roads or property.
 10. Building address numbers.
 11. One sign not exceeding two square feet in area, attached to a building, provided that the sign:
 - a. Is securely attached flush to the face of the building.
 - b. Does not project above the eave or roof line; and
 - c. Only announces the name and address of the occupant(s) and contact information.
 12. Names of buildings, dates of erection, commemorative tablets, and the like when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.
 13. Approved interpretative signs and historic markers; and
 14. Temporary signs located on fences of a construction site, provided that there is an active building or development permit that includes external work or modifications of the site.
- D. Prohibited Signs. No person shall erect, alter, maintain, or relocate any of the following signs in any zone in the City, unless specifically authorized in this Section.
1. Signs that are determined by the City Attorney to meet the judicial standards for obscenity.
 2. Signs that create a safety hazard for pedestrian or vehicular traffic, or any other person legally using the property.
 3. Signs that are specifically designed to move or have parts/mechanisms that physically move or that may cause a safety hazard by swinging or otherwise noticeably moving as a result of wind pressure because of the manner of their suspension or attachment.
 4. Any sign, poster or other advertising matter of any nature placed upon a utility pole or other poles, fences, trees, sidewalks, streets, signs, traffic signs or other traffic control devices or other structures or places within streets, alleys or other public places or rights-of-way in accordance with this Chapter and Chapter 8.24 Nuisances.
 5. Off premise signs.
 6. Billboards (see Figure 14.60.090-1).

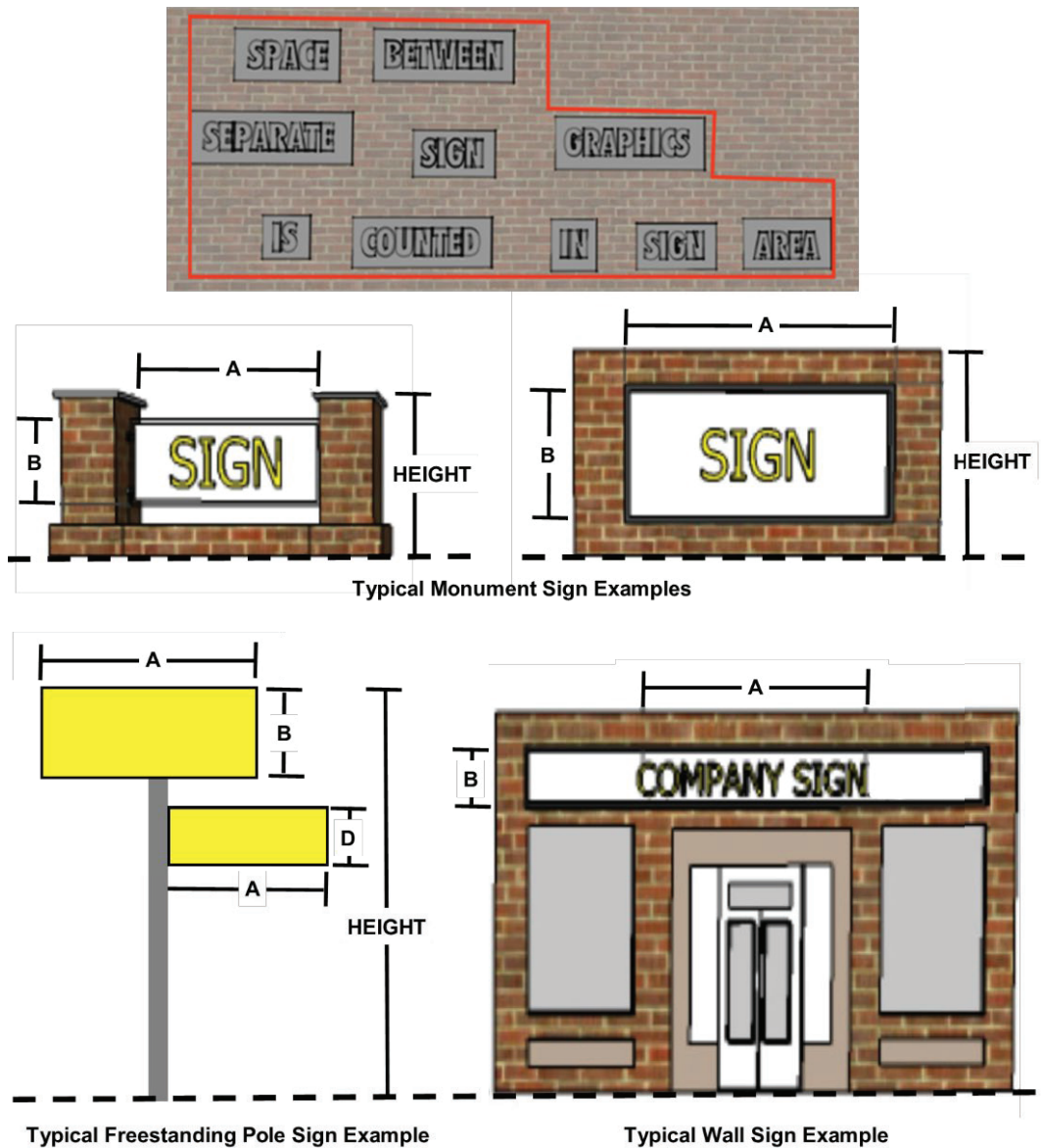


Figure 14.60.090-1 Typical Billboard

7. Signs with flashing lights or reflective materials.
 8. Signs attached to or placed on a vehicle or trailer parked on public or private property, stored or displayed conspicuously in a manner to attract the attention of the public; provided however that signs that are permanently painted or wrapped on the surface of the vehicle, or adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of business are not prohibited so long as such vehicles are operable and parked in a lawful or authorized manner.
 9. Mobile signs.
 10. Permanent signs on vacant lots or parcels. Signs may only be established as an accessory use to a permitted primary use.
 11. Roof mounted signs; and
 12. Signs attached to towers or wireless communication support towers, except as required by law.
- E. General Provisions. All signs shall comply with the following provisions unless otherwise provided in this Section:
1. Street signs shall be designed in accordance with the provisions of the College Place Engineering Design Standards and the Manual of Uniform Traffic Control Devices.
 2. No signs may be placed on private property without the permission of the owner.
 3. Signs may not be located in, or extend into or over, the public right-of-way, unless specifically authorized in this Section.
 4. All signs shall be permanently attached to the ground, to a building, or another structure by direct attachment to a rigid wall, frame, or structure, unless otherwise provided in this Section.

5. No sign may be erected or displayed in a manner that may present a threat to public safety and required clear sight distances shall be maintained at all times.
6. All signs shall be made of durable, weather resistant materials that are intended for outdoor applications.
 - a. Signs shall not be made with reflective material or moving parts; and
 - b. No signs shall have full motion digital images, video or film displays or stream content in real time.
7. Externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare. Light shielding shall ensure that the lamp or light source is not visible beyond the premises and shall further ensure that the light is contained within the sign face.
8. Flashing signs or light sources are not permitted, except when used as a safety device during an approved construction project.
9. The size of signs shall be determined by the City based upon a measurement of the area of the sign devoted to copy, unless otherwise provided in this Section (see Figure 14.60.090-2).

Figure 14.60.090-2 (Sign Type, Area, & Height Measurement)



Note: The areas of these sign types is calculated as $A \times B$.

Calculate multiple area signs as $A \times B + C \times D$, etc. for total sign area.

10. Where a height limit is imposed by this Section, the height shall be measured from the existing grade (see Figure 14.60.090-2).
11. All signs and components thereof must be maintained in good repair and in a safe, neat, clean, and attractive condition. Maintenance of a sign shall include periodic cleaning, replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements of this Section and the conditions of its approval.

- a. Legally installed signs that do not meet the provisions of this Section, shall be considered legal, non-conforming signs, and may be continued, provided that they are maintained in good condition and the degree of non-conformity is not increased.
 - b. Legal, non-conforming signs may not be altered, replaced, or relocated except in full compliance with the provisions of this Section.
- F. Temporary Signs. Temporary signs may be displayed for a limited duration without a Sign Permit, in accordance with the following provisions, unless otherwise provided in this Section:
 - 1. Temporary signs shall not have direct or internal illumination, changing image features, or electronic elements, provided that battery operated string lights that comply with lighting designs in this Chapter may be permitted.
 - 2. No temporary signs may be displayed in such a position that it covers or obstructs another sign.
 - 3. Temporary banners advertising City-approved activities or events may be displayed over streets in designated locations through the issuance of a Special Use or Right-of-Way Use Permit in accordance with the provisions of College Place Municipal Code Chapter 12.32.
 - 4. Small banners or similar type temporary signs with a non-commercial message, may be displayed on light poles or streetlights with brackets designed specifically for that purpose by the City, in accordance with the provisions of College Place Municipal Code Chapter 12.32.
 - 5. Temporary signs with a non-commercial message may be placed in the City right-of-way, without a permit, only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement, provided that the temporary sign is:
 - a. Not placed in or over a roadway, median, traffic circle, designated parking place, driveway, sidewalk, other paved areas designed for pedestrian, bicycle, or vehicle use, unless specifically authorized by the City; and
 - b. Not placed in any location or manner so as to create a threat to public safety, to adversely affect critical areas, or to adversely affect the health of trees, shrubs, or other landscaping; and
 - c. Placed in a location acceptable to the abutting private property owner(s); and
 - d. Attached to a stake that can be manually pushed or hammered into the ground, and shall not exceed four square feet per side or three feet in height, from the ground to the top of the sign; or

- e. Is an A-frame sandwich board sign not more than six square feet per side and shall be constructed or secured in such a manner as to be resistant to being blown over, becoming airborne, or otherwise becoming a threat to public safety in strong winds (see Figure 14.60.090-3).



Figure 14.60.090-3 Typical A-Frame Sandwich Board Sign

- 6. Temporary signs may be displayed on properties actively advertised for sale or lease, without a permit, while the property is advertised for sale or lease, in accordance with the following provisions:
 - a. In the Single-Family (SFR) and Multi-Family Residential (MFR) zoning districts:
 - (1) One temporary sign, for each street frontage of developed sites, displaying a commercial message that does not exceed six square feet in area, can be attached to the building, displayed in a window, or if less than seven feet in height, placed on the property; or
 - (2) One temporary sign, for each street frontage of undeveloped sites, displaying a commercial message that does not exceed thirty-two square feet or seven feet in height may be placed on the property.
 - b. In the General Commercial (GC), Light Industrial (LI), and Downtown Mixed-Use (DMU) zoning districts, one or more temporary signs, displaying a commercial message that does not exceed a total area of 35 square feet for each street frontage of the site, can be attached to the building, displayed in a window, or if less than seven feet in height, placed on the property.
- 7. One temporary banner sign may be permitted per tenant of a building in the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts provided that:
 - a. The maximum size of the banner shall not exceed 32 feet.

- b. The banner shall be attached to the face of the building, and may not extend above the roofline; and
 - c. Temporary banner signs shall count against the maximum area of building mounted signs.
- 8. One A-frame, sidewalk/sandwich board sign per licensed business may be permitted on each street frontage, in the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts, provided that:
 - a. The sign shall not exceed six square feet per side.
 - b. The sign must be removed during non-business hours.
 - c. The sign is located on private property at the site of the business, or in an abutting right-of-way on a sidewalk, or in areas not used as a roadway, driveway, bike lane, or for required parking.
 - d. At no time shall sandwich board/sidewalk sign block or present a hazard to pedestrians, obstruct safe sight distance, be placed in a street or gutter and/or become a nuisance, hazard and/or danger to the public as determined by the City; and
 - e. ~~The liability for all sandwich board signs placed in the right of way rests with the business and/or property owner placing the sign. The City may require proof of liability insurance, a hold harmless agreement from both the property owner and the tenant, and/or such other documents as may be required by the City Attorney.~~
- 9. Temporary signs that contain or consist of pennants, ribbons, streamers, feather shaped pennants, or similar types of displays as determined by the City, as well as searchlights, balloons, or inflated figures may be displayed on private property only in the General Commercial (GC), and Light Industrial (LI) zoning districts.
- 10. Temporary signs may be installed on private property in the University District, without a permit, in accordance with the provisions in this Section.
- 11. Temporary signs may be permitted in the Public Use District in accordance with the following provisions:
 - a. No temporary signs may be permitted on City owned property including, but not limited to parks, trails, open space, or public buildings, except in conjunction with an approved special event, special use permit, or other permit or approval from the City.
- G. Permanent Signs Permitted in all Zoning Districts. The following signs may be permitted in all zoning districts in accordance with the following provisions:

1. Signs designated by the City's Historic Preservation Commission as:
 - a. Eligible for inclusion on the College Place Historic Register.
 - b. Being iconic or of special historical interest to the community; or
 - c. Integral to a historic site or building.
 2. Community message board signs may be permitted on the site of municipal buildings, schools, universities, churches, and other public buildings in all zones, provided that:
 - a. The messages shall be non-commercial and should advertise community events, meeting times, public service announcements, and public notices.
 - b. The community message board may be wall mounted, or a monument style sign.
 - c. The message board may be designed for messages that are changed by hand or with a changeable message that is electronically displayed and controlled.
 - d. Electronically changeable signs shall display images for a period of at least three (3) seconds before transitioning to another image.
 - e. Full motion digital images, video or film display or streamed in real time is not permitted; and
 - f. Community message board signs shall not exceed 32 square feet in area or and monument style signs shall not exceed 6' in height.
- H. Permanent Signs in Residential Zoning Districts. Permanent signs may be permitted in the Single-Family Residential (SFR) and the Multi-Family Residential (MFR) zoning districts in accordance with the following provisions (see Figure 14.60.090-2 for sign types and measurements):
1. One freestanding monument sign, not to exceed 32 square feet in area, or six feet in height, may be installed along each road entering a residential subdivision.
 2. One freestanding monument sign, not to exceed 32 square feet in area, or six feet in height, may be installed at each entrance into a multi-family development from a road.
 3. Each City-licensed business may have one sign not exceeding two square feet, that is permanently attached to the building that is its primary place of business, provided that the sign:
 - a. Is securely attached flush to the face of the building.

- b. Does not project above the eave or roof line; and
 - c. Only announces the name and address of the occupant(s) and contact information.
- I. Permanent Signs in Non-Residential Zoning Districts. Permanent signs may be permitted in commercially oriented non-residential zoning districts, including but not limited to the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts in accordance with the following provisions (see Figure 14.60.090-2 for sign types and measurements):
 - 1. Signs in the Downtown Mixed-Use District must also comply with the Downtown Design Standards and Guidelines as adopted or subsequently amended by the City.
 - 2. Building Mounted Signs. Building mounted signs includes signs attached to or painted on the exterior wall of a building, awning or canopy signs, projecting signs, or signs displayed in a window. Building mounted signs may be permitted on each face of a building fronting a street or parking lot, provided that:
 - a. The maximum area for all building façade signs, projecting signs, and temporary banner signs shall not exceed twenty-five percent (25%) of the building façade area.
 - b. No building façade sign may extend above the parapet or eave line.
 - c. Wall signs must be attached or erected parallel to and not extending more than ten inches from the wall, façade, or face of any building to which it is attached and supported throughout its entire length with the exposed face of the sign parallel to the plane of the wall or facade.
 - d. One projecting sign (see Figure 14.60.090-4) per street or parking lot frontage may be permitted, provided that:
 - (1) The sign is perpendicular to the face of the building and is permanently attached in accordance with manufacturers' specifications and the provisions of the International Codes, as adopted and administered by the City.
 - (2) Projecting signs may be two-sided and not exceed 16 square feet per side.
 - (3) Projecting signs extending over public right-of-way and pedestrian pathways (sidewalks) shall be erected with clearance and projection limitations as set forth in the International Building Code; provided, that in no case shall any sign be permitted to extend within four (4) feet of the back of curb line.



Figure 14.60.090-4 Typical Projecting Sign

- e. Window signs (see Figure 14.60.090-5) located inside and affixed to a window and intended to be viewed from the exterior of the structure may be displayed without a permit, provided that:
 - (1) Window signs shall not exceed 25 percent of the area of the window on which they are displayed; and
 - (2) The window signs may be illuminated or a neon sign.



Figure 14.60.090-5 Typical Window Sign

- f. A non-electric sign may be printed on, painted on, or attached to the vertical surface or flap of an approved awning or canopy (see Figure 14.60.090-6), provided that:
 - (1) The awning or canopy shall be erected with clearance and projection limitations as set forth in the International Building Code, provided, that in no case shall any sign be permitted to extend within four (4) feet of the back of curb line.



Figure 14.60.090-6 Typical Awning Sign

3. Monument and Pole Signs (see Figure 14.60.090-2 for sign types and measurements). One pole or monument sign is permitted on sites when buildings are setback at least twenty feet from the right-of-way, provided that:
 - a. Pole signs:
 - (1) Shall not exceed sixty square feet per side or thirty feet in height in the Downtown-Mixed Use District.
 - (2) Shall not exceed two hundred square feet per side or fifty feet in height in the General Commercial or Light Industrial districts; and
 - (3) If more than thirty feet in height, must be located at least one hundred feet from any residential zone.
 - b. Monument Signs:
 - (1) Must be set back at least five (5) feet from the property lines.
 - (2) Shall not exceed sixty square feet per side or 5 feet in height in the Downtown-Mixed Use District; and
 - (3) Shall not exceed two hundred square feet per side or 6 feet in height in the General Commercial or Light Industrial districts.
 - c. Monument or pole signs may contain LED displays and/or electronically changeable messages, provided that:
 - (1) All electronic message centers shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.

- (2) Electronically changeable signs shall display images for a period of at least three (3) seconds before transitioning to another image.
 - (3) Full motion digital images, video or film display or streamed in real time is not permitted; and
 - (4) Signs located within one hundred feet of a residential zoning district may only operate between the hours of 6 a.m. and 11 p.m.
- J. Permanent Signs in the University District. Permanent signs may be permitted in the University District in accordance with the following provisions:
 - 1. Permanent signs without a commercial message may be installed on private property without a Sign Permit.
 - 2. Permanent signs with a commercial message may be installed on private property in accordance with the provisions of the Downtown Mixed-Use District.
- K. Enforcement and Removal. Any violations of this Section, such as the placement of prohibited signs on a property or the failure to maintain existing or new signage in good condition, shall be subject to a code enforcement action.
 - 1. In addition to the remedies in this Section and College Place Municipal Code Title 8, the City shall have the authority to require the repair, maintenance or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign and/or property owner.
 - 2. Abandoned or illegal signs are hereby deemed to be a public nuisance and shall be removed by the property owner within forty-five days after notice from the City. Any sign not removed following such notice may summarily be abated by the City at the cost of the sign and/or property owner.
 - 3. Legal, conforming structural supports for abandoned signs may remain, if installed with a blank sign face and the supporting structures are maintained.

Section 31: CPMC 14.60.120 is amended as follows:

Sexually Oriented Businesses.

- A. The purpose of this Section is to establish standards for the siting of sexually oriented businesses and services to minimize adverse impacts to the public health, safety, and welfare, including but not limited to children, individuals with a developmental disability(ies), and to individuals' ability to quiet enjoyment and use of their property or property interests. It is also intended to disperse adult concessions to avoid a concentration of these uses that likely will negatively impact the

City's ability to adequately and efficiently provide emergency, law enforcement, and peace keeping activities to the general public.

B. Location Standards.

1. Sexually oriented businesses shall not be located within five hundred (500) feet of the following:
 - a. A Single-Family Residential (SFR), Multi-Family (MFR), or Downtown Mixed-Use (DMU) zoning district).
 - b. Property used for public or private schools.
 - c. Public parks, playgrounds, recreation facilities, and/or public libraries.
 - d. State-licensed day care facilities.
 - e. Youth or community centers.
 - f. Churches, cemeteries, mausoleums, or other religious facilities.
 - g. Sports complexes and recreational facilities.
 - h. Cultural or historical centers and other facilities.
 - i. Secure community transition facilities.
 - j. Other sexually oriented businesses or services; and
 - k. Other facilities or land uses which provide as a substantial portion of their activities, the provision of services to children and/or youth.
2. The five hundred (500) foot distance shall be measured by following a straight line, without regard to intervening structures or obstacles, from the nearest point of the property line upon which the proposed use is to be located, to the nearest point of the property from which the proposed land use is to be separated.

C. All sexually oriented businesses shall comply with the following standards:

1. No person owning, operating, or managing a sexually oriented business or service or his/her/their employee or agent shall invite, allow, or permit any person under the age of 18 years to enter, go over, or remain on the premises.
2. There shall be no window, marquee, or other display of any matter depicting or portraying City specified anatomical areas or sexual activities.

3. Nothing in this section is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building, or use which violates any ordinance or statute of the City, County, State, or the United States.

Violation of the use provisions of this Section is declared to be a public nuisance per se and is subject to abatement as well as criminal and/or civil penalties in accordance with the provisions of the College Place Municipal Code.

Section 32: CPMC 14.60.140 is amended as follows:

Mobile Vendors, Street Vendors, and Vendor Food Courts. Mobile vendors, street vendors, and mobile food carts are permitted to operate in the City in accordance with the following provisions.

A. General Provisions.

1. Mobile vendors, street vendors, and mobile vendor food courts shall obtain, and maintain in good standing, a City Business License, as required by the City.
2. Mobile vendors, street vendors, and mobile vendor food courts must comply with applicable local, state, and federal laws, including, but not limited to:
 - a. College Place Municipal Code:
 - (1) Solid Waste Collection and Disposal and Policies – Chapter 8.12 (as amended).
 - (2) Nuisances – Chapter 8.24 (as amended).
 - (3) Litter - Chapter 8.28 (as amended).
 - (4) Vehicles and Traffic - Title 10; and
 - (5) Streets, Sidewalks, and Public Places - Title 12.
 - b. Walla Walla County-City Health Department rules and regulations.
3. Mobile vendors shall comply with all Washington State Department of Licensing requirements, including but not limited to:
 - a. Obtaining and maintaining a valid motor vehicle operator's license for all vehicle operators.

- b. Proof of required vehicle liability insurance coverage.
 - c. Proof of vehicle registration.
 - 4. No mobile vendors, street vendors, or mobile vendor food courts may operate on or utilize private property without written approval of the property owner.
 - 5. All permits, registrations, and licenses for mobile and street vendors shall be prominently displayed on all vehicles, trailers, or temporary structures being used.
- B. Exemptions. The following vendors and uses may be exempt from the provisions of this Section, as determined by the City.
 - 1. Authorized vendors at City-sponsored events.
 - 2. Vendors authorized through a Special Event Permit issued by the City pursuant to CPMC 12.04.
- C. Mobile Vendor and Street Vendor Standards.
 - 1. No mobile vendor or street vendor shall operate in a manner which obstructs or causes to be obstructed, including obstruction caused by people or vehicles congregating, in part or in whole, the use of any public right of way, including but not limited to sidewalks, streets, roads, alleys, public facilities, or any other public place.
 - 2. No mobile or street vendor shall sell or vend any services or wares from their vehicle or conveyance:
 - a. In a lane of travel.
 - b. Within four hundred feet of any public or private school grounds during regular school hours, extra-curricular activities, or school related or sponsored events, except when specifically authorized by the school.
 - c. Within one hundred feet of the entrance of any business which is open for business offering as a main featured item or items of similar goods or services for sale as the vendor, except when specifically authorized by the business.
 - d. Within one hundred feet of any eating establishment which is open for business if selling food or food items, if the vendor is selling food items, except when specifically authorized by the business or the City.

- e. Within three hundred feet of any City sponsored event or an event for which the City has issued a Special Event Permit and the event includes the sale or provision of food and/or goods, except when specifically authorized by the City.
 - f. Within three hundred feet of any City authorized concession stand in a City park, except when specifically authorized by the City.
5. Mobile vendors shall be prohibited from residential zones except for those vendors which operate for less than fifteen minutes at a location.

D. Mobile Vendor Food Court Standards. In addition to the requirements in this Chapter, a Mobile Vendor Food Court must obtain a Special Use Permit and comply with the following provisions:

1. Submit a Site Plan with the Special Use Permit Application to include, but not limited to:
 - a. Location of mobile vendors.
 - b. Site access for vehicles, pedestrians, and emergency service providers.
 - c. Off-street parking areas.
 - d. Public spaces and seating areas.
 - e. Restrooms, potable water availability and sanitation stations.
 - f. Solid waste and any recycling facilities.
 - g. Landscaping and screening, if any.
 - h. Proposed measures to minimize or mitigate potential adverse impacts on neighboring properties.
2. Provide seating at the rate of six seats per vendor.
3. Provide restroom facilities with handwashing facilities on site or within an adjacent building that is accessible to the mobile vendor food court when vendors are in operation. A mobile vendor food court shall have a minimum of one restroom for every five vendors in the court.

4. Prohibit tents, tarps, or pop-up shelters.
5. Direct any site lighting away from adjacent properties and shield and aim all lighting downward.

E. Operations and Enforcement.

1. All mobile vendors, street vendors, and mobile vendor food courts shall be responsible for cleaning up each day all litter originating from or due to their business.
2. During operation the vendor(s) shall continue to monitor the level and nature of use by the public and may propose and/or the City may require additional measures by the vendors in the interest of public health, safety, and welfare.
3. The City may suspend or revoke a vendor's City's business license and/or initiate code enforcement actions for failure to comply with applicable laws and regulations, including this Chapter, provided notice and reasonable time for the vendor(s) to take timely corrective actions is provided. Posting at the site is sufficient notice.
4. The City may immediately revoke a business license or permit if operation of a mobile vendor, street vendor, or mobile food vendor court poses an immediate or imminent risk to the health, safety, or welfare of the public or may pose a significant risk to the health, safety or welfare of the public as determined by the City.

Section 33: NEW SECTION:

Temporary Use of Sidewalks. Business owners or operators may use specified areas within public sidewalks or other public areas within the public right-of-way to sell goods and/or services on a temporary basis subject to compliance with the following provisions.

A. General Provisions.

1. All business owners and operators shall obtain, and maintain in good standing, a City Business License, as required by the City.
2. Business owners and operators must comply with applicable local, state, and federal standards. This shall include, but is not limited to:
 - a. The College Place Municipal Code:

- (1) Solid Waste Collection and Disposal and Policies – Chapter 8.12 (or as amended).
- (2) Nuisances – Chapter 8.4 (or as amended).
- (3) Litter - Chapter 8.28 (or as amended).
- (4) Vehicles and Traffic - Title 10; and
- (5) Streets, Sidewalks, and Public Places - Title 12.
- b. Walla Walla County-City Health Department rules and regulations.
- c. The regulations of the Washington State Liquor and Cannabis Board for outside public seating.
- 3. The business owner and operators must provide evidence of insurance coverage for the use of the right-of-way with the City of College Place as an additional insured.
- 4. The use must be adjacent to and of the same nature as the business's usual operations.
- 5. The use must not interfere with the public's reasonable use of City right of ways and may only have a negligible impact on the existing use of neighboring properties.

B. Operations

- 1. All business owners and operators shall be responsible for cleaning up each day all litter originating from or due to their business.
- 2. During the period of the authorized special use, the business owner shall continue to monitor the level and nature of use by the public. The City reserves the right to require additional measures in the interest of public health, safety, and welfare and vendors shall comply with such requirements.
- 3. Upon completion of the temporary use, the business owner or operator shall clean and return the site(s) to its previous condition.

Section 34: CPMC 14.60.160 is amended as follows:

Vacation Rentals.

- A. Applicability. The purpose of this Section is to establish the standards under which an approved single-family residence, accessory dwelling unit, or other approved real property, may be used as a vacation rental or short-term rental, as well as bed and breakfast inns.
1. Vacations rentals shall be limited to legally established single-family residences, or accessory dwelling units, as approved by the City, provided that the following shall not be used for vacation rentals or short-term rentals under any circumstances:
- a. Railroad cars.
 - b. Boats.
 - c. Shipping containers; and
 - d. Structures that do not meet the standards of the International Codes, as adopted, and administered by the City.
2. The following may only be permitted as a vacation rental or short-term rental in a conforming mobile home or RV park:
- a. RVs.
 - b. Camper trucks.
 - c. Tents.
 - d. Park models or tiny homes.
 - e. Trailers; and
 - f. Mobile homes.
- B. Vacation rentals and bed and breakfast inns are subject to City review and approval shall be approved by the City through the issuance of a Special Use Permit. Each dwelling unit is required to have a separate Special Use Permit.
1. It shall be the responsibility of the property owner to ensure that all vacation rentals and bed and breakfast inns are be operated and used in compliance with applicable state and federal laws, ~~this Code,~~ the College Place Municipal Code, including the

following provisions, and any additional conditions of approval that may be established by the City to protect the public health, safety, and welfare and to promote compatibility with the use of neighboring properties.

2. A property owner may designate a local agent to manage a vacation rental(s) or bed and breakfast inn on his/her/their behalf.
3. The maximum capacity for overnight guests for each vacation rental and bed and breakfast inn shall be based on information provided by the Applicant and shall not exceed 2 adults per room identified to accommodate overnight sleeping.
4. Each room identified to accommodate overnight sleeping must comply with the International Codes as adopted and administered by the City, including but not limited to the International Building Code, International Residential Code, and International Fire Code.
5. All exterior lighting shall be downward facing and screened.
6. All uses of a vacation rental or bed and breakfast inn shall not generate noise in excess of what is typically associated with residential uses in the neighborhood and shall comply with the provisions of College Place Municipal Code Chapter 8.20 Noise Control.
7. The Property Owner of each vacation rental and bed and breakfast inn, or his/her/their designee, shall maintain on file with the City up to date copies of:
 - a. A property management plan, that:
 - (1) Identifies the Property Owner and agents authorized to act on the Property Owner's behalf.
 - (2) Provides emergency and local contact information.
 - (3) Identifies how the Property Owner will ensure that solid waste and recycling containers are put out and picked up in a timely manner.
 - (4) Identifies how the exterior of the building, grounds, and landscaping will be maintained; and
 - (5) Identifies how the Property Owner will enforce compliance with the terms and conditions of approval.
 - b. A professionally prepared site plan that identifies the location of:

- (1) The rental facilities.
 - (2) On-site amenities.
 - (3) Required off-street parking in accordance with the provisions of Section 14.60.070 Parking and Loading.
 - (4) Refuse and recycling facilities; and
 - (5) Emergency shut-off valves and fire extinguishers.
- c. A professionally prepared floor plan that identifies:
- (1) The designated use and dimensions of each room.
 - (2) The capacity of each room designated for sleeping.
 - (3) The location of windows, doors, and emergency exits.
 - (4) Fire extinguisher locations; and
 - (5) The location of the circuit box and the emergency shut-off valves.
8. The special use permit may include conditions of approval to protect the public health, safety, and welfare and to minimize adverse impacts on neighboring properties.
9. The owner of a short term or vacation rental, or a bed and breakfast inn shall obtain and maintain in good standing, a city business license.
10. The Property Owner or his/her/their designee shall be responsible for the collection and payment of all required taxes including lodging taxes, state business and occupation taxes, fees, and charges and shall provide the City with annual documentation of compliance, in a format acceptable to the City.
- C. A special use permit issued for a vacation rental or bed and breakfast inn may be subject to periodic review and renewal as specified by the City.
- 1. Additional conditions may be added at the time of renewal.

2. The vacation rental or the bed and breakfast inn may be subject to an annual public health and safety inspection by the City.
3. It shall be the responsibility of the property owner to ensure that the users of a vacation rental, and all guests, are respectful of their neighbors, and shall be in compliance at all times with the terms and conditions of approval and the provisions of this Code.
 - a. It shall be the responsibility of the property owner, or his/her/their authorized agent to promptly investigate and appropriately respond to complaints. Repeated complaints and/or the failure to respond to complaints in a timely manner, may result in the suspension or revocation of approval, and/or civil or criminal penalties.
4. A special use permit issued for a vacation rental, or a bed and breakfast inn, is not transferable and upon sale or transfer of the property a new business license application must be submitted.
5. Failure to comply with the conditions of approval of a special use permit may result in the suspension or revocation of the permit, and/or civil or criminal penalties.

Section 35: CPMC 14.60.170 is amended as follows:

Accessory Buildings, Structures, Dwelling Units, and Uses.

- A. Accessory structures or buildings shall not occupy any parcel or lot independent of the primary building and shall comply with the following provisions:
 1. Accessory buildings may include the following or similar structures, in accordance with the provisions of this Title, as determined by the City:
 - a. Detached and attached accessory dwelling units.
 - b. Garages.
 - c. Shops.
 - d. Buildings utilized by an approved home business.
 - e. Storage sheds.

- f. Greenhouses and potting rooms; and
 - g. Children's playrooms.
- 2. The following shall not be converted to, or used as a storage building, accessory building, or accessory dwelling unit, unless specifically authorized in this Title.
 - a. Trailer.
 - b. Bus.
 - c. RV.
 - d. Vehicle.
 - e. Camper.
 - f. Mobile home.
 - g. Used shipping container.
 - h. Railroad car.
 - i. Tent; or
 - j. Park model or tiny house.
- 3. The rental of buildings or rooms for periods of 30 days or less shall require a Special Use Permit and/or related permits from the City, in accordance with the provisions governing short-term or vacation rentals.
- 4. Accessory buildings, dwelling units, or structures shall only be permitted on parcels with a legally established primary residence, primary building, and/or primary use.
- 5. All accessory buildings and structures shall comply with the applicable provisions of this Title, including setback, ~~lot coverage~~, building height, and stormwater management, as well as the provisions of the International Codes, as adopted and administered by the City, unless otherwise specifically authorized in this Title.

~~6. The footprint of the primary residence shall not exceed 35% of the size of the parcel and the total footprint of all accessory buildings and structures shall not exceed 10% of the lot size.~~

6. No accessory building or structure shall occupy the front or side yard setback.

7. An accessory building or structure may be located in the rear yard setback up to the property line except in instances where the City routinely plows snow on the abutting alley, in which case it may be located up to 5' of the property line. ~~An accessory building or structure may be located in the rear yard setback up to 5' from the property line.~~

8. The minimum distance to buildings on an adjacent lot shall be at least ten feet in accordance with the provisions of the International Codes as adopted and administered by the City.

9. The maximum height of a detached accessory building or structure shall not exceed 24'. 15' at the eave line.

~~11. Windows on accessory buildings shall be oriented to protect the privacy of adjacent property owners. This may include the placement of windows above or out of view into adjacent yards or windows, or by using obscure glass.~~

B. Accessory Dwelling Units. In addition to the preceding criteria applicable to all accessory buildings, the following criteria shall also apply to accessory dwelling units:

1. Not more than two ~~one~~ accessory dwelling units may be permitted on a parcel.

2. An accessory dwelling unit may be detached from the primary structure, an addition to a primary structure, within a primary structure, or above an approved detached accessory building such as a garage or shop, provided that an accessory dwelling unit that is attached to or within the primary building, must have a separate entrance and must be a self-contained residential unit.

3. Existing non-conforming accessory buildings may be converted to accessory dwelling units provided that the degree of non-conformity is not increased and that all improvements comply with the provisions of this Chapter.

4. Accessory dwelling units shall comply with the provisions of the International Codes, as adopted, and administered by the City.

5. All accessory dwelling units must have water and sewer service in accordance with City standards, provided that the accessory dwelling unit may share sewer and water connections and services with the primary residence.
 - a. A capital facility charge for water and sewer service will be required regardless of whether the water and sewer service are shared or not; and
 - b. Accessory dwelling units 600 sq. ft. or less may be eligible for a reduced capital facility charge.
6. One additional paved, off-street parking space ~~is required.~~ shall be required for each accessory dwelling unit, provided that this requirement shall not apply to accessory dwelling units that are located within 1/2 mile of a "major transit stop" as determined by the City. This shall include:
 - c. A stop on a high-capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW.
 - d. Commuter rail stops.
 - e. Stops on rail or fixed guideway systems, including transitways.
 - f. Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or
 - e. Stops for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.

Section 36: CPMC 14.60.180 is amended as follows:

Housing Standards. The following regulations are intended to supplement the general provisions of this Title and the International Building Codes, as adopted by the City.

- A. Applicability. These provisions shall apply to the following uses, as defined by the City:
 1. Manufactured housing.
 2. Recreational vehicles.
 3. Multiple residential dwelling units.

4. Cottage housing and co-housing.
 5. Townhouses.
 6. Tiny homes; and
 7. Mixed-use commercial and residential development.
- B. Manufactured housing conforming to the standards of 42 U.S.C. Sec. 5401-5403, as amended, and RCW 35.63.160, as amended, shall be permitted in all zones where single-family residences are permitted, provided that:
1. Manufactured homes shall be set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product which can be either load bearing or decorative.
 2. Manufactured homes in an approved manufactured home park are not required to be set upon a permanent foundation, provided that they are attached to the ground and that the space from the bottom of the home to the ground is enclosed as specified by the manufacturer and approved by the City.
 3. The manufactured home shall comply with all City design standards, including setbacks, applicable to all other homes in the neighborhood.
 4. The new manufactured home shall be thermally equivalent to the state energy code.
- C. Multiple Residential Dwelling Units. Housing in buildings with multiple residential dwelling units may be permitted in accordance with the following standards:
1. All required parking shall be provided onsite.
 2. A minimum of 1,000 square feet per dwelling unit shall be designated and permanently reserved as usable common open space in multi-family dwellings with 10 or more units.
 3. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping).

4. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
 5. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and driveways to the greatest extent practicable; and
 6. See College Place Municipal Code Section 14.60.040 Landscaping for more details.
- D. Cottage Housing. Three or more detached, single-family dwelling units may be clustered on a lot around a shared open space or courtyard, provided that:
1. The cottage development shall comply with the Density, Dimension, Area, Height, and Setback Standards for the applicable zoning district, provided that:
 - a. The minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot coverage~~, and setback requirements can reasonably be met.
 - b. The footprint of each dwelling unit shall not exceed 800 square feet.
 - c. The maximum overall floorspace of each dwelling unit, excluding garages, shall not exceed 1,200 square feet.
 - d. The height of the cottage units shall not exceed 15' at the eave line.
 - e. There must be at least 10' of separation between all buildings; and
 - f. Two dwelling units may be attached to form a duplex.
- ~~The lot coverage shall not exceed 45%.~~
2. Each dwelling unit shall have at least 64 square feet of personal outdoor space, which may include patios, decks, or covered porches. The minimum dimension of this personal outdoor space shall be 7' on all sides.
 3. Cottage units will be clustered around a shared open space that provides a sense of openness, visual relief, and community for the residents. A cottage development should not be designed to "turn its back" on the surrounding neighborhood.

- a. There shall be at least 400 square feet of shared open space per dwelling unit.
 - (1) Critical areas and their buffers shall not be considered as shared open space.
 - (2) Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.
 - b. Shared open space shall be located in a centrally located area and be easily accessible to dwelling units within the development.
 - (1) The shared open space may be divided into no more than two (2) separate areas per cluster of dwelling units.
 - (2) Each shared open space area shall have a minimum dimension of 20 feet on all sides.
 - c. At least 50 percent of the units in the development shall abut a common open space.
 - (1) A cottage is considered to “abut” an area of open space if there is no structure between the unit and the open space.
 - (2) The site shall be designed so that cottages abut at least two sides of all shared open space.
 - d. Shared open space shall be designed to provide passive and/or active recreation opportunities and may include shared gardens, picnic facilities, and recreation areas.
 - e. Each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented to the common open space.
 - f. Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, with the primary entrance oriented to the public right-of-way. If a dwelling unit abuts more than one (1) public right-of way, the City shall determine to which right-of-way the inviting facade shall be oriented.
4. Community buildings are encouraged in cottage developments, provided that:

- a. Community buildings shall be clearly incidental in use and size to the dwelling units.
 - b. Community buildings shall be no more than one (1) story. Where the community space is located above another common structure, such as a detached garage or storage building, standard building heights apply; and
 - c. Community buildings must be located on the same site as the cottage housing development and be commonly owned by the residents.
5. Cottage housing that is designed as co-housing shall also comply with the following standards:
- a. Only be required to contain minimal kitchen facilities (e.g., a sink and stove or hot plate), consistent with the International Codes, as adopted and administered by the City, provided that a common structure(s) provides a fully equipped kitchen (e.g., containing a stove, refrigerator, and sink) and dining area available to all residents of the development; and
 - b. Co-housing projects may contain any number of common structures, however, no more than two (2) common structures shall exceed eight hundred (800) square feet in size, and none shall exceed five thousand (5,000) square feet in size. At least one (1) common structure shall contain a dining room and kitchen large enough to serve at least fifty percent (50%) of the development's residents at a time (based upon occupancy of one (1) person per bedroom, and at least one (1) of the following: a children's day care center, recreational facilities (such as pool tables or exercise equipment), or a meeting room available for the use of all residents.
6. A landscaping plan shall be prepared by a qualified professional and submitted for City review and approval in accordance with the provisions of Section 14.60.040 Landscaping. This shall include, but is not limited to:
- a. Areas under private ownership or use.
 - b. Areas under common ownership or shared use.
 - c. Proposed landscaping or fencing to buffer or otherwise provide privacy for abutting properties.
 - d. Mature trees to be retained.

- e. Draft documents creating a homeowners' or property owners' association, as regulated by State law, and any other documents establishing the maintenance responsibilities for the ongoing maintenance of common areas, shared spaces, and stormwater facilities; and
 - f. Parking areas and documentation that parking requirements have been met.
 - 7. At least one off-street parking space shall be required for each cottage unit in accordance with the provisions of Section 14.60.070 Parking, provided that:
 - a. At least 1.5 off-street parking spaces shall be provided for each cottage unit if no on-street parking is available.
 - b. Garages or carports, if provided, shall be detached.
 - c. At least .5 parking spaces per cottage unit will be reserved as shared guest parking.
 - 8. If the topography or lot configuration precludes the full compliance with these standards, a variance may be granted for alternative methods based on a finding that the public interest is served.
 - 9. Cottage housing may be constructed in accordance with the provisions of a phasing plan approved by the City, provided that all frontage improvements, access improvements, and common areas are constructed first.
- E. Townhouses may be permitted in accordance with the following standards:
- 1. Each development shall comply with the Density, Dimension, Area, Height, and Setback Standards for the applicable zoning district, provided that:
 - a. The minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot coverage~~ and setback requirements can reasonably be met.
 - b. The building placement, landscaping, and/or design of windows on the non-zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building, which is located on the property line, cannot have any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.

- c. Usable outdoor living areas shall be provided in rear and side-oriented courtyards.
- 2. Each building shall comply with the provisions of the International Building Codes as adopted and implemented by the City, provided that:
 - a. The International Residential Code exception to the required parapet construction is not applicable to zero lot line residential structures.

F. Tiny Homes.

- 1. Tiny homes may be approved for use as a residential dwelling unit, only if:
 - a. The wheels have been removed and the tiny home has been attached to a permanent foundation, in accordance with the provisions of local, state, and federal laws, including but not limited to WAC 296-150I-0310.
 - b. The tiny home has been connected to utilities, including but not limited to water, sewer, and electricity, in the same manner as a typical single-family residence.
 - c. The tiny home complies with the applicable provisions of the International Codes, including but not limited to Appendix Q of the International Residential Code, as adopted, and administered by the City of College Place; and
 - d. The tiny home has received a Modular Gold Label Insignia or comparable certification from the Washington State Department of Labor and Industries.

G. Mixed-Use Commercial and Residential Development. Residential and commercial uses may be permitted in the same development as a part of a “vertical” mixed use (housing above ground floor commercial) or a “horizontal” mixed use (housing and commercial permitted on the ground floor in buildings), in accordance with the following standards:

- 1. All required off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

2. A minimum of 400 square feet per dwelling unit shall be designated and permanently reserved as usable common open space in multi-family dwellings with 10 or more units or the voluntary payment to the City in lieu of the permanent reservation of usable open space consistent with the provisions of Section 14.90.040 I. 5.
3. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping).
4. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
5. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and driveways to the greatest extent practicable. See Section 14.60.040 Landscaping for additional requirements.
6. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.), private stormwater facilities, and building exteriors shall be maintained by the property owner, a homeowner's or property owner's association, or other legal entity approved by the City.
7. The documents creating a homeowners' or property owners association, as regulated by State law, and/or any other documents establishing the maintenance responsibilities for common areas shall be subject to City review and approval by the Community Development Director or his/her/their designee in consultation with the City Attorney. Such documents may be required to be recorded with the County and to run with the land.

Section 37: CPMC 14.60.200 is amended as follows:

Recreational Vehicles (RV's), Campers, Trailers, Tiny Houses, and Tents.

- A. Recreational vehicles, campers, trailers, tiny houses, and tents (aka recreational units) may be used for human habitation only in approved recreational vehicle parks unless otherwise specifically provided in this Title.

1. All applications for new RV Parks or modifications to existing RV Parks or approved RV Park Site Plans, shall include a site plan prepared by a qualified professional in a format prescribed by the City. This site plan should include, but is not limited to:
 - a. Identification of the RV park boundaries.
 - b. Internal streets and driveways.
 - c. The location and dimensions of designated RV spaces.
 - d. Required setbacks and buffers.
 - e. Designated open spaces and common areas.
 - f. Park facilities such as community center, restrooms, waste disposal, and laundry facilities.
 - g. The location and dimensions of required parking spaces.
 - h. A landscaping plan; and
 - i. Identification of “no parking” areas and fire lanes.
2. The Project Sponsor shall also include with any application:
 - a. A narrative description and documentation of how the site plan complies with the provisions of this Title; and
 - b. A copy of the RV Park Management Plan.
3. All recreational units shall retain their mobility and the wheels or means of transport shall not be removed or disabled.
4. The RV park owner or a designated agent shall always be on the site. It shall be the continuing responsibility of the RV park owner to:
 - a. Assure that all required landscape and common areas are perpetually maintained.
 - b. Keep the park free of unsightly brush, leaves, weeds, and debris.
 - c. Keep the park free from nuisances as defined in 8.24 CPMC.

- d. Establish and enforce standards for the maintenance of recreational units occupied for more than 180 days.
 - e. Assure that all private stormwater facilities are perpetually maintained; and
 - f. That no outside storage of materials or equipment is allowed.
- 5. RV parks shall be designed, constructed, operated, and maintained in compliance with all applicable federal, state, and local laws and regulations.
- 6. RV park owners shall always maintain in good standing a City business license, provided that:
 - a. The business license shall be subject to annual renewal.
 - b. The RV park may be inspected by the Fire Marshal or other representative of the City in conjunction with the renewal process; and
 - c. The City may suspend or revoke a business license for failure to comply with the provisions of this Title.
- B. All recreational vehicle (RV) parks shall be designed in accordance with the following standards:
 - 1. RV's, campers, trailers, tiny houses, and tents may only be located in RV spaces as designated on a site plan approved by the City.
 - a. The minimum width for each RV space shall be twelve feet (12').
 - b. The minimum length for a back-in RV space shall be fifty-six feet (56') long and for each pull through RV space seventy feet (70') long, and the space shall not include any common areas, roadways, general use structures, walkways, parking areas for vehicles other than RVs, or landscape areas.
 - c. There shall be a minimum distance of ten feet (10') between all recreational vehicles, campers, trailers, tiny houses, and tents.
 - d. Each designated space shall have at least one (1) 10' x 20' parking space.
 - e. Parking and driveway areas shall be paved with asphalt or concrete or similar surface, in accordance with City standards.

2. RV parks shall be designed with the following setbacks:
 - a. All designated RV spaces and buildings within the RV park shall be setback at least 20' from all exterior property lines.
 - b. Recreational units shall be setback at least twenty feet (20') from vegetative hedges.
3. Streets within an RV park shall have a minimum twelve foot (12') wide paved surface for one- way travel, and a minimum twenty-four foot (24') wide paved surface for two-way travel.
 - a. No dead-end streets are allowed.
 - b. Streets shall be paved with asphalt, concrete, or similar surface, in accordance with City standards.
4. All parking associated with the RV park, including guests, visitors, and employees, shall be on-site in areas designated on the site plan approved by the City. No off-site parking or parking that obstructs access by emergency vehicles shall be permitted at any time.
5. 300 square feet of usable open space or recreational area per recreational unit shall be provided, in common areas, accessible by all tenants, exclusive of:
 - a. Areas reserved for the use or benefit of individual tenants.
 - b. Dedicated vehicular and pedestrian rights-of-way, easements, and off-street parking areas.
 - c. Required perimeter setbacks, and
 - d. Critical areas and their buffers.
6. A landscaping plan prepared in accordance with the provisions of Section 14.60.040 prepared by a qualified professional, that includes, but is not limited to:
 - a. Perimeter landscaping and screening on all sides in accordance with City standards.
 - b. Interior landscaping including grass, shade trees, shrubs, and an automated sprinkler system.

7. The RV park shall be designed in compliance with the City Stormwater standards.
 8. All RV spaces shall have access to water, sewer, and electrical service in accordance with City standards.
 9. Recreational units may without internal toilets or showers may only be permitted if the RV park provides toilets, lavatories, and showers as required by State and local laws and regulations.
 10. At least one (1) sanitary disposal station for removing and disposing of waste from holding tanks shall be provided.
 11. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations throughout the park. The number and capacity of trash receptacles shall be sufficient to insure there is no uncovered accumulation of trash at any time in the park.
 12. All lighting shall be screened and downward facing; and
 13. No permanent buildings, structures, or additions may be constructed on a designated RV space, or attached to an RV, camper, trailer, or tiny house, or tent.
- C. Recreational vehicles, campers, trailers, tiny houses, and tents may be occupied by visitors to a single-family residence on a temporary basis for a period not to exceed fourteen (14) calendar days, in any calendar year, provided that the recreational vehicle, trailer, or tent is located in the driveway, or in the yard outside of required setbacks.
- D. Recreation vehicles may be stored/parked in residential zoning districts by residences or their guests, provided the following conditions are met:
1. The recreational vehicle must not be in use for temporary or permanent housing.
 2. No more than one recreational vehicle may be stored outside on a parcel.
 3. The recreation vehicle shall not intrude into the public right-of-way or obstruct sight visibility from adjacent driveways.
 4. The recreation vehicle shall not be parked in the front or side yard setback.
 5. The recreation vehicle shall be maintained in a clean, well-kept state which does not detract from the appearance of the surrounding area.

6. The recreational vehicle and its use comply with the provisions of College Place Municipal Code Chapter 8.24 Nuisances.

Section 38: CPMC 14.60.250 is amended as follows:

University District Standards. The following provisions shall apply to all development activities and changes of use in the University District, as established by the City, unless otherwise provided in this Chapter.

- A. Applicability. All new construction of buildings and structures, the modification or expansion of existing building or structures, new uses, or changes of use, and any related development activities shall comply with the provisions of this Title and must receive the required ~~permits and approvals~~ permits/approvals/actions from the City before the initiation of any development activities.
 1. In an effort to promote the timely review and approval of all proposed development activities, the University is encouraged to schedule a pre-application meeting with the City Community Development Department to review what the University plans to accomplish and the City's application requirements.
 2. Properties that are owned by the University that are not located within the boundaries of the University District, shall be subject to the provisions of the zoning district in which they are located.
- B. Permitted Uses. In addition to the uses identified in the Section 14.50.030 Table of Permitted Uses, the following uses may be permitted, provided they are designed to primarily serve University students, faculty, staff, volunteers, and visitors:
 1. Classrooms and lecture halls.
 2. Administrative buildings and offices.
 3. Dormitories and student housing.
 4. Maintenance facilities.
 5. Indoor and outdoor athletic and recreation facilities.
 6. Food preparation and eating facilities.

7. Parking facilities.
8. Places of worship.
9. Meeting and performance facilities.
10. Bookstores.
11. Special and temporary uses; and
12. Other uses typically associated with small, private universities as determined by the City through an administrative code interpretation.

C. Development Standards. The following development standards shall apply to the University Campus:

1. The University shall provide documentation that all parking needs generated by the proposed development will be met on the campus.
 - a. This may require additional on-campus parking improvements, efficiencies, or increased enforcement.
 - b. Parking on City streets shall not be permitted.
2. The University shall prepare a traffic study or otherwise provide documentation on the number and frequency of trips that will be generated by the proposed development and whether the new trips can reasonably be accommodated without a reduction in established levels of service. The City may require the University to construct road improvements to maintain level of service standards and to protect public safety.
3. All proposed development activities shall comply with the provisions of the International Codes, as adopted, and administered by the City of College Place. This shall include, but is not limited to:
 - a. All new buildings, and the expansion of existing buildings, shall meet the building separation requirements.
 - b. Additional separation or access improvements for emergency vehicles may be required in order to meet the requirements of the International Fire Code.

4. The University shall provide documentation that adequate water is available to serve the proposed use and meet required fire flows.
 5. The University shall provide documentation that adequate provisions have been made to connect to the City's utilities.
 6. The University shall meet the City Stormwater Regulations.
 6. All new lighting on the campus shall comply with City lighting standards.
 7. The University shall contact the City when planning for special or temporary uses to determine if a Special Use Permit is required and/or measures should be taken to protect the public health, safety, and welfare. This may include, but is not limited to:
 - a. Consultation with the Public Works Director, City Engineer, City Police Chief, or Fire Chief to ensure access by emergency vehicles; and
 - b. Consultation with the County Health Department regarding sanitation measures and permits.
- D. Campus Master Plan. As an alternative to the provisions of this Chapter, the University may submit for City review and approval, a Campus Master Plan to guide the use of existing facilities and new development activities on the campus.
1. This Campus Master Plan shall be based on a projected student population and the projected number of faculty and staff.
 2. The Campus Master Plan shall include a map(s) of the campus along with supporting narrative and studies that identifies:
 - a. All existing buildings and facilities and the use of each building.
 - b. The projected location and use of future buildings and facilities.
 - c. Existing and proposed parking areas, the capacity of each area, and documentation of projected parking needs on campus.
 - d. The documented location of all existing and planned water and sewer mains, lines, valves, connections, irrigation lines, and fire hydrants.

- (1) In addition, the location of all existing and planned fire hydrants shall be identified.
- e. Documentation of the water service needs for the campus including all proposed buildings and uses, and demonstration that adequate water supply exists to meet the potable water requirements and the requirements of the International Fire Codes, as adopted by the City.
 - f. Documentation of the sewer service needs for the campus including all proposed buildings.
 - g. A traffic plan that identifies where ingress and egress for vehicles and deliveries will occur, the baseline level of trips to and from the campus, and the projected number of trips associated with proposed buildings or uses. Proposed improvements to maintain safety and City level of service standards will also be depicted.
 - h. A bicycle and pedestrian circulation plan that identifies road crossings and proposed improvements to maintain a safe environment for students, faculty, staff, and visitors to the campus.
 - i. The identification of all existing and proposed stormwater management facilities and improvements. The Stormwater Operation and Maintenance Plans and access agreements should also be included.
3. The proposed Campus Master Plan shall be prepared in consultation with neighboring property owners and shall feature measures to avoid or minimize potential adverse impacts.
4. The City shall conduct an environmental review of the proposed Campus Master Plan.
- a. Subsequent project specific development proposals that are consistent with the provisions of the approved Campus Master Plan, and that fall within the parameters evaluated during the environmental review, may be permitted by the City without additional environmental review.
 - b. Proposed development activities that do not fall within the parameters of the environmental review may be required to prepare an addendum or supplemental environmental review, or a new environmental review, as determined by the City.
5. The proposed Campus Master Plan shall be processed by the City through the same process as a conditional use permit.

- a. Minor amendments to the Campus Master Plan may be approved administratively, in writing, by the City.
 - b. All other amendments shall be processed as a conditional use permit.
- 6. The City and the University may elect to execute a development agreement in accordance with the provisions of the Laws of Washington State, to implement the approved Campus Master Plan.

Section 39: CPMC 14.70.020 is amended as follows:

General Provisions.

- A. It shall be the responsibility of Property Owners and Project Sponsors to know and/or to identify the location of critical areas on and near their property and to comply with the provisions of this Chapter at all times.
 - 1. Property Owners and Project Sponsors that may be proposing development activities in proximity of critical areas are strongly encouraged to schedule and attend a conference with City staff to discuss the applicability of these regulations prior to preparing and submitting land use applications to the City.
 - 2. The City maintains public maps that may assist in the identification of critical areas.
 - a. It is the responsibility of the Property Owner/Project Sponsor to identify and map all critical areas on their property.
 - b. The presence of a critical area and/or its associated buffer on a parcel triggers the requirements of these regulations, regardless of whether a critical area or buffer is depicted on an official map.
 - 3. Reasonable access to the project site shall be provided to the City, state, and federal agency staff for the purpose of inspections and compliance review during any proposal review, restoration, emergency action, new construction, or monitoring period.
- B. These regulations shall apply in addition to the other applicable provisions of this Title, as well as applicable local, state, and federal regulations.
 - 1. Compliance with the provisions of this Chapter does not necessarily constitute compliance with other federal, state, and local regulations and permit requirements

that may be required (for example, Hydraulic Project Approvals permits, Army Corps of Engineers Section 404 permits, National Pollutant Discharge Elimination System permits).

2. The Project Sponsor shall be responsible for obtaining all required ~~permits and approvals~~permits/approvals/actions before initiating any action.
- C. The City, when regulating uses, activities, and developments within or adjacent to, and likely to affect one or more critical areas, shall do so consistent with the best available science and the provisions of this Chapter.
1. The best available science is that scientific information applicable to the critical area prepared by local, state, or federal natural resource agencies, a qualified professional, or team of qualified professionals that is consistent with criteria established in WAC 365-195-900 through WAC 365-195-925.
 2. Nonscientific information may supplement scientific information, but it is not an adequate substitute for valid and available scientific information. Common sources of nonscientific information include anecdotal information, non-expert opinion and hearsay.
 3. Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the City may:
 - a. Take a "precautionary or a no-risk approach," that strictly limits development and land use activities until the uncertainty is sufficiently resolved; and/or
 - b. Require application of an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:
 - (1) Address funding for the research component of the adaptive management program.
 - (2) Change course based on the results and interpretation of new information that resolves uncertainties; and

- (3) Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas. and anadromous fisheries.
- D. Property Owners and Project Sponsors shall, when designing development activities that may affect geologic hazard areas, wetlands, and fish and wildlife habitat conservation areas, use the following measures, listed in priority order:
 1. Avoid the adverse impact altogether by not taking a certain action or parts of an action or moving the proposed action.
 2. Minimize adverse impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology and engineering, or by taking affirmative steps to avoid or reduce adverse impacts.
 3. Rectify the adverse impact by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project.
 4. Reduce or eliminate the adverse impact over time by preservation and maintenance activities during the life of the action.
 5. Compensate for the adverse impact by replacing, enhancing, or providing similar substitute resources or environments.
 6. Monitor the impact for a reasonable period of time and taking appropriate corrective measures; and
 7. Mitigate the adverse impact through a combination of measures.
- E. A Critical Area Authorization or Permit is required before any construction or development activity may be initiated on a site with an area that meets the criteria for designation as a Special Flood Hazard Area, Geologic Hazard Area, Wetland, or Fish and Wildlife Habitat Conservation Area(s) or their associated buffers.
 1. A Critical Area Authorization must be based on a written finding by the City that:
 - a. The proposed activity is exempt; or
 - b. The proposed activity only occurs outside of the critical area and the associated buffer; or
 - c. The City has adequate information to determine that the proposal will not have an adverse impact on the Critical Area; or

- d. The proposed activity will not have an adverse impact on the critical area and otherwise complies with the provisions of this Section.
 - 2. A Critical Area Permit shall be based on the findings and recommendations contained in a Critical Area Report(s).
- F. In order to receive a required Critical Area Permit, Project Sponsors must prepare and submit for City review and approval a critical area report(s) in a format prescribed by the City.
- 1. The City shall determine the scope, content, and format for a Critical Area Report based on pre-application consultation with the Project Sponsor and his/her their consultants, resource agencies, and qualified professionals.
 - a. Please contact the City Community Development Department or go to the City's website to get the most recent copy of the City's Guidelines for preparing a Critical Area Report.
 - b. Individual critical areas reports may be combined into a single comprehensive report, in a format approved by the City.
 - 2. Critical Area Reports shall be prepared by a qualified professional, as determined by the City.
 - a. The cost of preparing required critical areas report(s) shall be borne by the Applicant/Project Sponsor.
 - b. The cost of a professional peer review of any required critical areas report, if required by the City, shall be borne by the Applicant/Project Sponsor.
 - 3. Critical Area Reports shall be submitted to the City in draft form for City review and comment. Following this review, the City shall notify the Applicant in writing:
 - a. That the report complies with City guidelines and that it may be submitted in final form.
 - b. That additional information is necessary and/or revisions must be made before the report can be accepted for processing, and that identifies the corrective actions that must be taken; or

- c. That the report does not comply with City guidelines and that identifies the corrective actions that must be taken.
- 4. Upon acceptance of the Critical Area Report(s), the City shall utilize the report to evaluate the proposed development activity and to establish conditions of approval. In addition, the City may require the Project Sponsor to:
 - a. Submit detailed construction plans and drawings prepared by a qualified professional necessary to implement mitigating measures and other conditions of approval.
 - b. Conduct or permit to be conducted on-going monitoring and evaluation.
 - c. Install protective fencing and signage.
 - d. Provide the City with financial guarantees; and
 - e. Comply with other such measures as may be necessary to comply with the provisions of the applicable local, state, and federal laws.
- G. Fencing and Signs of Critical Areas and Required Buffers. The City may require, as a condition of approval, that temporary or permanent fencing and signage may be installed to protect critical areas and their buffers from inappropriate uses, unauthorized development activities, intrusion, or accidental encroachment.
 - 1. The outer perimeter of the critical area or buffer and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and is subject to inspection by the City prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.
 - 2. Fencing installed as part of a proposed activity or as required in this Section shall be designed so as to not interfere with native species migration, including fish runs, and shall be constructed in a manner that minimizes impacts to critical areas and buffers.
- H. In order to inform subsequent purchasers of real property of the existence of critical areas, the owner of private property containing a critical area or buffer on which a development proposal has been approved, shall file a notice with the County Records and Elections Division, as directed by the City. The notice shall state the presence of the critical area or buffer on the property, the application of this Chapter to the property, and the

fact that limitations on actions in or affecting the critical area or buffer may exist. The notice shall "run with the land."

Section 40: CPMC 14.90.040 is amended as follows:

Required Improvements. The following improvements are required in all subdivisions, short plats, binding site plans, and lot line adjustments unless otherwise provided in this Title. All improvements must be designed and constructed by the Project Sponsor, at no cost to the City, in accordance with the provisions of the City of College Place Engineering Design Standards, as determined by the City, other applicable local, state, and federal laws, and the following provisions:

- A. Water Supply. All lots must be served by an adequate supply of water, as determined by the City, in accordance with local, state, and federal standards, provided that:
 - 1. The City may require a Certificate of Water Availability for lots not served by the City water system.
 - 2. All required water system improvements shall be designed and constructed in conformance with City standards and shall address:
 - a. Potable water from a public water supply source.
 - b. Adequate water supply and facilities for fire protection purposes.
 - c. Water main looping; and
 - d. Water necessary to maintain required landscaping.
- B. Sanitary Sewer. All lots must be served by City sewers, in accordance with the provisions of the Laws of Washington State, provided that the City may make a written finding that sewer service is not reasonably available and may authorize the use of a septic system(s) designed to the standards of the Walla Walla County Health Department, provided that:
 - 1. The location of the septic tank, system drain field, and reserve drain field are depicted on a recorded legal document, as specified by the City; and
 - 2. The City may require the execution of a No Protest LID Agreement, or other instrument to ensure that a connection is made when City sewer service is available.

- C. Streets. All subdivisions, short plats, and binding site plans shall be served by one or more public streets providing ingress and egress at not less than two points, unless otherwise approved by the City.
1. All streets shall comply with all City transportation plans, including but not limited to:
 - a. Comprehensive Plan Transportation Map.
 - b. Arterial Street Plan; and
 - c. City 6-Year Transportation Plan.
 2. All street networks and improvements shall provide ready access for fire and other emergency vehicles and equipment and route of escape for inhabitants, in accordance with the provisions of the International Fire Code, as adopted by the City.
 3. All streets shall be designed and constructed in accordance with the City of College Place Engineering Design Standards. This shall include, but is not limited to street lighting, street signs, sidewalks, landscaping strips, curbs, gutters, stormwater facilities, and bike lanes, as required by the City.
 - a. Private streets are discouraged, and all streets shall be dedicated to the City, unless a private street is approved by the City. Private streets may be permitted in the sole discretion of the City only in:
 - (1) Binding site plans.
 - (2) Mobile home/manufactured home parks.
 - (3) Situations involving parcels that are isolated by topography or the configuration of existing lots and that connection with other streets is unachievable; or
 - (4) Unusual situations based on a written finding by the City that it is in the public interest.
 - b. Private streets, when permitted, must be designed and constructed in accordance with the City of College Place Engineering Design Standards, provided that:
 - (1) Pedestrian access must be provided to existing and future streets or pathways.

- (2) Provisions must be made for privately owned and maintained water and sewer improvements, designed and constructed to City standards, as no public utilities shall be located under a private street.
 - (3) Traffic circulation shall not be obstructed or cut off future development from public access or utilities.
 - (4) The transition to a public street shall not occur in mid-block, unless a mid-block transition is unavoidable, a public turn-around designed in compliance with the College Place Engineering Design Standards and the International Fire Codes, as adopted by the City, shall be provided.
 - (5) Private streets shall be owned in common by the owners of the property served by the private street or by a homeowners' association. The tract shall be designated on the plat as a special purpose tract. Private access may be designated by a recorded easement. A maintenance agreement shall be recorded with the Walla Walla County Auditor that commits the owner(s) to maintain all elements of the private street. Accessibility shall be maintained at all times for emergency vehicles.
- c. In residential short plats, each lot shall be accessible from a City street, driveway, joint use driveway, or in the limited circumstances provided in this Title, a private street, in accordance with City standards and the needs of emergency service and utility providers.
- (1) The requirement for access at two or more points may be waived by the City based on a finding that the proposed access complies with the provisions of:
 - (a) The City of College Place Engineering Design Standards.
 - (b) The International Fire Code, as adopted by the City; and
 - (c) Is in the public interest.
- d. Frontage improvements may be deferred by the City in a short plat, if:
- (1) There are no frontage improvements on either side of the proposed short plat; and
 - (2) A no protest LID agreement is executed; or

(3) A financial guarantee is executed to ensure that the improvements are installed by a certain date or event.

- e. The City may accept a voluntary payment in lieu of the installation of required frontage improvements, to be used later, and/or for similar improvements at another location.

(1) There shall be no time limitation on the use of voluntary payments.

- f. The provision of alleys in residential subdivisions may be the basis for the City to approve a reduction in the width of required streets.

- g. In residential subdivisions, the width of driveways at the curb on lots with at least 60' of street frontage shall not exceed 20' in width at the curb and back of the right-of-way, as specified in the City of College Place Engineering Design Standards, provided that:

(1) On lots with street frontage greater than 60', the width of the driveway at the curb may be increased by 1' over the standard 20' maximum for every 3' of frontage over 60', up to a maximum width at the curb and back of the right-of-way of 30'.

(2) On lots with less than 60' of street frontage, the driveway width at the curb may not exceed 12'.

(3) The width of a driveway at its widest point shall not exceed the width of the driveway at the curb plus 4'; and

(4) Driveway approach wings and pedestrian approach wings shall be separated by a minimum of four feet between the end of the wings.

- h. In residential short plats, the width of driveways shall not exceed 20' at the curb and back of the right-of-way or 24' at its widest point.

- i. Alleys should be provided in commercial and industrial areas, except that the City may waive this requirement based on a finding that adequate provisions have been made for deliveries, loading, unloading, and parking.

- j. On corner lots, the placement of driveways should be placed as far away from the intersection as possible, as determined by the City.

D. Sidewalks shall be provided in every residential, industrial, or commercial subdivision, and business park, and shall conform to the City sidewalk standards. Sidewalks shall be

properly located and sufficient to meet the circulation needs of the subdivision. The width of sidewalks in residential areas shall not be less than six feet, not including curb or features that diminish mobility, as determined by the City. The sidewalk must not be obstructed with poles, fire hydrants, and the like. Sidewalks shall not be less than ten feet where deemed essential for pedestrian traffic in commercial and industrial areas, schools, playgrounds, shopping centers, etc., unless otherwise approved by the City.

- E. A minimum 5' wide landscape strip(s) designed in accordance with City standards shall be required on every side of a lot that abuts an arterial, collector, or local street in a residential subdivision, provided that:
 - 1. The front yard setback may be reduced by 5' in the Single-Family Residential district on lots with an approved landscaping strip.
 - 2. Every planter strip shall be:
 - a. Irrigated and planted with grass.
 - b. Include at least one street tree every 60' selected from a list provided by the City.
 - c. Be the continuing maintenance responsibility of the abutting property owner unless alternative arrangements have been approved by the City, such as maintenance by a professional landscaping firm hired by a homeowner's association; and
- F. Stormwater improvements shall be designed and constructed in accordance with the provisions of the City of College Place Engineering Design Standards and the most recent version of the Stormwater Management Manual for Eastern Washington, as adopted by the City of College Place.
- G. Bike lanes, designed and constructed in accordance with City standards, are required in residential subdivisions on all collectors and arterial streets.
- H. Public Utilities.
 - 1. Easements for fiber, cable, electric, telephone, television, water, gas, stormwater, sewer, and similar public utilities shall be a minimum width of ten feet, unless otherwise determined by the City to be of adequate width to maintain.
 - 2. The City may permit, in consultation with utility providers, the shared use of selected easements by compatible utilities, subject to certain conditions.
 - 3. The installation of utilities facilities should be underground.

4. Public utility easements should be located along the front or rear property lines. If a side yard easement is needed, it shall be located adjacent to the lot line on one side of the lot line. Easements shall not be located on the lot lines.
- I. Parks and Open Space. All new subdivisions of ten or more lots shall set aside and improve, and/or make such payments and off-site improvements as may be necessary to mitigate the impacts of the proposed development and to implement the City's level of service standards for parks and open space, and trails.
 1. All proposed new subdivisions (ten or more lots) shall include provisions for at least 1,000 square feet of designated park and open space area per dwelling unit.
 - a. A determination of the suitability of the land designated for park and open space purposes in accordance with the provisions of the City's Parks, Recreation, and Open Space Plan shall be made by Community Development Director or his/her/their designee in consultation with the City Parks, Arbor, and Recreation Board.
 - b. Designated park and open space areas should be contiguous and shall be placed in a park and/or open space tract(s).
 - c. Critical areas and their buffers shall not be considered as park or open space, unless specifically authorized in this Chapter.
 - d. Streets and associated median or planter strips, sidewalks, bike lanes, stormwater facilities, or areas required for the provision of utilities shall not be considered as park or open space, unless specifically authorized in this Chapter.
 - e. The Project Sponsor may propose to install and/or improve a trail(s) to City standards as a part of the required park and open space. Trails may be located in a critical area buffer in accordance with the provisions of the City's regulations to protect critical areas and the Washington State Environmental Policy Act, as well as all applicable local, state, and federal laws and regulations.
 - f. All required improvements shall be installed by the Project Sponsor and inspected and approved by the City prior to final subdivision approval, provided that the City Council may approve a financial guarantee provided by the Project Sponsor, in a format prescribed by the City Attorney, to make the required improvements in accordance with an approved plan and specified timeline.
 2. Park and open space areas less than three acres in size shall be the ongoing maintenance responsibility of the homeowners in the subdivision, and:

- a. These park and open space areas shall be landscaped with grass, shade trees, shrubs, and an automated sprinkler system, as specified in a landscaping plan submitted for City review and approval.
 - b. These park and open space areas should also include a children's playground and exercise equipment, benches, walking paths, picnic areas, a drinking fountain, garbage cans, and a pet waste station, as appropriate, or comparable improvements in accordance with the standards for neighborhood parks in the City's Parks, Open Space, and Recreation Plan.
 - c. The documents creating a homeowners' or property owners association, as regulated by State law, and/or any other documents establishing the maintenance responsibilities for the required park and open space areas shall be subject to City review and approval by the Community Development Director or his/her/their designee in consultation with the City Attorney.
3. Park and open space areas greater than three acres in size may be proposed for dedication to the City, provided that:
- a. Priority consideration shall be given by the City to tracts three or more acres in size.
 - b. These open space areas shall be landscaped by the Project Sponsor with grass, shade trees, shrubs, and an automated sprinkler system, as specified in a landscaping plan approved by the City.
 - c. The Project Sponsor shall provide for the following improvements in accordance with the standards for neighborhood parks in the City's Parks, Open Space, and Recreation Plan:
 - (1) Picnic area.
 - (2) Benches.
 - (3) Walking paths.
 - (4) Children's playground and exercise equipment.
 - (5) Drinking fountain.
 - (6) Garbage cans and pet waste stations.

(7) Restrooms; and

(8) Parking.

- d. Nothing in these regulations, shall preclude the Project Sponsor, or a homeowners' or property owners' association from proposing a dedication after final plat approval, in accordance with the provisions and standards of this Chapter and the City's Parks, Open Space, and Recreation Plan.
 - e. The City's Parks, Arbor, and Recreation Board shall review proposed dedications and improvements and shall make a recommendation to the City Council to accept, accept with modifications, or not accept a proposed dedication.
 - f. If a proposed dedication is accepted by the City, the dedicated park and open space areas and improvements shall be owned and maintained by the City.
 - g. Required park/open space areas not dedicated to the City shall be the ongoing maintenance responsibility of the homeowners in the subdivision. The documents creating a homeowners' or property owners' association, as regulated by State law, and any other documents establishing the maintenance responsibilities for the required park and open space area shall be subject to City review and approval by the Community Development Director or his/her/their designee in consultation with the City Attorney.
4. As an alternative to the preceding regulations, the City may establish a Park Impact Fee to mitigate the direct impacts associated with proposed subdivisions, provided that such fees shall be established by ordinance and shall comply with the provisions of RCW 82.02.060.
5. Pending the adoption of a Park Impact Fee by the City, a Project Sponsor may propose, subject to City Council review and approval, a voluntary payment and/or a dedication of additional land, in lieu of providing some, or all, of the required parks and open space land and improvements.
- a. The voluntary payment or dedication shall be based on the assessed/appraised value of the land to be subdivided, and the estimated cost of the required improvements, as approved by the City.
 - b. The value of the voluntary payment or dedication should meet or exceed the value of the required dedication or improvements.

- c. Voluntary payments shall be used by the City for the acquisition or improvement of land for park and open space purposes in accordance with the provisions of the City's Parks, Open Space, and Recreation Plan within a one-half mile radius of the subdivision, unless otherwise agreed to by the parties.
- d. The following examples of voluntary payments or dedications are provided as a potential resource to Project Sponsors:
 - (1) A new 43-lot single-family residential subdivision would be required to place in a park and open space tract and improve at least 43,000 square feet of land, in accordance with City standards. If the parcel to be subdivided had an assessed/appraised value of \$1/square foot, the Project Sponsor could propose a voluntary payment to the City of \$43,000 plus the estimated cost of the improvements in lieu of setting aside and improving the required park and open space area.
 - (2) A new 87- lot single-family residential subdivision would be required to place in a park and open space tract and improve just over two acres of land, in accordance with City standards. If the parcel to be subdivided had an assessed value of \$1/square foot, and the approved estimate of the cost of improvements to the two-acre park was approximately \$130,000, the Project Sponsor could propose, in lieu of making the required improvements, to set aside three additional acres of park and open space and dedicate a total of five acres to the City. In this instance, the value of the additional three acres of land proposed for dedication to the City (three acres/130,680 square feet valued at \$1/square foot equals \$130,000) would offset the estimated cost of the required improvement. If accepted, the City would then be responsible for the ownership, development, and maintenance of the park.
 - (a) In the preceding example, the Project Sponsor could propose a combination of an additional set aside of land and payment in lieu of the required improvements. In this instance, the Project Sponsor could propose, in lieu of making the required improvements, to set aside two additional acres of land for parks and open space and dedicate a total of four acres to the City along with a voluntary payment of \$43,000 to be used by the City for improvements to the park.
 - (3) A new 15-lot residential subdivision with duplexes, would be required to place in a park and open space tract and improve 30,000 square feet of land, in accordance with City standards. If the parcel to be subdivided had an assessed/appraised value of \$1/square foot, the Project Sponsor could propose, in lieu of setting aside and improving the required park and open

space area, a voluntary payment to the City of \$30,000 plus the estimated cost of the improvements to be used to make improvements to a nearby City-owned neighborhood park.

(4) A new 10-lot single-family residential subdivision would be required to place in a park and open space tract and improve 10,000 square feet of land, in accordance with City standards. In lieu of setting aside and improving the required park and open space area, the Project Sponsor could propose to spend at least an equivalent amount to construct a trail, built to City standards, to connect the subdivision with a nearby City-owned park.

6. The City's Parks, Arbor, and Recreation Board shall review all proposed voluntary payments and/or dedications in lieu of setting aside or making required improvements and shall make a recommendation to the Mayor and City Council to accept, accept with modifications, or not accept the proposed voluntary payment.
7. Nothing in these regulations is intended to interfere with:
 - a. The completion of the required environmental review process and conditions of approval that may be required to avoid, minimize, or mitigate potential adverse impacts, or the use of the City's authority to deny an application that could create probable, significant adverse impacts that cannot be reasonably mitigated.
 - b. The City and the Project Sponsor executing a Development Agreement, in accordance with the provisions of state law, that meets or exceeds the provisions of this Chapter, based on a finding that it is in the public interest.

Section 41: CPMC 14.11.030 is amended as follows:

College Place Register of Historic Places.

- A. Any building, structure, site, object, or district may be designated for inclusion in the College Place Register of Historic Places if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community; if it has integrity; is at least fifty years old, or is of lesser age and has exceptional importance; and if it falls in at least one of the following categories:
 - 1. Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history.
 - 2. Embodies the distinctive architectural characteristics of a type, period, style or method of design or construction.
 - 3. Is an outstanding work of a designer, builder, or architect in national, state, or local history.
 - 4. Exemplifies or reflects special elements of the city's cultural, special, economic, political, aesthetic, engineering, or architectural history.
 - 5. Is associated with the lives of persons significant in national, state, or local history.
 - 6. Has yielded or may be likely to yield important archaeological information related to history or prehistory.
 - 7. Is a building or structure removed from its original location, but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with an historic person or event.
 - 8. Is a birthplace or grave, tomb, crypt, or the like of an historical figure of outstanding importance and is the only surviving structure or site associated with that person; or
 - 9. Is a cemetery or burial ground which derives its primary significance from age, from distinctive design features, or from association with historic events or cultural patterns; and

10. Is a reconstructed building that has been executed in an historically accurate manner on the original site.
- B. Any person may nominate a building, structure, site, object, or district for inclusion in the College Place Register of Historic Places. All nominations shall include the written consent or approval of the property owner(s) or his/her/their agent.
1. The nomination shall include all features, interior and exterior, and outbuildings that contribute to its designation.
 2. The nomination shall include a legal description of the property wherein a building or structure is located, or of the site in the case of a site. In the case of an object, the location shall be described with sufficient detail to identify the object's physical location.
 3. In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district which justifies its designation; and a list of all properties including features, structures, sites, and objects which contribute to the designation of the district.
- C. The Historic Preservation Commission shall consider the merits of the nomination in accordance with the criteria set forth in this Chapter.
1. Consideration of the merits of the application and the Commission's recommendation shall occur at a public meeting or meetings. The application and documentary materials should be provided to the Commission members and available to the public in advance of the meeting.
 2. Notice that the Commission will be considering a nomination application shall be provided as required by the Open Public Meetings Act. Written notice shall be mailed via USPS to the nominee owner(s) of record and the nominator (if different) prior to all public meetings unless requested otherwise. Notice shall include posting at the property, when reasonably feasible.
 3. If the Commission finds that the nominated property is eligible for inclusion in the College Place Register of Historic Places, the Commission shall make a recommendation to the City Council that the property be listed in the register. In the case of historic districts, the Commission shall consider a simple majority of property owners (50 percent plus one vote) to be adequate for owner consent. Owner consent and notification procedures in the case of districts shall be further defined in rules. The property owner(s) of record shall be notified of the listing. Notice of the listing to the property owner(s) of record shall be by mail.

- D. The Commission may consider removal of a property from the College Place Register of Historic Places by the same procedure as provided for in establishing the designation and may remove the property upon a finding that it no longer qualifies with the listing criteria. A property may be removed from the register of historic places without the owner's consent.
- E. Listing on the College Place Register of Historic Places is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties may be listed individually or as contributing to an historic district.
 - 1. Prior to the commencement of any work on a register property, excluding ordinary repair and maintenance and emergency measures as defined in this Chapter, the owner must request and receive a Certificate of Appropriateness from the Commission for the proposed work. Violation of this rule may be grounds for the Commission to review the property for removal from the register, to recommend to the City Council removal of the property from the register, or any other action available to the City.
 - 2. As a certified local government (CLG), all properties listed on the College Place Register of Historic Places may be eligible for a special tax valuation on their rehabilitation.
- F. Properties designated on the College Place Register of Historic Places shall be subject to the provisions set forth in this Chapter, as well as the bulk, use, setback, and other controls of the zoning district in which they are located. Nothing contained herein shall be construed to be repealing, modifying, or waiving any zoning provisions or other local, state, or federal laws or regulations.
- G. No change of use, construction any new building or structure, or reconstruction, alteration, restoration, remodel, repair, removal, or moving any property on the College Place Register of Historic Places shall occur without review by the Historic Preservation Commission and issuance of a Certificate of Appropriateness.
 - 1. The owner or his/her/their agent shall apply to the City for a review of proposed changes on a College Place Register property or within a College Place Register historic district and request a Certificate of Appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by such information as is required by the City for the proper review of the proposed project. The Commission's decisions shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision.

2. The Commission shall attempt to meet with the Applicant and review the proposed work according to the design review criteria established in rules. Commission members of the commission as a whole may visit the property or site for the purpose of inspection and information gathering, but no deliberation shall occur by the Commission or its members outside of the public meeting. The Commission shall complete its review and make its recommendations within 30 calendar days of the date of receipt of the application. If the Commission is unable to process the request, the Commission may ask for an extension of time. If the Commission is unable to process the request due to the applicant failing to meet with the Commission, failing to submit required information, failing to permit site visit to the Commission or any of its members, or failing to comply with any other reasonable request of the Commission or any Commission rule, regulation, or guidelines, or this Chapter, the Commission may deny the application.
3. The Commission's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. Any conditions agreed to by the applicant in this review process shall become conditions of approval of any permits granted. If the owner agrees to the Commission's recommendations, a Certificate of Appropriateness shall be awarded by the Commission according to standards established in the Commission's rules.
4. The Commission's recommendations and, if awarded, the Certificate of Appropriateness shall be transmitted to the building or zoning official for consideration in making a decision on the building permit application.

Section 42: CPMC 14.120.040 is amended as follows:

International Codes Adopted. The following Codes are hereby adopted by the City of College Place:

- A. The ~~2018~~2021 of the International Building Code, as adopted and hereafter amended by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-50 is hereby adopted along with Appendix E and ICC/ANSI A117.1-~~2017-2009~~, the ~~2021~~2018 International Existing Building Code, and the International Swimming Pool and Spa Code.

These codes are amended as follows:

Section 101.1. Insert: City of College Place.

Section 113 Substitute: Hearing Examiner, in lieu of Board of Appeals.

Section 113.1 General. The Hearing Examiner for the City of College Place shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

Section 113.2 Limitations of 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 Hearing Examiner shall have no authority to waive requirements of this code.

Section 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 guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in jail for a period not to exceed ninety days or by both such fine and imprisonment.

Section 1612.3. Insert: City of College Place.

- B. The ~~2018~~2021 Edition of the International Residential Code (IRC), as adopted and hereafter amended by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-51, as published by the International Code Council, including Appendices F, Q, and U, but excluding Chapter 11, "Energy Efficiency," and Chapters 25 through 43.

These codes are amended as follows:

Section R101.1. Insert: City of College Place.

Section R112. Hearing Examiner, in lieu of Board of Appeals.

Section R112.1 General. The Hearing Examiner for the City of College Place shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

Section R112.2 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 Hearing Examiner shall have no authority to waive requirements of this code.

~~R112.2.1 Determination of substantial improvement in flood hazard areas. When the building official provides a finding required in Section R105.3.1.1, the Hearing Examiner shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:~~

- ~~a. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official, and which are the minimum necessary to assure safe living conditions; or~~
- ~~b. Any alteration of an historic building or structure, provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:~~
 - ~~a. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.~~
 - ~~b. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district, or a district preliminarily determined to qualify as an historic district; or~~
 - ~~c. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.~~

R112.2.2 Criteria for issuance of a variance for flood hazard areas. A variance shall be issued only upon:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R322 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

R112.4 Administration. The Building Official shall take immediate action in accordance with the decision of the Hearing Examiner.

Section R113.4. 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 guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in jail for a period not to exceed ninety days or by both such fine and imprisonment.

~~Section R403.1.3 is modified to include the following: Due to the code's assumed minimum soil bearing of 1500 PSF and local soil conditions Foundation Stem Walls will incorporate a minimum of two Horizontal runs of #4 reinforcing steel. One shall be~~

~~placed 3 inches above the bottom of the wall and one within 5 inches of the top of the wall (grade 60) prescriptively, or in lieu an engineered foundation design (WA ST stamp) at submittal.~~

Table R301.2 (1) Insert: See Section 14.120.030 Design Requirements A.

- C. The 2018 2021 Edition of the International Mechanical Code, as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-52, as published by the International Code Council, including the ~~2018~~ 2021 International Fuel Gas Code, ~~2018~~ 2020 NFPA 58 and the ~~2017~~ 2021 NFPA 54, is hereby adopted.

These codes are amended as follows:

Section 101.1. Insert: The City of College Place.

Section ~~109.106.5.~~ Fees shall be in accordance with the current City Fee Schedule.

Section ~~109.6.106.5.3~~ Insert: The City may refund a fee, or a part of a fee as follows:

- a. 100 percent of any fee erroneously paid or collected.
- b. Up to 80 percent of the applicable permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Up to 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official shall not authorize the refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Section ~~115.108.4~~ . Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section ~~115-108.5~~ . Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two times the value of the permit.

Section ~~114-109~~ Means of Appeal. Hearings Examiner, in lieu of Board of Appeals.

Section ~~114.2-109.1~~ Limitations on authority Application for Appeal. A person shall have the right to appeal a decision of the code official to the Hearing Examiner. 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 Hearing Examiner shall have no authority to waive requirements of this code.

~~109.1.1 Limitation of authority. The Hearing Examiner shall have no authority to waive requirements of this code.~~

~~109.2 Membership of board. Delete entire subsection.~~

~~109.3 Notice of meeting. Delete entire subsection.~~

~~109.4 Open hearing. All hearings before the Hearing Examiner shall be open to the public. The Appellant, the Appellant's representative, City staff and representatives of the City, and any person whose interests are affected shall be given an opportunity to be heard.~~

~~109.5 Postponed hearing. Delete entire subsection.~~

~~109.6 Board decision. Delete entire subsection.~~

~~109.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors~~

~~of law. Application for review shall be made in the manner and time required by law in accordance with the provisions of this Title.~~

- D. The 2021 ~~2018~~ Edition of the International Fire Code, as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-54, as published by the International Code Council, including Section 503, Section 507, and Appendix Chapters B, C and D (see International Fire Code Section 101.2.1, 2021 ~~2018~~ edition)

These codes are amended as follows:

Section 101.1 Insert: City of College Place.

Section 108. Hearing Examiner.

Section 108.1. Appeals. All appeals of orders, decisions or determinations made by the City Fire Marshal relative to the application and interpretation of this code shall be heard and decided by the Hearing Examiner.

Section 108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Hearing Examiner shall have no authority to waive requirements of this code.

Section 109.4 Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.A. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than three hundred dollars or more than one thousand dollars.

That the geographic limits referred to in certain sections of the ~~2021~~ 2021 International Fire Code are hereby established as follows:

Section 5704.2.9.6.1. In all zones established in Title 14 of the College Place Municipal Code except Light ~~heavy~~ industrial.

Section 5706.2.4.4. In all zones established in Title 14 of the College Place Municipal Code except Light ~~Light and heavy~~ industrial, provided that up to one hundred ten gallons may be stored for domestic purposes.

Section 5806.2. In all zones as established in Title 14 of the College Place Municipal Code except Light ~~heavy~~ industrial.

Section 6104.2 the storage of liquefied petroleum gases in excess of 500 gallons is prohibited in all zones established in Title 14 of the College Place Municipal Code except Light ~~and Heavy~~ industrial. Bulk storage of liquefied petroleum gas is prohibited in all zones as established in Title 14 of the College Place Municipal Code except Light ~~heavy~~ industrial.

- E. The ~~2021~~ 2018 Edition of the Uniform Plumbing Code (UPC), as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapters 51-56, as published by the International Association of Plumbing and Mechanical Officials (IAPMO), is hereby adopted, including Appendices A, B, ~~+~~ and M. Any provisions of such code affecting sewers or fuel gas piping are not adopted and are specifically rejected. Also, Chapters 12 and 14 of this Code are not adopted. Additionally, those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.

These codes are amended as follows:

104.5 Fees. Applicable plumbing fees shall be in accordance with the current City Fee Schedule.

~~102.4~~ 106.1 Violations. It shall be unlawful for a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain plumbing or permit the same to be done in violation of this code.

~~102.5~~ 106.3 Penalties. A person, firm, or corporation violating a provision of this code shall be deemed guilty of a misdemeanor punishable by a fine of not more than one

thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 107.0 Hearing Examiner, in lieu of Board of Appeals.

107.1 ~~102.3~~ Hearing Examiner. The Hearing Examiner shall hear and decide all appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction relative to the application and interpretations of this code.

~~102.3.1~~ 107.2 Limitations of Authority. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Hearing Examiner be empowered to waive requirements of this code.

~~Any provisions of such code affecting sewers or fuel gas piping are not adopted and are specifically rejected. Also, Chapters 12 and 14 of this Code are not adopted. Additionally, those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.~~

- F. The ~~2018~~ 2021 Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11C and 51-11R WAC, is hereby adopted, including Commercial appendices A, B, C and D.

This code is amended as follows:

R110.1 and C110.1 ~~R 109.1 and C~~ Hearing Examiner. The Hearing Examiner shall hear and decide all appeals of orders, decisions, or determinations relative to the application and interpretations of this code.

R110.2 and C110.2 ~~R109.2 and C109.2~~ Limitations of Authority. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Hearing Examiner be empowered to waive requirements of this code.

R111 and C111 ~~R110 and C110~~ . Violations. It shall be unlawful for a person, firm, or corporation to erect, construct, any building, or remodel or rehabilitate any existing building or structure in the state, or allow the same to be done, contrary to or in violation of any of the provisions of this code.

- G. Standards for Accessibility of Buildings and Facilities to Elderly and Handicapped, RCW 70.92.100 through 70.92.160, are hereby adopted by reference.
- H. The National Fuel Gas Code (NFPA 54), as adopted by the State Building Code Council in Chapter 51-52 WAC, and as published by NFPA, is hereby adopted.
- I. The Liquefied Petroleum Gas Code (NFPA 58), as adopted by the State Building Code Council in Chapter 51-52 WAC, and as published by NFPA, is hereby adopted.

Section 43: Clerical Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 44: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 45: Effective Date. This ordinance shall take effect and be in full force five days after its passage and publication as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 23rd day of January, 2024.

Norma L. Hernández, Mayor

Attest:

Approved as to form:

Sherri St. Clair, City Clerk

Rea Culwell, City Attorney

**City of College Place, Washington
Unified Development Code**

***Planning Commission Recommended 2023 Amendments with Potential Staff Revisions
January 18, 2024***

***Note: The proposed 2023 amendments are highlighted in an underline and strikeout format
and upon adoption will be integrated into the document.***

**As approved by the College Place City Council through the adoption
of Ordinance 19-21 November 12, 2019.**

With Scrivener's Error Corrections December 10, 2019.

And as amended by Ordinance 20-021 November 24, 2020.

And as amended by Ordinance 20-022 November 24, 2020.

And as amended by Ordinance 21-017 November 23, 2021.

And as amended by Ordinance 22-024 December 13, 2022.

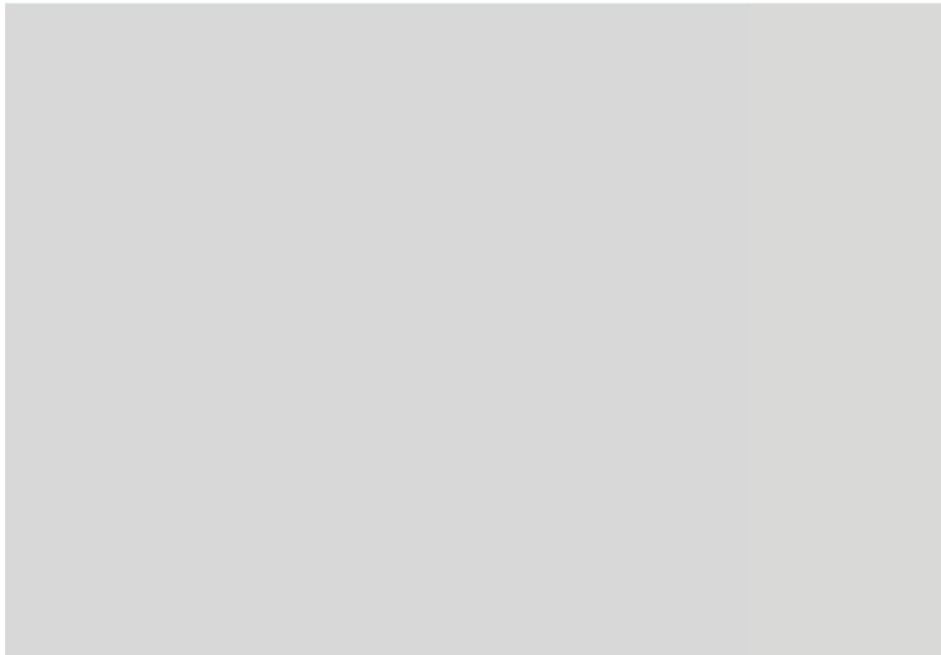
Related Actions by the City Council Include:

**Adoption of Ordinance 18-023 Adopting the Updated College Place Comprehensive Plan
October 9, 2018.**

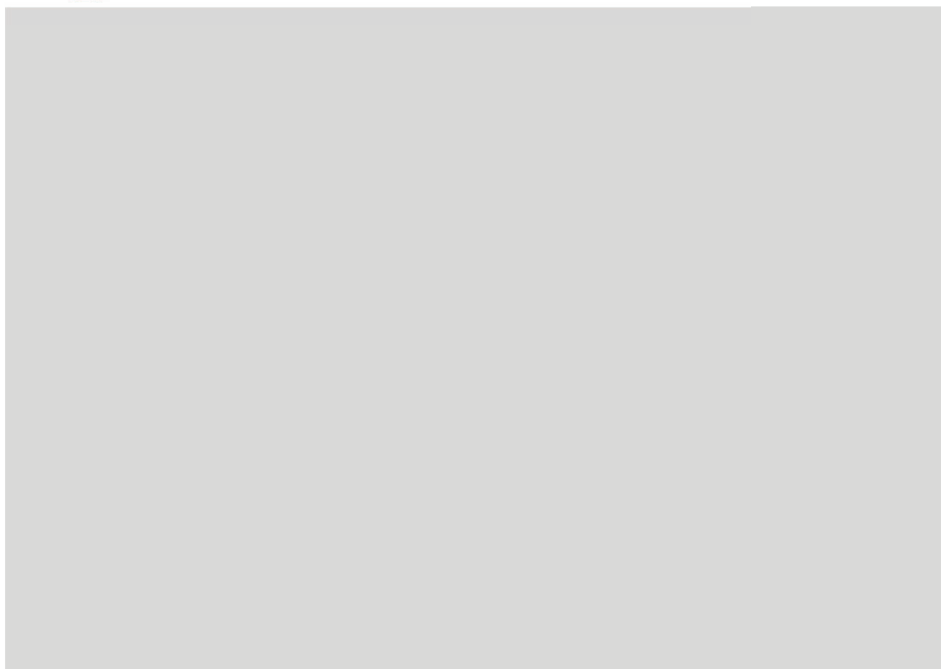
**Adoption of Ordinance 19-019 Repealing and Replacing College Place Municipal Code Chapter
2.32 Establishing the College Place Planning Commission November 12, 2019.**

**Adoption of Ordinance 19-020 Repealing and Replacing College Place Municipal Code Chapter
2.50 Establishing the College Place Hearing Examiner November 12, 2019.**

**Adoption of Ordinance 21-016 Amending the College Place Comprehensive Plan November 23,
2021.**



**City of College Place, Washington
Unified Development Regulations
College Place Municipal Code Title 14**



City of College Place, WA Unified Development Code - Effective January 1, 2020

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Chapter 14.10 Administration of the Unified Development Code

Sections:

14.10.010	Introduction.
14.10.020	Administrative Roles and Responsibilities.
14.10.030	Administrative Interpretations.
14.10.040	General Provisions.
14.10.050	Reasonable Use Exception.
14.10.060	Fees.
14.10.070	Financial Protections.
14.10.080	Development Agreements.
14.10.090	Liability.
14.10.100	Severability.

14.10.010 Introduction. The City of College Place has consolidated the primary regulations governing the use and development of land into a single unified development code. College Place Municipal Code Title 14, also known as the College Place Unified Development Code, includes a single set of definitions, procedures, and standards and is intended to be the principal source of information for business and property owners, developers, residents, and interested citizens. If you have questions about this document, please don't hesitate to contact the City of College Place Planning Department.

A. The following is a brief summary of key planning roles in the City of College Place:

1. The College Place City Council is the legislative body of the City and is the only body which can adopt or amend an ordinance, which includes amendments to the City Comprehensive Plan and Development Regulations. The City Council also confirms the appointment by the Mayor of the City Administrator, the Hearing Examiner, Planning Commissioners, Historic Preservation Commissioners, and members of the Economic Development, Tourism, and Events Commission. In addition, the City Council appoints the members of the Parks, Arbor, and Recreation Board.
2. The Mayor is the chief executive officer and ceremonial head of the City. The Mayor appoints the City Administrator and sees that all laws and ordinances are faithfully enforced.
3. The City Administrator assists the Mayor in the performance of his/her/their duties and supervises the various City departments. The City Administrator functions as the chief administrative officer, serves as the personnel officer for the City, designates city staff responsible for the performance of duties identified in this Title, and performs other administrative duties as assigned.

4. The Community Development Director, as authorized by the City Administrator, serves as the lead staff person responsible for the administration of this Title, overseeing the implementation of all planning requirements and activities in the City, making administrative decisions on certain land use applications, and interpreting the provisions of this Code.
5. The City Building Official, as authorized by the Community Development Director, administers, and enforces the International Building and related codes, as adopted by the City.
6. The City Fire Marshal, as authorized by the City Fire Chief, administers and enforces the International Fire Code, and related codes, as adopted by the City, including but not limited to inspection of structures and land uses for compliance.
7. The City Public Works Director, as authorized by the City Administrator, is responsible for the operation and maintenance of essential City services including water, sanitary sewer, storm water management, and streets. In this capacity, the Public Works Director participates in the review and approval of development permits and the enforcement of City standards.
8. The City Engineer, including any City contract engineer, (hereinafter referred to as "City Engineer") as authorized by the Public Works Director, is responsible for the implementation of the City of College Place Engineering Design Standards, In this capacity the City Engineer participates in the review and approval of development applications, the review and approval of the design and construction of infrastructure improvements, approving financial protections, and the enforcement of City standards.
9. The City Hearing Examiner is authorized to receive and examine available information, conduct public hearings, prepare a record thereof, enter findings of fact and conclusions based upon those facts, make recommendations, and prepare a record of decision for certain land use applications and appeals.
10. The City Attorney advises the Mayor, City Administrator, City Council, City boards and commissions, and City staff regarding the legal interpretations, applications, and the enforcement of this Title. In addition, the City Attorney may initiate code enforcement actions on behalf of the City.
11. The City Planning Commission is the planning advisory body to the Mayor and City Council and makes recommendations on long range planning matters, supports current planning activities as specified in this Title, and performs other duties as assigned by the City Council. For more information about the College Place Planning Commission see College Place Municipal Code Chapter 2.32.

12. The Historic Preservation Commission has been established to promote awareness and preservation of the city's history. One major responsibility of the Historic Preservation Commission is reviewing proposed changes to the College Place Register of Historic Places. The Commission also serves as the local review board for special valuation of historic properties as provided in RCW 84.26. For more information about the College Place Historic Preservation Commission see [College Place Municipal Code](#) Chapter 14.110.
13. The Parks, Arbor and Recreation Board makes recommendations to the Mayor and City Council on the acquisition, control, improvement, beautification, and planning of all public parks and recreation facilities. For more information about the College Place Parks, Arbor, and Recreation Board see College Place Municipal Code Chapter 2.62.
14. The Economic Development, Tourism, and Event Commission provides special knowledge and expertise to the Mayor and City Council relative to monitoring, assessing and strengthening existing economic development strategies and developing new strategies. For more information about the College Place Economic Development, Tourism, and Event Commission see College Place Municipal Code Chapter 2.3.

14.10.020 Administrative Roles and Responsibilities.

- A. Unless otherwise provided by the City Administrator, the Community Development Director, and his/her [their](#) designees, are hereby authorized to perform, the following:
 1. Establish and maintain such application forms and administrative procedures as may be necessary to implement this Title.
 2. Interpret ordinances, codes, and requirements and determine the applicability of this Title to proposed uses, projects and development activities.
 3. Prepare and upon approval by the City Council, implement a fee schedule for all land use, development, and building permit activities.
 4. Serve as the SEPA Responsible Official.
 5. Review and approve or deny land use, shoreline, building permit, and related permits in accordance with the provisions of this Title.

6. Inspect and examine any structure or tract of land and within the sole discretion of the City, to order in writing the remediation of any condition found to exist or reasonably likely to occur in violation of any provision of the College Place Municipal Code.
 7. Enforce City ordinances, codes, and regulations including the approval of compliance plans, the imposition of fines for violations, the issuance of stop work orders, and/or the imposition of penalties.
 8. Manage the activities of City staff and liaison with consultants involved in planning and land use activities; and
 9. Represent the City in working with other local, county, state, and federal planning and natural resource management agencies, and the like.
- B. Unless otherwise provided, the Building Official is authorized to perform such activities as may be necessary to administer the International Building and related codes as adopted by the City. This may include, but is not limited to:
1. Review building plans and building permit applications.
 2. Issue or deny building permits.
 3. Inspect construction; and
 4. Issue Certificates of Occupancy.
- C. The Office of the Hearing Examiner is established along with the authority and duties of the position in College Place Municipal Code Chapter 2.50.

14.10.030 Administrative Interpretations.

- A. In their interpretation and application, the provisions of this Title are intended to be minimum requirements. Nothing in this Title is intended to impair, annul or abrogate any easement, covenant or other agreements between parties, public or private, nor is it in any way intended to interfere with any existing regulations previously adopted pursuant to law, relating to the use of land; provided, however, that when the requirements of this Title appear to be inconsistent with the requirements of any lawfully adopted rules, regulations or ordinances, the City may make an administrative code interpretation to resolve any potential inconsistency.
- B. Any person may submit a reasonable written request to the City for a formal interpretation of the provisions of this Title, or those codes referenced by this Title. The request shall identify the specific provision(s) in question and shall include relevant background

information and supporting documentation. If accepted by the City, the request shall be processed in accordance with the applicable provisions of this Title.

14.10.040 General Provisions.

A. Except as provided in this Title, the following general provisions apply:

1. No land, building, structure, or premises shall be used, designed, or intended to be used for any purpose or in any manner other than in a use listed in this Title or amendment thereto as permitted in the zone in which such land, building, structure, or premises is located.
2. No designated yards or open spaces surrounding any building or structure shall be encroached upon or reduced in any manner except in conformity with the building site, area and yard requirements established by this Title, nor shall any yard or open space associated with any building or structure for the purpose of complying with the requirements of this Title or amendments thereto be considered as providing a yard or open space for any other building or structure.
3. No building or structure shall be erected or moved onto a site and no existing building or structure shall be altered, enlarged, or reconstructed except in conformity with this Title. Nor shall any building or structure be erected or structurally altered to exceed in height the limit established by this Title or amendment thereto for the zone in which such building or structure is located.
4. No buildings or permanent structures shall be permitted over a utility easement.
5. All new buildings and development activities that require water and sewer service shall connect to the City systems if available, in accordance with the provisions of the Laws of Washington State.

B. Nothing contained in this Title shall require any change in any existing building or structure, construction or planned use of a proposed building, which would conform to the zoning regulations then in effect and for which building permit plans are on file in City Hall prior to the effective date of the ordinance codified in this Title and the construction of which building or structure shall have been started within the time requirements of such building permit and diligently worked upon to its completion, unless by some other operation of applicable law.

C. No land use in violation of local, state, or federal law shall be allowed in any zone within the City of College Place and are hereby expressly prohibited.

- D. In cases where multiple lots under common ownership will be used for one building site, and in particular those cases where a structure is proposed to be built across a lot line or within lot setbacks, the lots shall be consolidated into one lot.
1. The consolidation shall be prepared by the owner(s) or their representative and subject to review and approval by the City in the same manner as a boundary/lot line adjustment; and
 2. Upon approval, the consolidation shall be recorded at the Office of the County Auditor.
- E. Upon discovery of any human remains, artifacts, or evidence of potential archaeological or cultural resources all construction activities or uses authorized under this Title shall be suspended pending authorization to proceed from the City, and/or the Washington State Department of Archaeology and Historic Preservation, in accordance with the provisions of state and federal law, including, but not limited to [Revised Code of Washington Sections RCWs 68.50.645, 27.44.055, and 68.60.055](#).
1. If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the Washington State Department of Archaeology and Historic Preservation (DAHP) provides notice to proceed. The finding of human skeletal remains will be reported to the College Place Police Department and the Walla Walla County Coroner in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The County Coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the County Coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the Confederated Tribes of the Umatilla Indian Reservation. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains.
 2. If ground disturbing activities encounter artifacts, or evidence of potential archaeological or cultural resources during construction, then all activity will cease that may cause further disturbance to those items. The Project Sponsor shall immediately contact the College Place Department of Community Development to determine how best to secure the site and to consult with the Confederated Tribes of the Umatilla Indian Reservation and the DAHP.

14.10.050 Reasonable Use Exception. In the event that the strict and literal interpretation of this Title serves to deny a property owner all reasonable use of their property, the property owner may apply for a reasonable use exception and may request the minimal relief necessary to enable the reasonable use of their property. Only valid and complete requests will be processed pursuant to this Title.

A. Reasonable use exceptions may be granted when:

1. Application of this Title would deny all reasonable economic use of the property.
2. There are no other practical alternatives to the proposed use that would have less impact.
3. The inability to derive reasonable economic use of the property is not the result of subdivision or other actions by the Applicant.
4. No other reasonable economic use has less adverse impact(s).
5. The proposal protects and mitigates impacts to the functions and values of critical areas to the greatest extent feasible, consistent with the best available science.
6. The proposal does not pose a threat to the public health, safety, or welfare on or off the development proposal site; and
7. The proposal is consistent with other applicable regulations and standards.

B. Burden of Proof. The burden of proof shall be on the Applicant to bring forth evidence in support of the application and to provide sufficient information on which any decision has to be made on the application.

14.10.060 Fees. Fees and charges for administering the provisions of this Title shall be set by action of the City Council.

A. Applicants for ~~permits and approvals~~permits/approvals/actions shall be responsible for reimbursing the City for the cost of professional consultant services, if the City determines such services are necessary to complete its review of the application submittal.

1. The City may require the applicant to deposit an estimated amount with the City, to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement to the City for such costs. This may include the execution of a formal cost recovery agreement.

2. Any unused funds will be returned to the Applicant upon completion and/or finalization of project.

14.10.070 Financial Protections. During the review of any application for a land use, zoning, building, or other development activity, a Project Sponsor may propose, subject to City review and approval, and/or the City may require that a bond(s) or similar forms of financial guarantee or protection be posted to ensure continued compliance with any conditions imposed, including the construction of required improvements, the adherence to city standards, and/or maintenance, repair, or replacement of such improvements.

A. Financial protection for performance.

1. The acceptance of financial protection in lieu of completion of required improvements on developments and projects shall be at the sole discretion of the City.
2. Conditions for financial protection on subdivisions, developments, projects, or phases thereof with a residential component shall be as follows:
 - a. Financial guarantees shall not be accepted in lieu of required improvements until:
 - (1) The requesting party demonstrates ownership by means acceptable to the City.
 - (2) Permanent slope retention improvements (cut, fill, retaining walls, etc.) and permanent measures and improvements necessary to mitigate floodplain, stormwater and groundwater concerns have been completed with erosion control measures in place and maintenance bonds, where required, are provided in an amount and term acceptable to the City, to ensure the long-term integrity of the improvements.
 - (3) The party requesting a financial guarantee executes and records an agreement with the City with language acceptable to the City that runs with the land such that:
 - (a) The requesting party acknowledges that no structures will be occupied, and no occupancy permits shall be issued by the City until all improvements approved for construction, including financially guaranteed improvements are completed to City satisfaction.
 - (b) All purchase and sales agreements include language notifying prospective buyers that occupancy will not be granted until all infrastructure is complete to City satisfaction.

- (c) All purchase and sales agreements shall include blanket construction access easements to allow construction of required improvements after sale of property and an indemnification clause to protect the city against issues related to construction access, improvements, and corrections on sold properties until final acceptance.
 - (d) City shall be reimbursed for all costs related to addressing buyer concerns over incomplete and/or unapproved infrastructure where reimbursement shall be required prior to issuance of occupancy permits.
 - (e) The requesting party warrants all improvements for a period of two years after the final improvement is approved.
- (4) Additionally, the following requirements shall apply to all subdivisions:
- (a) Lot pins on all property corners and where necessary to establish ownership are established by a surveyor licensed to practice in the state of Washington.
 - (b) Conditions of approval include requirement to note on the plat that no occupancy permits shall be issued by the city until all improvements approved for construction, including financially guaranteed improvements are completed to City satisfaction.
- b. No occupancy permit for a structure other than a temporary contractor's office or temporary storage building, or a single model home shall be issued for a structure on a lot or parcel within an approved subdivision or within a development, project, or phase prior to:
- (1) Final inspection and approval of all required infrastructure improvements approved for construction including financially guaranteed improvements, and
 - (2) Provision of any financial guarantees for maintenance where required by special council resolution.
- c. Partial financial protection releases shall be allowed for approved infrastructure upon the following conditions:
- (1) Requestor provides a list of all improvements requested for release with originally guaranteed amounts.

- (2) Requestor reimburses the City for partial release inspection and review at three percent of total requested release to include the costs of incomplete or unapproved items previously requested for release if included in the request. Reimbursement shall be made in advance of review.
 - (3) Release of requested infrastructure shall be at City discretion based on whether or not the infrastructure has been approved.
 - (4) Request for final release of all improvements where some improvements are not approved, shall be considered a partial release.
- 3. Conditions for financial protection on subdivisions, developments, projects, or phases thereof without a residential component shall be established by the City on a case-by-case basis.
 - 4. Applicants applying to financially guarantee improvements shall submit an itemized estimate of all improvements to be financially guaranteed. Estimates shall either be prepared and stamped by a professional engineer licensed to practice in the state of Washington or shall meet alternative requirements satisfactory to the City Engineer.
 - 5. The City Engineer shall review and modify the submitted estimate to ensure adequate City protection in event of default of the applicant and shall set the financial protection amount at 125 percent of the final estimate.

B. Improvement warranty required.

- 1. All public improvements or improvements with a public nexus such as water, sewer and stormwater lines, streets, sidewalks, permanent slope retention improvements (cut, fill, retaining walls, etc.) and permanent measures and improvements necessary to mitigate floodplain, stormwater and groundwater concerns approved by the City shall be warranted for a period of two years. Alternatively, staff may recommend financial protection for maintenance of critical improvements for a period not to exceed two years.
- 2. The warranty period shall start upon final approval of all improvements.

C. Financial protection options.

- 1. Performance Bond. A performance bond shall be obtained from a surety bonding company authorized to do business in the state. The bond shall be payable to the City and shall be in an amount sufficient to cover the cost of the improvements as

estimated by the City Engineer. The duration of the bond shall be until such time the improvements are accepted by the City.

2. Financial Institution Financing. If this type of financial protection is selected by the subdivider, the following steps shall be taken:
 - a. The subdivider shall provide, from a bank or other reputable lending institution or an individual subject to the approval of the City, a letter of credit. This letter shall be deposited with the City and shall certify that:
 - (1) The lending institution does guarantee funds in an amount equal to the estimate prepared by the City Engineer.
 - (2) In the case of failure on the part of the applicant to complete the specified improvements within the required time period, the lending institution shall pay to the city immediately within legal action time limits and notification, and without further action, such funds as are necessary to finance the completion of those improvements up to the limit of the funds so guaranteed.
 - (3) These funds may not be withdrawn or reduced in amount until released by the City.
 - (4) The subdivider executes a security agreement in which the funds so guaranteed shall be listed as security with appropriate financing statements filed in accordance with Revised Code of Washington Title 62A Washington's Uniform Commercial Code (RCW 62A. 9A-401).
 - b. List all work in payable items, e.g., quantity, description, unit, it cost and amount.
 - c. Payment for the work done by the subdivider may be made in one lump payment upon completion of all of the work and acceptance thereof, or in smaller payments covering a completed segment or segments of work and acceptance thereof. In either case, at the subdivider's request, the City ~~Engineer~~ and a representative of the lending institution involved will inspect the work and release funds for payment of acceptable work. The lending institution shall make arrangements so that disbursements will be made to contractors whose work has been accepted, and the contractor shall certify that the work was done on the project, and that he/she/they waives his/her/their lien against the project. The contractor shall further certify that the wages of his employees as they pertain to the project have been paid in full. The financial institution shall also honor drafts drawn by the

City for work done on the project by the city. The subdivider would qualify as a contractor if he/she/they did a portion of the work.

- d. The percent of the funds shall be retained in the account until the City has accepted the entire development.
3. Personal Fund Financing. If this type of financial protection is selected by the subdividers, he/she/they shall take the following steps.
 - a. The subdividers shall deposit cash, or other instrument readily convertible into cash at face value, either with the city or in escrow with a bank or other reputable financial institution. The use of the instrument other than cash, and in the case of an escrow account, the financial institution with which the funds are to be deposited, shall be subject to the approval of the City. The amount of the deposit shall not be less than the cost estimate of the improvements as prepared by the City Engineer. In the case of an escrow account, the subdivider shall file with the City an agreement between the financial institution and himself/herself/theirself guaranteeing the following:
 - (1) That the funds of said escrow account shall be held in trust until released by the City Engineer and may not be used or pledged by the subdivider as security in any other matter during that period.
 - (2) That in the case of failure on the part of the subdivider to complete said improvements in the specified time, then the financial institution shall immediately make the funds in said account available to the City for use in completion of those improvements.
 - b. List all work in payable items, e.g., quantity, description, unit, it cost and amount.
 - c. Payment for the work done by the subdivider may be made in one lump payment upon completion of all of the work and acceptance thereof, or in smaller payments covering a completed segment or segments of work and acceptance thereof. In either case, at the subdivider's request, the City Engineer and a representative of the lending institution involved will inspect the work and release funds for payment of acceptable work. The lending institution shall make arrangements so that disbursements will be made to contractors whose work has been accepted, and the contractor shall certify that the work was done on the project, and that he/she/they waives his/her/their lien against the project. The contractor shall further certify that the wages of his/her/their employees as they pertain to the project have been paid in full. The financial institution shall also honor drafts

drawn by the City for work done on the project by the City. The subdivider would qualify as a contractor if he/she/they did a portion of the work.

- d. Any interest accrued to the funds in escrow shall be credited to the subdivider to be used as desired.
 - e. The percent of the funds shall be retained in the account until the City has accepted the entire development.
4. Any other financial arrangement having features which will guarantee performance without loss to the City and reimbursement in the event of default on completion of work as specified.

14.10.080 Development Agreements.

- A. The City may, in accordance with the provisions of RCW 36.70B.170-210, enter into a development agreement with a person(s) having ownership or control of real property within its jurisdiction, or outside its boundaries as part of a proposed annexation or a utility service agreement.
 - 1. The execution of a development agreement is a proper exercise of the City's police power and contract authority.
 - 2. A development agreement may obligate a party to fund or provide services, infrastructure, or other facilities.
 - 3. A development agreement shall reserve authority to impose new or different regulations to the extent required by a serious threat to public health and safety.
- B. A development agreement must set forth the development standards and other provisions that shall apply to, govern, and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement, provided that:
 - 1. The development agreement shall be consistent with all applicable development regulations.
 - 2. The provisions of this Section do not affect the validity of a contract rezone, concomitant agreement, annexation agreement, or other agreement in existence or adopted under separate authority.
 - 3. For the purposes of this section, "development standards" include, but are not limited to:

- a. Project elements such as permitted uses, residential densities, and nonresidential densities and intensities or building sizes.
 - b. The amount and payment of impact and mitigation fees imposed or agreed to in accordance with any applicable provisions of state law, any reimbursement provisions or other financial contributions by the property owner, inspection fees, or dedications.
 - c. Mitigation measures, development conditions, and other requirements under RCW [43.21C](#).
 - d. Design standards such as maximum heights, setbacks, drainage and water quality requirements, landscaping, and other development features.
 - e. Affordable housing.
 - f. Parks and open space preservation.
 - g. Phasing.
 - h. Review procedures and standards for implementing decision.
 - i. A build-out or vesting period for applicable standards; and
 - j. Any other appropriate development requirement or procedure.
- C. Development agreements applicable to properties within the boundaries City are limited to a ten-year timeframe. An extension of one to ten years may be exercised upon mutual approval of both the developer and the City. Development agreements applicable to properties outside of the City boundaries may continue in effect until a date as specified in the agreement. Agreements outside the City may contain variable expiration dates for some, or all, of the standards listed in this Section.
- D. Upon approval, a development agreement shall be recorded with the Walla Walla County Auditor.
- 1. During the term of a development agreement, it is binding on the parties and their successors.
 - 2. Unless amended or terminated, a development agreement is enforceable during its term by a party to the agreement.

3. Any permit or approval issued by the City after the execution of a development agreement must be consistent with the terms of the development agreement.
4. A development agreement and the development standards incorporated in the agreement govern during the term of the agreement, or for all or that part of the build-out period specified in the agreement and may not be subject to an amendment to a zoning ordinance or development standard or regulation or a new zoning ordinance or development standard or regulation adopted after the effective date of the agreement.

14.10.090 Liability. ~~The granting of approval or the issuance of a permit or denial thereof for any structure or use does not constitute a representation, guarantee, or warranty of any kind or nature whatsoever, by the City or any City employee, official, or agent, on the practicality, feasibility, or safety of any structure or proposed use and does not create liability upon or cause of action of any kind or nature whatsoever against the City, City employee, official, or agent for any death and/or damage(s) of any nature that may result therefrom.~~

~~A. _____ None of the provisions of this Title are intended to create a cause of action or provide the basis for a claim against the City, its officials, employees, or agents for the performance or failure to perform an action, duty, or obligation running to a specific entity, individual or individuals. Any duty or obligation created herein is intended to be a general duty or obligation running in favor of the general public.~~

~~B. _____ This Title shall not be construed to hold the City, or any officer or employee thereof, responsible for any death or damages to persons, group, or property by reason of the certification, inspection or non-inspection of any building, equipment, construction, system, or the like, or property.~~

A. Interpretation, enforcement, and all other actions or inactions taken pursuant to this Title by the City and its employees, volunteers, and agents, are general governmental functions creating a duty to the public as a whole and not to any one person, group, other governmental or regulatory agency, or entity, including to third-parties and no claim, liability, or cause of action may arise from the City's acts or inactions.

B. The City assumes no responsibility and is not liable for any injury, death, or damages of any kind whatsoever resulting from any act or inaction taken by the City pursuant to this Title.

C. No City action or inaction relieves a person, group, or entity of responsibility for all injury, death or damages, of any kind whatsoever arising out of the person, group, or entity's acts or omissions.

D. The denial or issuance of a permit, approval or denial of use, inspection, non-inspection, certification, approval, disapproval, charge or acceptance of payment, security, or proof of

insurance, or other review or action by the City is not a representation, guarantee, promise, or warranty, expressed or implied, of any kind or nature whatsoever that any structure, component, material, device, service, installation, equipment, facilities and the like, improvement, property, land, or use is appropriate, safe, functional, or complies with all applicable laws. Nor is it permission to use or not use land in a way that does not comply with all applicable laws and duty of care.

E. The use of land in College Place is done at the sole risk of the user.

14.10.100 Severability. If any provision of this Title, or its application to any person or legal entity, is held to be invalid, the remainder of this Title or the application of this Title or the application of the provision to other persons or entities or circumstances shall not be affected.

Chapter 14.20 Definitions

Sections:

- 14.20.010 Introduction.**
14.20.020 Interpretations.
14.20.030 Definitions.

14.20.010 Introduction. Certain terms and words used in this Title may have special meaning as defined in this Chapter.

14.20.020 Interpretations.

- A. Except where specifically defined in this Chapter, all words used in this Title shall carry their customary meanings. Words used in the present tense include the future; the plural includes the singular and vice versa; the word "shall" is mandatory; "may" is permissive; the words "used or occupied" are considered as though followed by the words "or intended, arranged, or designed to be used or occupied"; and the word "lot" includes the words "plot, tract, or parcel."
- B. Any word not specifically defined in this Chapter shall have the meaning as defined by and determined by the City in accordance with the provisions of:
 - 1. The Revised Code of Washington (RCW).
 - 2. The Washington Administrative Code (WAC).
 - 3. North American Industry Classification System (NAICS), 2017 Edition or as subsequently updated.
 - 4. Webster's Dictionary; and
 - 5. Administrative code interpretations by the City.
- C. Any question or uncertainty about the meaning of a word used in this Title may, at the sole discretion of the City, be resolved by an administrative code interpretation.
- D. References to the International Codes shall include the International Building Code, the International Residential Code, and related codes as adopted, or subsequently amended, by the City Council.

- E. References to the City of College Place Engineering and Design Standards shall include the following documents, as approved, or subsequently amended by the City Council:
 - 1. The City of College Place Standard Specifications and Drawings; and
 - 2. The City of College Place Stormwater Facility Standards.
- F. References in the College Place Municipal Code to Titles 15, 16, 17 18, or 19 shall refer to the comparable provisions in Title 14, as determined by the City.

14.20.030 Definitions.

- A. The following words and phrases are hereby defined as follows, unless otherwise determined by the City through an administrative code interpretation:

"Accessory building" means a building or structure, the use of which is incidental and subordinate to the principal or main building or use on the same lot, including a private garage or carport. If an accessory building is attached to the main building by a common wall or roof, the accessory building shall be considered a part of the main building. Garden houses, tool sheds, playhouses or greenhouses are examples of accessory buildings.

"Accessory use" means a use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use.

"Adjacent" in the context of administering the critical areas protections in College Place Municipal Code Chapter 14.70 shall mean any activity or development located:

- a. On a site immediately adjoining a critical area.
- b. A distance equal to or less than the required critical area buffer width and building setback.
- c. A distance equal to or less than 200 feet upland from a stream, wetland, or water body.
- d. Bordering or within the floodway, floodplain, or channel migration zone; or
- e. A distance equal to or less than 200 feet from a critical aquifer recharge area.

"Adult home" or "Adult family home" means a residential home, licensed by Washington State, to provide personal care to up to six adults.

“Base flood” means a flood event having a one percent chance of being equaled or exceeded in any given year, also referred to as the 100-year flood. Designations of base flood areas on flood insurance map(s) always include the letters A or V.

“Bed and breakfast inn” means a hotel or similar lodging facility offering from one to eight overnight lodging units to travelers or guests.

"Boarding, rooming and lodging house" means a dwelling unit having only one kitchen within which is provided not more than two guest rooms providing lodging (with or without provision of meals) for compensation. A boarding, rooming, and lodging house containing three or more guest rooms shall be considered a hotel. Boarding, rooming, and lodging houses shall not be construed to mean convalescent, nursing, adult family, or retirement homes.

“Camper” means a structure designed to be mounted upon a motor vehicle which provides facilities for human habitation or for temporary outdoor or recreational lodging and which is five feet or more in overall length and five feet or more in height from its floor to its ceiling when fully extended, but shall not include motor homes as defined in RCW [46.04.305](#).

"Child day care center" means an agency that regularly provides child day care and early learning services for a group of children for periods of less than 24 hours.

"Child day care, home facility" means a facility licensed by Washington State where care is provided for not more than 12 children in the provider's home living quarters.

"Closed record appeal" means an administrative appeal on the record to a local government body or officer, including the legislative body, following an open record hearing on a project permit application when the appeal is on the record with no or limited new evidence or information allowed to be submitted and only appeal argument allowed.

“Co-housing” means a residential development that combines individual owned dwelling units clustered around shared space. Units may have smaller kitchens with a larger community kitchen and dining room intended for communal use on a regular basis. The development may also provide other facilities for communal use and interaction, and in which residents may agree to share in the provision of regular communal services such as cooking meals or providing childcare.



(Source: strongtowns.org / cohousing.org)

“Cottage housing” means a grouping of small, single-family dwelling units clustered around a common area and developed with a coherent plan for the entire site.



“Critical aquifer recharge area” means areas designated by the City in accordance with the provisions of ~~by~~ WAC 365-190-030(3) and WAC 365-190-100 ~~080~~ that are determined to have a critical recharging effect on aquifers used for potable water. ~~as defined by WAC 365-190-030(3).~~

"Dwelling" means a building designed for residential purposes that contains complete independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

“Dwelling, multiple residential units” or **"Multiple family dwelling"** means a building containing three or more dwelling units. This definition includes "row house" and may include condominiums.

"Dwelling, single residential unit " or **“single-family residence”**, means a building containing one dwelling unit. Single residential dwelling units may be site-built or manufactured off-site, such as modular housing.

"Dwelling, two residential units" or "duplex", means a building on a lot containing two dwelling units.

"Dwelling unit, accessory (ADU)" means a dwelling unit that is use incidental and subordinate to a principal use that is located on the same lot or in the same building as the principal use.

"Early learning" includes but is not limited to programs and services for childcare; state, federal, private, and nonprofit preschool; childcare subsidies; childcare resource and referral; parental education and support; and training and professional development for early learning professionals.

"Fish and wildlife habitat conservation area" means areas as determined by the City to be necessary for maintaining species in suitable habitats within their natural geographic distribution so that isolated subpopulations are not created. These areas are as designated in accordance with the provisions of ~~by~~ WAC 365-190-030 (6) ~~80(5)~~ and WAC 365-190-130. These areas are guided by the state's priority habitats and species list and include the following:

- a. Areas with which state or federally designated endangered, threatened, and sensitive species have a primary association.
- b. Habitats of local importance, including but not limited to areas designated as priority habitat by the department of fish and wildlife, areas that provide important habitat for neotropical migratory songbirds, areas that provide important habitat for wintering birds of prey, and areas that provide unique habitats within the city.
- c. Naturally occurring ponds under 20 acres and their submerged aquatic beds that provide fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds.
- d. Waters of the state, including lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the State of Washington.
- e. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.
- f. State natural area preserves and natural resource conservation areas; and
- g. Land essential for preserving connections between habitat blocks and open spaces.

“Floodplain” means the total land area adjoining a river, stream, watercourse, or lake subject to inundation by the base flood.

“Floodway” or **“zero rise floodway”** means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the surface water elevation more than one foot.

~~**“Food cart”** means a mobile vehicle, such as a food truck, trailer, or cart, from which service of food and/or beverages is provided to walk-up customers.~~

~~**“Food cart pod”** means a site containing one or more food carts and associated amenities on private property.~~

“Frequently flooded areas” means lands in the floodplain subject to a one percent or greater chance of flooding in any given year and those lands that provide important flood storage, conveyance, and attenuation functions, as determined by the City[city official] in accordance with the provisions of WAC 365-190-030(8), 80(3) and WAC 360-190-110. Frequently flooded areas perform important hydrologic functions and may present a risk to persons and property. Classifications of frequently flooded areas include, at a minimum, the 100-year floodplain designations of the Federal Emergency Management Agency and the National Flood Insurance Program.

“Functions and values” mean the beneficial roles served by critical areas including, but not limited to, water quality protection and enhancement, fish and wildlife habitat, food chain support, flood storage, conveyance and attenuation, ground water recharge and discharge, erosion control, wave attenuation, protection from hazards, historical and archaeological and aesthetic value protection, and recreation. These beneficial roles are not listed in order of priority.

~~**“Geological hazard areas”** or **“Geologically hazardous areas”** mean areas as determined by the City that may not be suited to development consistent with public health, safety, or environmental standards, because of their susceptibility to erosion, sliding, earthquake, or other geological events in accordance with the provisions of as designated by WAC 365-190-030(9) and WAC and WAC 365-190-120. 080(4). Types of geologically hazardous areas include erosion, landslide, seismic, mine, and volcanic hazards.~~

“Group home” means a residential facility designed and operated to serve persons with disabilities, mental or physical.

“Habitats of local importance” mean areas as determined by the City that include a seasonal range or habitat element with which a given species has a primary association, and which, if altered may reduce the likelihood that the species will maintain and reproduce

over the long-term. These might include areas of high relative density or species richness, breeding habitat, winter range, and movement corridors. These might also include habitats that are of limited availability or high vulnerability to alterations such as cliffs, talus, and wetlands. (WAC 365-190-~~01~~30).

“Hazardous substance” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090 or 173-303-100.

“Hemp production” refers to planting, cultivation, growing, or harvesting of hemp, including seed hemp, as licensed by the State of Washington.

"Home business" means a commercial enterprise operated within a dwelling or accessory building, which use is distinctly incidental and secondary to the dwelling purposes and does not change the character thereof.

“Hydric soil” means a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. The presence of hydric soil shall be determined following the methods described in the Washington State Wetland Identification and Delineation Manual, as amended.

“Impervious surface” means a hard surface area that either prevents or retards the entry of water into the soil mantle as under natural conditions prior to development or that causes water to run off the surface in greater quantities or at an increased rate of flow from the flow present under natural conditions prior to development. Common impervious surfaces include, but are not limited to, roof tops, walkways, patios, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads, packed earthen materials, and oiled macadam or other surfaces which similarly impede the natural infiltration of stormwater.

“Injection well”, or "underground injection control well", or “UIC well” means a well that is used to discharge fluids into the subsurface. A UIC well is one of the following: (1) A bored, drilled, or driven shaft, or dug hole whose depth is greater than the largest surface dimension; (2) an improved sinkhole; or (3) a subsurface fluid distribution system. UIC wells are regulated by the State of Washington and subject to the provisions of WAC 173-218.

“Inter-rill” means an area subject to sheetwash.

"Kennel" means a place where four or more adult dogs or cats or any combination thereof are kept, whether by owners of the dogs or cats or by persons providing facilities and care, whether or not for compensation, but not including a small animal hospital or clinic.

“Landfills” includes the underground storage of hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste.

“Landslide hazard area” means an area that is potentially subject to risk of mass movement due to a combination of geologic landslide resulting from a combination of geologic, topographic, and hydrologic factors. These areas are typically susceptible to landslides because of a combination of factors including bedrock, soil, slope gradient, slope aspect, geologic structure, ground water, or other factors.

“Lot” means a fractional part of divided lands having fixed, legal boundaries, established in conformance with the applicable state and local laws in effect at the time it was created. The term shall include tracts or parcels.

- a. Lots being of sufficient area and dimension to meet minimum zoning requirements for width and area may be considered legal, conforming lots.
- b. Lots with dimensions that do not comply with current minimum zoning requirements but did comply with minimum zoning requirements at the time they were created may be considered legal, non-conforming lots.

~~**“Lot—Interior, normal corner, through and reversed frontage”.** The following diagram illustrates terminology used in this Title with reference to interior, normal corner, through and reversed frontage lots:~~



A = Normal corner lot
 B = Interior lot
 C = Through lot
 D = Reversed

- a. ~~Normal Corner Lot. A lot located on the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.~~
- b. ~~Interior Lot. A lot other than a corner lot with only one frontage on a street. Interior lot lines between two or more lots under the same ownership may be built upon and across by buildings and structures. For the purpose of this definition, if interior lot~~

~~lines between two or more lots under the same ownership are built across, the entire ownership is deemed to be one lot.~~

~~e. *Through Lot.* A lot other than a corner lot with frontage on more than one street.~~

~~d. *Reversed Frontage (Corner) Lot.* A lot on which the frontage is at right angles or approximate right angles (interior angle less than 135 degrees) to the general layout of lots in the area.~~

"Lot width" means the dimension of the lot line at the street; or, in an irregularly shaped lot, the dimension across the lot at the building setback line; or, in a corner lot, the narrow dimension of the lot at a street or building setback line.

"Manufactured home" means a structure, designed, and constructed to be transportable in one or more sections, and is built on a permanent chassis, and designed to be used as a single-family dwelling with or without a permanent foundation when connected to required utilities (plumbing, heating, and electrical systems, built in accordance with regulations adopted under the National Manufactured Housing Construction and Safety Standards Act, of 1974.

"Marijuana medical cooperative" or **"marijuana cooperative"** means a group of more than one, but no more than four, qualified medical marijuana patients and/or designated providers registered with the Washington State Liquor and Cannabis Board who share responsibility for growing and processing marijuana only for the medical use of the members of the cooperative, in accordance with the Laws of Washington State.

"Marijuana processing" or **"marijuana processor"** means a person licensed by the Washington State Liquor and Cannabis Board to process marijuana into marijuana concentrates, useable marijuana, and marijuana-infused products, package and label marijuana concentrates, useable marijuana, and marijuana-infused products for sale in retail outlets, and sell marijuana concentrates, useable marijuana, and marijuana-infused products at wholesale to marijuana retailers, in accordance with the Laws of Washington State.

"Marijuana production" or **"marijuana producer"** means a person licensed by the Washington State Liquor and Cannabis Board to produce and sell marijuana at wholesale to marijuana processors and other marijuana producers, in accordance with the Laws of Washington State.

"Marijuana retail sales" or **"marijuana retailer"** means a person licensed by the Washington State Liquor and Cannabis Board to sell marijuana concentrates, useable

marijuana, and marijuana-infused products in a retail outlet, in accordance with the Laws of Washington State.

"Mini-warehouse" or **"self-storage"** means a fully enclosed building or group of buildings in a compound that contains individual, compartmentalized and controlled-access stalls, lockers, or units for the storage of customer's tangible personal property.

"Mobile home" means a factory-built dwelling built prior to June 15, 1976, to standards other than the National Manufactured Housing Construction and Safety Standards Act, of 1974, and acceptable under applicable state codes in effect at the time of construction or introduction of the home into the state of Washington.

"Mobile home lot" or **"mobile home space"** means a portion of a mobile home park or manufactured housing community designated as the location of one mobile home, manufactured home, tiny home on wheels, or park model and its accessory buildings, and intended for the exclusive use as a primary residence by the occupants of the mobile home, manufactured home, or park model.

"Mobile home park," "manufactured housing community," or **"manufactured mobile home community"** means any real property which is rented or held out for rent to others for the placement of two or more mobile homes, manufactured homes, or park models for the primary purpose of production of income, except where such real property is rented or held out for rent for seasonal recreational purpose only and is not intended for year-round occupancy.

"Mobile vendor" means a vendor or seller of merchandise or food from a motorized or trailered vehicle or other motorized or trailered conveyance. upon the public streets, alleys, public property of the city, or upon private property.

"Mobile vendor food court" means a site where two or more mobile food vendors congregate to offer food or beverages for sale to the public as the principal use of the land.

"Modular home" means a factory-assembled structure designed primarily for use as a dwelling when connected to the required utilities that include plumbing, heating, and electrical systems contained therein, does not contain its own running gear, and must be mounted on a permanent foundation. A modular home does not include a mobile home or manufactured home.

"Motel" or **"hotel"** means a building or group of buildings containing six or more individual sleeping units or guest rooms, where lodging with or without provision of meals is provided for compensation. Motels are designed to temporarily accommodate the

automobile tourist or transient with parking facilities conveniently located near each unit. The term includes tourist, motor and automobile courts and motor lodges.

“Non-project permit” or “non-project permit application” includes the following:

- a. Building permit.
- b. Accessory dwelling unit permit.
- c. Special use permit.
- d. Boundary or lot line adjustment.
- e. Interior alterations to approve site plans including construction activities that do not modify the exiting site layout or its current use and involve no exterior work adding to the building footprint in accordance with the applicable provisions of state law including RCW 36.70B.130.
- f. Adoption or amendment of a comprehensive plan, subarea plan, or development regulations.
- g. Landmark designations.
- h. Street vacations.
- i. Approvals relating to the use of public right of ways, areas, or facilities.
- j. Other permits, approvals, and actions, as determined by the City not subject to RCW 36.70B.060 through RCW 36.70B.090 and RCW 36.70B.1310 through RCW 36.70B.130.

"Open record hearing" means a hearing, conducted by a single hearing body or officer authorized by the local government to conduct such hearings, that creates the local government's record through testimony and submission of evidence and information, under procedures prescribed by the local government by ordinance or resolution. An open record hearing may be held prior to a local government's decision on a project permit to be known as an "open record pre-decision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record pre-decision hearing has been held on the project permit.

“Ordinary high-water mark (OHM)” means that mark which is found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, that the soil or vegetation has a character distinct from that of the abutting upland.

“Park Model” or “Park Trailer” means a park trailer as defined in the American national standards institute A119.5 standard for park trailers.

“Primary association area” means area used on a regular basis by, is in close association with, or is necessary for the proper functioning of the habitat of a critical species. Regular basis means that the habitat area is normally, or usually known to contain a critical species, or based on known habitat requirements of the species, the area is likely to contain the critical species. Regular basis is species and population dependent. Species that exist in low numbers may be present infrequently yet rely on certain habitat types.

“Priority habitat” means habitat types or elements with unique or significant value to one or more species as classified by the department of fish and wildlife. A priority habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element. (WAC 173-26-020(3034))

“Project permit” or “project permit application” means any land use or environmental permit, or license required for a project action, including but not limited to subdivisions, binding site plans, planned unit developments, conditional uses, shoreline substantial development permits, site plan review, permits or approvals required by critical area ordinances, or site-specific rezones that do not require a comprehensive plan amendment.

“Public utilities” means an organization performing some public service and subject to government regulation, the services of which are paid for by the recipients thereof. The services include but are not limited to electrical substation; pumping lift stations or similar regulatory appurtenances for the transmission or distribution of electricity, natural gas, water and sewer, oil or steam and storage tanks for any of incinerators and sanitary landfills; radio, television and telephone stations, exchanges, transmitting, receiving or relay structures; and wireless communications.

“Qualified professional” means a person with required applicable education, training, and experience in the field or profession and who holds the necessary license(s), certificate(s), registration(s), or permit(s) necessary to qualify to provide services therein. The City shall determine whether a particular person or entity is a Qualified Professional for the purposes of this Title.

- a. For the purposes of administering the regulations to protect environmentally sensitive areas a qualified professional shall include a person with experience and

training in the pertinent scientific discipline, and who is a qualified scientific expert with expertise appropriate for the relevant critical area subject in accordance with WAC 365-195-905(4). A qualified professional must have obtained a B.S. or B.A. or equivalent degree in biology, engineering, environmental studies, fisheries, geomorphology or related field, and two years of related work experience.

(1) A qualified professional for habitats or wetlands must be a professional wetland scientist with at least two years of full-time work experience as a wetland professional, including delineating wetlands using the state or federal manuals, preparing wetland reports, conducting function assessments, and developing and implementing mitigation plans.

(2) A qualified professional for a geological hazard must be a professional geologist (preferred) or engineer, licensed in the State of Washington.

(3) A qualified professional for critical aquifer recharge areas means a ~~currently~~ licensed Washington State geologist holding a current specialty license in hydrogeology.

- b. For purposes of administering the International Codes a qualified professional shall include a design professional, architect, engineers, and land surveyors licensed under the provisions of RCW 18.08, WAC 308-12, or RCW 18.43.
- c. For purposes of administering the land use regulations and development standards a qualified professional may include urban planners, architects, landscape architects, attorneys, civil engineers, and traffic engineers, and GIS specialists.

"Recreational vehicle" means a vehicular-type unit primarily designed for recreational camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The units include travel trailers, fifth-wheel trailers, folding camping trailers, truck campers, and motor homes.

"Retail sales, large scale" means a retail establishment, or any combination of retail establishments in a single building with:

- a. A building footprint of fifty thousand (50,000) square feet or more (including outdoor display and sales areas).
- b. A gross square footage of eighty thousand (80,000) square feet or more (including outdoor display and sales areas); or

- c. Multiple retail establishments in separate but abutting buildings, reviewed as one site plan, with a combined building footprint of one hundred thousand (100,000) square feet or more (including outdoor display and sales areas) (also known as "Big Box" Retail or "Superstores").

"Riparian habitat" means an area adjacent to surface water which possesses elements of both aquatic and terrestrial ecosystems that mutually influence each other. The width of these areas extends from the OHM to that portion of the terrestrial landscape that directly influences the aquatic ecosystem by providing shade, fine or large woody material, nutrients, organic and inorganic debris, terrestrial insects, or habitat for riparian-associated wildlife. It includes the entire extent of the floodplain and the extent of vegetation adapted to wet conditions as well as adjacent upland plant communities that directly influence aquatic ecosystem. Riparian habitat areas include those riparian areas severely altered or damaged due to human development activities.

"Secure community transition facility" means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative in accordance with the provisions of RCW 71.09. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services.

"Service station" means a drive-up type of business in which service can be provided with or without the customer's leaving the vehicle. Service to vehicles can also include the following:

- a. The servicing of motor vehicles and operations incidental thereto limited to the retail sale of petroleum products and automotive accessories; tire changing and repair (excluding recapping); battery service, charging and replacement and installation of accessories.
- b. Operations, including but not limited to the following, if conducted within a building: lubrication of motor vehicles; brake servicing limited to servicing and replacement of brake cylinders, lines, and brake shoes; wheel balancing; testing, adjustment, replacement, and servicing of carburetors, coils, condensers, distributor caps, fan belts, filters, generators, points, rotors, spark plugs, voltage regulators, water and fuel pumps, water hoses, minor engine repair and wiring.
- c. This does not include auto body and wrecking activities, painting or seal coating, major engine repair and overhaul, machine shop functions, steam and pressure cleaning and use of oxyacetylene and electric welding and cutting.

"Sexually oriented business" and **"sexually oriented business and services"** include, but is not limited to movie theaters, bookstores, video stores, adult-only hotels/motels or other

temporary hourly or overnight accommodations, massage parlors, peep shows, and erotic dancing establishments and any other service or business that caters to adults only and is in sexually oriented as determined by the City.

"Short subdivision" or **"short plat"** means the division of land into nine or fewer lots, tracts, parcels, sites, or divisions for the purpose of sale or lease.

"Sign" means any device for visual communications that is used for the purpose of bringing the subject thereof to the attention of the public.

"Special flood hazard area" means the land in the floodplain within an area subject to a one percent or greater chance of flooding in any given year. Designations of special flood hazard areas on flood insurance map(s) always include the letters A or V.

"Species, priority" means a fish or wildlife species requiring protective measures and/or management guidelines to ensure their persistence as genetically viable population levels as classified by the department of fish and wildlife, including endangered, threatened, sensitive, candidate and monitor species, and those of recreational, commercial, or tribal importance [\(WAC 173-26-020\(31\)\)](#).

"Species, threatened" means a fish or wildlife species that is likely to become an endangered species within the foreseeable future throughout a significant portion of its range without cooperative management or removal of threats, and is listed by the state or federal government as a threatened species.

"Street vendor" means a vendor selling food, nonalcoholic beverages, and/or other goods or services within a public or private parking lot, pedestrian plaza, public street, alley, sidewalk, public right-of-way, or public property using a nonmotorized cart or temporary structure.

"Subdivision" means the division of land into ten or more lots, tracts, parcels, sites, or divisions for the purpose of sale or lease and includes all re-subdivision of land into ten or more parcels.

"Tiny house" and **"tiny house with wheels"** means a dwelling to be used as permanent housing with permanent provisions for living, sleeping, eating, cooking, and sanitation built in accordance with the state building code.

"Townhouse" means a building constructed in a group of two or more attached dwelling units in which each unit extends from foundation to roof and with a yard or public way on at least two sides. Townhouses may be constructed on one lot or on more than one lot as a zero-lot line residential structure.

“Vacation rental” or **“short-term rental”** refers to the use of real property for less than 30 consecutive days, such as a bed and breakfast inn or a vacation rental by owner. Under the Laws of Washington State, a vacation rental or short-term rental involves a license to use real property, as opposed to the use of real property for 30 or more consecutive days, which is considered a lease or rental of real estate and is taxed differently. Guests, residents, or other occupants of short-term rentals are considered transient tenants.

“Wetland” means an area that is inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas to mitigate the conversion of wetlands. For identifying and delineating a wetland, local government shall use the Washington State Wetland Identification and Delineation Manual, as amended.

“Wetland, high quality” means a wetland that meet the following criteria:

- a. No, or isolated, human-caused alteration of the wetland topography.
- b. No human-caused alteration of the hydrology or the wetland appears to have recovered from the alteration.
- c. Low cover and frequency of exotic plant species.
- d. Relatively little human-related disturbance of the native vegetation, or recovery from past disturbance.
- e. If the wetland system is degraded, it still contains a viable and high-quality example of a native wetland community; and
- f. No known major water quality problems.

“Wireless communication facility, minor” is wireless communication facility that consists of antennas equal to or less than ten feet in height or up to one meter (39.37 inches) in diameter and with an area not more than thirty square feet in the aggregate that is affixed to an existing structure that is not considered a component of the facility.

“Wireless communication facility, major” is an attached wireless communication facility that consists of antennas greater than ten feet in height, one meter (39.37 inches) in diameter and with an area greater than 30 square feet in the aggregate that is affixed to an existing structure or any size antenna or related equipment that is attached to a lattice tower or monopole.

“Wireless communication facility, academic” means the facilities, structures, and equipment associated with providing educational, experimental, and/or instructional activities within the designated boundaries of an academic institution.

Chapter 14.30 Permit Processing Procedures

Sections:

14.30.010	Introduction.
14.30.020	Project <u>Application</u> Review Classifications.
14.30.030	Pre-application Conferences.
14.30.040	Consultation with the Confederated Tribes of the Umatilla Indian Reservation.
14.30.050	Project <u>Application</u> Classification Table.
14.30.060	Procedures for Type 1 Review.
14.30.070	Procedures for Type 2 Review.
14.30.080	Procedures for Type 3 Review.
14.30.090	Procedures for Type 4 Review.
14.30.100	Completeness Review and Determination of Completeness.
14.30.110	Notice of Application.
14.30.120	SEPA Threshold Determination.
14.30.130	Determination of Consistency.
14.30.140	Site Plan Review.
14.30.150	Permit Processing.
14.30.160	Conditional Use Permit.
14.30.170	Special Use Permits.
14.30.180	Variances.
14.30.190	Notice of Decision.
14.30.200	Appeals.
14.30.210	Amendments.
14.30.220	Performance.
14.30.230	Public Notice Requirements.

14.30.010 Introduction. This Chapter provides for effective and efficient review of project and non-project applications with consistent procedures for similar projects-types of actions and combines procedural and substantive environmental reviews with the review of project permit applications under other applicable requirements. This Chapter also provides a framework within which the consistency of project permit applications with the City Comprehensive Plan and Development Regulations can be determined.

14.30.020 Application ~~Project~~ Review Classifications. Four classes of review are established for the purposes of administering this Title. The permits/approvals/actions included in each class, the public notice requirements, hearing body, decision maker, and appellate body are summarized in Table 14.30.050.

- A. The Community Development Director or his/her/their designee is authorized to determine the classification of review for any permit, action, or approval not identified on the following table.
- B. ~~It is the~~ The City's goal ~~is of the City~~ to consolidate the permit processing for projects ~~and/or non-projects or development activities that require~~ requiring two or more permits/~~or approvals/actions~~. The Community Development Director or his/her/their designee shall determine the appropriate means of consolidating the processing of all permits~~and~~ approvals, and actions and shall assign the highest-class review classification of the individual permits being sought to the consolidated permit application (with Type 4 being the highest followed by Type 3, 2, and 1). This consolidation, sometimes referred to as a “master” application, may include integrating public hearings, establishing unified comment periods, and/or concurrent reviews. The Community Development Director or his/her/their designee is authorized to make modifications to the procedural requirements of this Title in order to effectively consolidate project reviews.
 1. Except for the appeal of a SEPA Determination of Significance as provided in RCW 43.21C.075, no more than one open record public hearing and no more than one closed record appeal may occur on a single permit application or master application.
 2. ~~A public meeting(s) and/or a workshop may be held prior to an open record hearing. A public meeting may include but is not limited to a scoping meeting for the preparation of a draft environmental impact statement (DEIS) or presentation of a final environmental impact statement (FEIS), an informational meeting, and/or or neighborhood meeting. The proceedings at a public meeting may be recorded and a report or recommendation made may be included in the project permit application file.~~
- C. When determining the timeframes referenced in this Section, the following shall apply:
 1. The date that a determination or decision is made shall be Day 0 (zero) and the next day shall be Day 1. For instance, if a Notice of Decision is published on a Thursday, then the next day (Friday) shall be Day 1.
 2. The number of days shall be calculated by counting every calendar day.

14.30.030 Pre-application Conferences. Prior to formal submittal of a Type 2, 3, or 4 project permit applications, all Applicants shall, unless waived by the City, schedule and participate in a pre-application conference with City staff and representatives of appropriate public agencies. The date, time and place of such conferences shall be at the mutual agreement of the participants. Such conferences are intended as an informal discussion and review of possible applications to assist the Applicant in identifying applicable regulations, standards, application materials, and review

processes that may be required. A pre-application conference does not vest a proposed project permit application.

14.30.040 Consultation with the Confederated Tribes of the Umatilla Indian Reservation. It is the intent of the City to establish policies and procedures for consultation with the Confederated Tribes of the Umatilla Indian Reservation during the review of project applications under this Title. This consultation may occur during the pre-application review process or during the review of applications for Type 1, 2, 3 or 4 project permits or approvals.

14.30.050 Permit Classification Table.

	Types of Permit /Approval / Action	Public Notice	Public Hearing	Decision Maker	Appellate Body
Type 1 Review	• ADU Permit • Administrative Interpretation • Boundary Line Adjustment • Building Permit • Certificate of Occupancy • Certificate of Appropriateness (and waiver) (1) • Certificate of Design Review • Certificate of Zoning Compliance • Clearing and Grading Permit • Code Enforcement Action • Critical Area Authorization • Landscaping Plan Approval • Permit, Minor Amendment • Plats, Final (10+ lots) • SEPA Action (no public notice required) • Sign Permit • Site Plan Approval • Special Property Tax Valuation (1) • Special Use Permit	None	None	Community Development Director or <u>his/her/their</u> designee (unless otherwise noted)	Hearing Examiner
Type 2 Review	• Binding Site Plan • Critical Area Permit • SEPA Action (public notice required) • Short Plat (9 lots or less) • Variance with Type 1/2 Permit	Yes	None, but written comments may be submitted	Community Development Director	Hearing Examiner
Type 3 Review	• Conditional Use Permit • Master Planned Development • Plat, Preliminary (10+ lots) • Permit, Major Amendment • Reasonable Use Exception	Yes	Hearing Examiner	Hearing Examiner	Superior Court

	Types of Permit /Approval / Action	Public Notice	Public Hearing	Decision Maker	Appellate Body
	• Rezone, Site Specific • Variance with Type 3 Permit				
Type 4 Review	• Comprehensive Plan Text Amendment • Development Agreement (5) • Future Land Use Map Amendment • Rezone, General • Shoreline Master Program Amendment (2) • Unified Development Code Amendment (4)	Yes	Planning Commission	City Council	Superior Court (3)

Permit Classification Table Footnotes:

- (1) Decisions on applications for Certificates of Appropriateness, Waivers of Certificates of Appropriateness, and Special Property Tax Valuations shall be made by the Historic Preservation Commission.
- (2) Decisions made by the City Council to adopt or amend a Shoreline Master Program are subject to approval by the Washington State Department of Ecology.
- (3) Appeals of decisions authorized through the Growth Management Act, which may include amendments to the College Place Comprehensive Plan, Future Land Use Map, Unified Development Code, and the Official Zoning Map, may be appealed to the Washington State Growth Management Board, and in some instances, directly to Walla Walla Superior Court. Please refer to RCW 36.70A-C for more details.
- (4) The required public hearing for proposed amendments to the Unified Development Code may be heard directly by the City Council. This may include but is not limited to matters pertaining to the International Codes and the administration of this Title.
- (5) The required public hearing shall be conducted by the City Council unless delegated to the City Hearing Examiner or Planning Commission. Appeals shall be filed in accordance with the provisions of RCW 36.70C, as appropriate.

14.30.060 Procedures for Type 1 Review. Applications subject to a Type 1 review involve administrative action by the Community Development Director or his/her/their designee without public notice or an open record public hearing. The City Hearing Examiner shall conduct an open record public hearing for appeals of decisions on Type 1 permits unless otherwise noted in this Title.

A. Applications for Type 1 permits shall be processed by the City in accordance with the following general procedures unless the Applicant is otherwise notified in writing:

1. Determination of Completeness.
2. Determination of Consistency:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review, as appropriate.
3. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
4. SEPA Threshold Determination, if required.
5. Notification to the Applicant of approval or denial of the application.

B. A decision on a Type 1 application shall be effective upon issuance unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.070 Procedures for Type 2 Review. Applications subject to a Type 2 review involve administrative action by the Community Development Director or his/her/their designee following distribution of a public notice and the opportunity to submit written comments. The City Hearing Examiner shall conduct an open record public hearing for appeals of decisions on Type 2 permits unless otherwise noted in this Title.

A. Applications for Type 2 permits shall be processed by the City in accordance with the following general procedures unless the Applicant is otherwise notified in writing:

1. Pre-application conference, if appropriate.
2. Determination of Completeness.

3. Notice of Application.
 4. Determination of Consistency:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review, as appropriate.
 5. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 6. SEPA Threshold Determination, if required.
 7. Review of public comments.
 8. Notice of Decision.
- B. A decision on a Type 2 application shall be effective at the conclusion of a 15-day notice period unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.080 Procedures for Type 3 Review. The City Hearing Examiner shall conduct an open record public hearing prior to making a decision on a Type 3 permit application.

- A. Applications for Type 3 permits shall be processed by the City in accordance with the following general procedures, unless the Applicant is otherwise notified in writing:
1. Pre-application conference.
 2. Determination of Completeness.
 3. Notice of Application.
 4. Preliminary staff Determination of Consistency including:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review, as appropriate.

5. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
6. SEPA Threshold Determination.
7. Preparation of a City staff report containing preliminary determination of consistency and recommendations, including potential mitigating measures. This report shall be available for public review ten days prior to the open record public hearing.
8. An open record public hearing shall be conducted by the Hearing Examiner, in accordance with adopted administrative procedures. This may include:
 - a. A presentation by City staff including submittal of staff report and application materials for record, as well as any written comments received prior to the hearing.
 - b. Presentation by the Applicant and the submittal of any additional information for the record.
 - c. Public comments and the submittal of any additional information for the record.
 - d. Questions from the Hearing Examiner.
 - e. Rebuttal, response, or clarifying statements by City staff and Applicant.
9. Hearing Examiner review of the record, preparation of findings and conclusions, and the issuance of a Notice of Decision in accordance with adopted administrative procedures. This shall include a decision to approve, deny, or approve subject to conditions, the application(s) based on findings that:
 - a. The proposal is or is not consistent with the provisions of the College Place Comprehensive Plan and Unified Development Code.
 - b. The proposal is or is not in the public interest.
 - c. Potential adverse environmental impacts have or have not been adequately considered.
 - d. The proposal does or does not lower the level of service standards established in the College Place Comprehensive Plan and/or the City's concurrency standards have been met.

- e. Adequate provisions have or have not been made to protect the public health, safety, and welfare. Such provisions may include, but are not limited to open space, drainage ways, streets and other public ways, transit stops, water supply, sanitary wastes, parks and recreation facilities, playgrounds, sites for schools and school grounds, and pedestrian and bicycle ways.
 - f. That mitigating measures and dedications are or are not reasonably related and proportional to the impacts created by the proposal.
- B. A decision on a Type 3 application shall be effective at the conclusion of a 15-day notice period unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.090 Procedures for Type 4 Review. Decisions on all Type 4 permit applications shall be made by the City Council following an open record public hearing.

- A. Applications for Type 4 permits shall be processed by the City in accordance with the following procedures, unless the Applicant is otherwise notified in writing:
- 1. Pre-application conference.
 - 2. Determination of Completeness.
 - 3. Notice of Application.
 - 4. Preliminary staff Determination of Consistency including:
 - a. Review for consistency with the College Place Comprehensive Plan.
 - b. Review for compliance with the College Place Municipal Code; and
 - c. Site plan and design review.
 - 5. Consultation with the Confederated Tribes of the Umatilla Indian Reservation, as appropriate.
 - 6. SEPA Threshold Determination.
 - 7. Distribution of the proposed amendments to state and local agencies, as appropriate, for review and comment.

8. Preparation of a City staff report containing preliminary determination of consistency and recommendations, including potential mitigating measures. This report shall be forwarded to the designated hearing body and available for public review ten days prior to the open record public hearing.
 9. An open record public hearing shall be conducted by the designated hearing body, in accordance with established procedures. This may include:
 - a. A presentation by City staff including submittal of staff report and application materials for record, as well as any written comments received prior to the hearing.
 - b. Presentation by the Applicant and the submittal of any additional information for the record.
 - c. Public comments and the submittal of any additional information for the record.
 - d. Questions from the Planning Commissioners.
 - e. Rebuttal, response or clarifying statements by City staff and the Applicant.
 10. A review of the complete record by the Planning Commission and the preparation of a recommendation to the City Council, as applicable.
 11. The recommendation of the Planning Commission along with a complete copy of the record shall be provided to the City Council for review prior to their decision, as applicable.
 12. City Council review and action.
 13. Issuance of a Notice of Decision.
- B. A decision on a Type 4 application shall be effective upon approval unless otherwise provided, and/or unless an appeal is filed in a timely manner in accordance with the provisions of this Title.

14.30.100 Applications and Determination of Completeness.

- A. ~~All applications must shall be submitted in the manner required by the City on such forms and all information required by the City must be provided with the application (procedural submission requirements) shall provide such information as may be prescribed by the City,~~ provided that:

1. All applications shall be signed by the property owner or show owner consent of the application by the agent acting on the owner's behalf.
2. Applicable fees shall be submitted at the time of application unless otherwise specified.
3. The Applicant shall be responsible for the preparation of all application materials including all special studies and reports, this may include, but is not limited to the following, which shall be prepared by a qualified professional:
 - a. Environmental checklist.
 - b. Critical area reports.
 - c. Survey and site plan.
 - d. Landscaping plans.
 - e. Stormwater modeling.
 - f. Fire flow calculations.
 - g. Transportation studies and traffic impact analysis; and
 - h. Preliminary civil plans.

B. Upon acceptance of a project permit application, the City will review all materials received from the Applicant to determine if the application is complete and ready for processing. Within twenty-eight (28) days after of receiving a project permit application, the City shall mail, email, or provide in person written notification a written determination to the Applicant. This written determination must state either:

1. The City has determined the application to be complete; (Notice of Completeness). The Notice of Completeness will state establishing the date that the application is ready for processing. This notification may also include:
 - a. A description of the process to review the application(s) and projected timeframes.
 - b. A preliminary determination of those development regulations that will be used for project mitigation.
 - c. To the extent known by the City, other agencies that may also have jurisdiction over the application and/or other permits or approvals that may be required.

- d. Additional information that may be required to complete the review of the application.
 - e. A preliminary determination of consistency.
2. The City has determined the application to be incomplete and ~~that the procedural submission requirements have not been met. This determination shall outline~~ what is necessary to make the application procedurally complete, ~~and as well as~~ the timeframes for submitting additional information.
- a. Upon receipt of the required additional information within the stated required timeframes, the City shall notify the Applicant within 14 days if the application is complete or ~~if that~~ additional information is required and state the timeframe for submitting the required additional information.
 - b. The Applicant may request a time extension to submit the requested information. The City may grant or deny the request or grant a time extension different than requested. All time extensions must be made in writing.
 - c. If the Applicant fails to respond or to submit the requested information in the established time-frames, the City shall notify the Applicant in writing that the application has lapsed and become void.
- ~~d.C. _____ The issuance of a Determination of a Completeness shall not preclude the City from requesting additional information from or actions by the Applicant in order to complete the processing of an application.~~
3. A project permit application is complete for the purposes of this Section when it meets the procedural submission requirements of the City. Additional information or studies may be required, or project modifications may be undertaken subsequent to the procedural review of the application by the City. The Determination of Completeness shall not preclude the City from requesting additional information or studies either at the time of the Notice of Completeness or subsequently if new information is required or substantial changes in the proposed action occur. However, if the procedural submission requirements, as outlined on the project permit application have been provided, the need for additional information or studies may not preclude a completeness determination.
4. A project application shall be deemed procedurally complete on the 29th day after the City has received the application if the City has not provided a written determination to the Applicant that the application is procedurally incomplete. This provision does not preclude the City from seeking additional information or studies as provided above.

14.30.110 Notice of Application. Within 14 days of the issuance of a Determination of a Completeness, the City shall issue a Notice of Application for all Type 2, 3, and 4 permit applications, in accordance with the provisions of Section 14.30.230 Public Notice requirements.

A. Notices of Application ~~must shall~~ include:

1. The date of application, the date of the Notice of Completion for the application, and the date of the Notice of Application.
2. A description of the proposed project action, a list of the project permits included in the application and, if applicable, a list of any studies requested by the City.
3. Identification of the permits not included in the application to the extent known by the City. ~~and approvals that may be required and opportunities for public review and comment,~~
4. The identification of existing environmental documents that evaluate the proposed project and the location where the application and any studies can be reviewed.
5. A statement of the public comment period, which shall be not less than fourteen nor more than thirty days following the date of Notice of Application, and statements of the right of any person to comment on the application, receive notice of and participate in any hearings, request a copy of the decision once made, and any appeal rights. The City may accept public comments at any time prior to the closing of the record of an open record pre-decision hearing, if any, or, if no open record pre-decision hearing is provided prior to the decision on the project permit.
6. The date, time, place, and type of hearing, if applicable and if scheduled at the date of Notice of the Application.
7. A statement of the preliminary determination, if one has been made at the time of notice, of those development regulations that will be used for project mitigation and of consistency; and
8. Any other information determined appropriate by the City.

~~SEPA actions taken or Preliminary SEPA Threshold Determinations, if any.~~

B. A preliminary SEPA Threshold Determination or Preliminary SEPA action may be included with Notice of Application if such preliminary actions have been made at the time the Notice of Application is issued. A preliminary SEPA Threshold Determination, or

preliminary SEPA action, does not substitute, or in any way circumvent, the process for making a final SEPA Threshold Determination or in taking a SEPA action. Preliminary SEPA determinations are intended to encourage early public comment on project applications.

14.30.120 SEPA Threshold Determinations. SEPA Threshold Determinations shall result in a Determination of Non-significance (DNS), or a Determination of Significance (DS), provided that the City may also issue a Mitigated Determination of Non-Significance (MDNS) based on conditions required by the City, or on changes to or clarifications of, the proposal made by the Applicant.

- A. After submission of an environmental checklist and prior to a Threshold Determination, the City shall notify the Applicant if it is considering issuing a DS. As a result, the Applicant may clarify or change features of the proposal to mitigate the impacts which make the DS likely. If a proposal continues to have a probable significant adverse environmental impact, even with the mitigating measures, an environmental impact statement (EIS) shall be prepared.
- B. If a preliminary SEPA Threshold Determination was not made in conjunction with a Notice of Application, and no probable significant adverse impacts are anticipated, a Determination of Non-Significance shall be issued, and a 15-day comment period may be required.
- C. If a pre-decision open record public hearing is required, the SEPA Threshold Determination must be issued at least 15 days before the hearing.
- D. If the City makes a SEPA Determination of Significance concurrently with the Notice of Application, the Notice of Application shall be combined with the Determination of Significance and Scoping Notice.
- E. Whenever the City makes a Threshold Determination, it shall seek to include the public notice for the SEPA action with the Notice of Application or Notice of Decision for any associated land use application(s) or permits, provided that:
 - 1. If no public notice is required for the permit or approval, the City shall give notice of the DNS or DS by publishing a notice in the City's Newspaper of Record.
 - 2. Whenever the City issues a DS, all public notices shall state the scoping procedure for the required EIS; and

3. Whenever the City issues a draft EIS (DEIS), or Supplemental EIS (SEIS), notice of the availability of those documents shall be given by at least 2 of the following methods:
 - a. Indicating the availability of the DEIS or SEIS in any public notice required for an associated land use application or permit.
 - b. Posting the property, for site-specific proposals.
 - c. Posting on the City's website.
 - d. Publishing notice in the City's Newspaper of Record; and/or
 - e. Notifying the news media.
- F. Mitigation measures incorporated in the MDNS shall be deemed conditions of approval of the permit decision and may be enforced in the same manner as any term or condition of the permit or enforced in any manner specifically prescribed by the City.
- G. Nothing in this Section shall limit the authority of the City in its review or mitigation of a project to adopt or otherwise rely on environmental analyses and requirements under other laws, as provided by Chapter 43.21C RCW the State Environmental Policy Act.

14.30.130 Determination of Consistency. As part of all project and application reviews, the City shall determine if a proposed project or development activity is consistent with the provisions of the College Place Unified Development Code, or in the absence of applicable development regulations, the Vision, Values, Goals, and Policies, and Objectives, of the College Place Comprehensive Plan. ~~Goals, Policies, and Objectives of the College Place Comprehensive Plan and the provisions of the College Place Unified Development Code.~~

- A. The Determination of Consistency shall include a review to verify that the proposed action will not cause levels of service to fall below the level of service standards established in the College Place Comprehensive Plan.
 1. This shall include locally adopted regulations, procedures, and methods for determining concurrency in accordance with the provisions of WAC 365-196-840.
 2. In the case of transportation, proposed developments that would cause the level of service on a locally owned transportation facility to decline below the adopted standards shall not be approved unless improvements or strategies to accommodate the impacts of development are made concurrent with the development.

- a. These strategies may include increased public transportation service, ride sharing programs, demand management, pro-rated financial contributions toward future improvements, and other transportation systems management strategies.
 - b. "Concurrent with development" means that improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years.
- 2. The City may require that any outstanding code enforcement actions be addressed, or unpaid fees, fines, or taxes paid before a final Determination of Consistency is made.

14.30.140 Site Plan Review. The purpose of a site plan review is to determine whether new development activities will or will not have an adverse effect on the public health, safety, and welfare of residents of College Place, and that new development activities are compatible with existing patterns of development and the provisions of the College Place Comprehensive Plan.

- A. A site plan review is required for all proposed development activities in the Multi-Family Residential (MFR), General Commercial (GC), Light Industrial (LI), and the Downtown Mixed-Use zone (DMU), as well as for manufactured home and mobile home parks, unless waived in writing by the City.
 - 1. Development activities subject to a site plan review shall be determined by the City and may include new construction, modifications to existing uses or structures that increase the size of the building or the intensity of the use, and/or changes of use.
 - 2. The site plan review shall include the whole site including subsequent phases of development without regard to existing or proposed lot lines as well as nearby infrastructure.
 - 3. A site plan review permit is separate from and does not replace other required permits such as a conditional use permit or a shoreline substantial development permit. A site plan review may be combined and reviewed concurrently with other ~~permits and approvals~~permits/approvals/actions, as determined by the City.
- B. A site plan review application, prepared by a qualified professional, shall be submitted in a format prescribed by the City, and should include, but is not limited to, the following:
 - 1. An accurate scaled drawing(s) depicting:
 - a. The location and dimension of the lot(s).
 - b. Existing topography and natural features.

- c. The nature, location, dimensions of critical areas, shorelines, and their associated buffers, if any, on or adjacent to the site.
 - d. The footprint of existing and proposed structures, proposed building heights, proposed building setbacks, and the proposed uses.
 - e. The location of existing and proposed utilities including but not limited to water, hydrants, irrigation, sanitary sewer, electrical, light poles, and cable.
 - f. Existing and proposed easements.
 - g. The location of existing and proposed roads, driveways, parking facilities, loading areas, curbs, sidewalks, pedestrian facilities, bike lanes and facilities, and signage.
 - h. Existing and proposed walls, fences, and landscaping.
 - i. Existing and proposed open space, parks, plazas, public spaces, and public art.
 - j. Proposed grading and drainage facilities in accordance with the provisions of College Place Municipal Code Chapter 13.86 Stormwater Management and the City of College Place Engineering Design Standards.
 - k. Other items as may be required by the City in writing.
2. Technical reports prepared by a qualified professional. This may include, but is not limited to:
- a. Critical area reports.
 - b. Landscaping plans.
 - c. Geo-technical reports.
 - d. Preliminary stormwater report.
 - e. Traffic impact analysis; and
 - f. Parking studies.
3. Any additional information deemed necessary by the City.

- C. The City may approve a proposed site plan in whole or in part, with or without conditions, based on a finding that:
1. The project is consistent with the College Place Comprehensive Plan and meets the requirements and intent of the College Place Municipal Code, including the type of land use and the intensity/density of the proposed development.
 2. The physical location, size, and placement of the development on the site and the location of the proposed uses within the project avoid or minimize impacts to any critical resource or flood plain area to the greatest extent possible or are compatible with the character and intended development pattern of the surrounding properties.
 3. The project makes adequate provisions for water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection to ensure that the proposed project would not be detrimental to public health, welfare, and safety.
 4. Public access and circulation including non-motorized access and emergency vehicle access, as appropriate, are adequate to and on the site.
 5. Adequate setbacks and buffering have been provided. Any reduction to setbacks or buffer widths is the minimum necessary to allow for reasonable economic use of the lot and does not adversely impact the functional value of the critical resource area or adjoining land uses.
 6. The physical location, size, and placement of proposed structures on the site and the location of proposed uses within the project are compatible with and relate harmoniously to the surrounding area.
 7. The project adequately mitigates impacts identified through the SEPA review process, if required.
 8. The project would not be detrimental to the public interest, health, safety, or general welfare.
- D. Approval of a Site Plan shall be valid for five years after the effective date and shall lapse at that time unless a building permit or other associated permits, as determined by the City, has been issued. The City may extend the Site Plan approval if it finds that the facts on which the site plan review is approved have not changed substantially.

14.30.150 Application Permit Processing.

~~A. Applications determined to be complete shall be processed in accordance with the procedures in this Chapter, provided that:~~

~~1. The City may request additional information from the Applicant at any time and may suspend the processing of an application(s) pending the receipt of requested information.~~

~~a. Such requests shall be made in writing and shall identify the additional information required, the reason for the information, and the timeframes for submitting the additional information.~~

~~b. If the Applicant does not respond to the request for additional information within sixty days, the application may be terminated.~~

A. For project permit applications submitted after January 1, 2025, the time periods for the City to issue a final decision for each type of complete project permit application or project type subject to this Chapter should not exceed the following time periods:

1. For project permits subject to a Type 1 Review a final decision must be issued within 65 days of the Determination of Completeness.

2. For project permits subject to a Type 2 Review a final decision must be issued within 100 days of the Determination of Completeness.

3. For project permits subject to a Type 3 Review a final decision must be issued within 170 days of the Determination of Completeness.

B. The following time periods shall not be counted when determining the number of days required to make a final decision:

1. Any period between the day the City notified the Applicant, in writing, that additional information is required to process the application and the day when responsive information must be submitted or resubmitted by the Applicant.

2. Any period after an Applicant informs the City, in writing, that they would like to temporarily suspend review of the project permit application until the time that the Applicant notifies the City, in writing, that they would like to resume the review of the application. The City may set, by written policy, conditions for the temporary suspension of a permit application.

3. Any period after an administrative appeal is filed until the administrative appeal is resolved and any additional time period provided by the administrative appeal has expired.
- C. The time periods for the City to process a project permit shall start over if an Applicant proposes a change in use that adds or removes commercial or residential elements from the original application that would make the application fail to meet the determination of procedural completeness for the new use, as required by the City.
- D. If, at any time, an Applicant informs the City in writing, that the Applicant would like to temporarily suspend the review of the project for more than 60 days, or if an Applicant is not responsive for more than 60 consecutive days after the City has notified the Applicant, in writing, that additional information is required to further process the application, an additional 30 days may be added to the time periods for the City to issue a final decision for each type of project permit that is subject to this Chapter.
1. Any written notice from the City to the Applicant that additional information is required to further process the application must include a notice that non-responsiveness for 60 consecutive days may result in 30 days being added to the time for review.
 2. For the purposes of this subsection, "non-responsiveness" means that an Applicant is not making demonstrable progress on providing additional requested information to the City, or that there is no ongoing communication from the Applicant to the City on the Applicant's ability or willingness to provide the additional information.
- E. The City may approve, approve subject to conditions, or deny an application based on the information included in the record.
1. In approving an application, the City may impose such conditions and safeguards as may be required to comply with the provisions of this Title and to protect the health, safety, and welfare. These conditions and safeguards may include, but are not limited to, the following:
 - a. Measures identified during the environmental review process.
 - b. Measures necessary to comply with the provisions of the College Place Comprehensive Plan.
 - c. Measures necessary to comply with provisions of the College Place Municipal Code; and/or

- d. Measures necessary to ensure compatibility of the proposed development activity with neighboring land uses, and consistency with the intent and character of the zoning district. This may include, but is not limited to:
 - (1) Increasing the required lot size, setback, or yard dimensions.
 - (2) Limiting the height of buildings or structures.
 - (3) Controlling the number and location of vehicular access points.
 - (4) Requiring the dedication of additional rights-of-way for future public street improvements identified in an adopted transportation plan.
 - (5) Requiring the designation of public use and utility easements and the recording of same.
 - (6) Increasing or decreasing the number of required off-street parking and/or loading spaces as well as designating the location, screening, drainage, surfacing or other improvement of a parking area.
 - (7) Frontage improvements or infrastructure improvements.
 - (8) Limiting the number, size, height, shape, location, and lighting of signs.
 - (9) Requiring view-obscuring fencing, landscaping, or other facilities to protect adjacent or nearby properties.
 - (10) Requiring site reclamation upon discontinuance of use and/or expiration or revocation of the project permit.
 - (11) Limiting hours and size of operation; and
 - (12) Controlling the siting of the use and/or structures on the property.
- 2. The City may deny an application based on finding that the proposed action:
 - a. Would endanger the public health, safety, and welfare.
 - b. Would have a probable, significant, adverse impact on the environment that cannot be reasonably mitigated.
 - c. Is not consistent with the Goals and Policies of the College Place Comprehensive Plan.

d. Does not comply with the provisions of the College Place Municipal Code; or

e. Information required by the City in order to complete the processing was not provided in accordance with the provisions of this Title.

14.30.160 Conditional Use Permits. Certain uses may only be permitted in a zoning district through the issuance of a Conditional Use Permit.

A. The approval of a conditional use permit shall be based on a finding by the City that:

1. The use will not endanger the public health, safety, or welfare.
2. The location and character of the use if developed according to the plan as submitted and approved or conditionally approved will be compatible and in harmony with the area in which it is to be located.
3. The proposed use is in general conformity with the City's Comprehensive Plan; and
4. The use meets all required conditions and specifications set forth in the zone where it is proposed to be located unless a variance has been granted by the City.

B. The City shall have the authority to require and approve specific plans and to increase the requirements set forth in this Title. Any reduction in the requirements of this Title shall only be granted through the approval of a variance.

C. If the potential adverse impacts of a proposed development activity cannot be adequately mitigated through conditions of approval, the City may deny the application for a Conditional Use Permit.

14.30.170 Special Use Permits. ~~Certain-Temporary~~ uses may be permitted for a specific period of time ~~in a zoning district~~ through the issuance of a Special Use Permit. ~~Limited duration activities on public property may also be permitted through a Special Event Permit or a Right-of-Way Use Permit.~~

A. Applicability. The Uses or activities that may be permitted through a Special Use Permit are identified in the Table of Permitted Uses (CPMC 14.30.050), provided that:

1. The City may approve additional uses based on a finding that they are compatible with neighboring uses.
2. Uses that are specifically prohibited in a Zoning District may not be permitted through the issuance of a Special Use Permit in that district.

B. Approval Criteria. The City may approve, approve with conditions, or deny ~~a request for approval of~~ an application for a Special Use Permit subject to compliance with the following criteria:

1. The Applicant owns the property to be used or has provided proof of the property owner's permission to use his/her/their property.
- ~~2. The proposed site is adequate to accommodate the use while providing for appropriate protection of the public health, safety, and welfare as determined by the City, which may include, but is not limited to, appropriate traffic control measures, emergency service access, potable water supply and sanitation facilities, stormwater control, sewage, solid waste services, and environmental protection. The project makes adequate provisions for access and circulation, water supply, storm drainage, sanitary sewage disposal, solid waste management, recycling, emergency services, adverse weather conditions, environmental protection, and the protection of the public health, safety, and welfare, as determined by the city;~~
3. ~~The proposed site is adequate to accommodate the special use and appropriate measures to mitigate impact on neighboring properties and uses are taken or exist on the property to be used. The proposed site is adequate in size and shape with appropriate screening or landscaping to accommodate the temporary use without detriment to the use and enjoyment of other properties in the project vicinity;~~
4. ~~The proposed site has adequate parking or public transportation available for the use. Adequate temporary parking to accommodate vehicular traffic to be generated by the temporary or special use will be available either on-site or at alternate locations acceptable to the City.~~
5. ~~The proposed site and use comply with all other City requirements imposed in the interest of public safety and welfare. The operation of the requested use at the location proposed and within the time period specified will not jeopardize, endanger, or otherwise constitute a threat to the public health, safety, or general welfare.~~

14.30.180 Variances. This Section shall govern the issuance of variances to reduce or modify certain provisions of this Title.

- A. A variance may be granted to the density, dimension, height, setback, and development standards, provided that all other provisions of this Title can be met. A variance of a numerical standard, such as a setback or density, shall not exceed 20%. For example, a 10' setback could be reduced up to 2'.

- B. Under no circumstances shall the City grant a variance to allow a use not permissible under the terms of this Title in the zoning district involved, or any use expressly or by implication prohibited in the zoning district by the terms of this Title.
- C. Variances shall be processed in conjunction with associated ~~permits—and approvals~~permits/approvals/actions. For example, a variance request submitted with a short plat application, will be processed in accordance with the Type 2 Review procedures, a variance request submitted with a subdivision application will be processed in accordance with the Type 3 procedures.
- D. Variances may be approved by the City based on a finding that such variance will not be contrary to the public interest and the Comprehensive Plan or where literal enforcement of the provisions of this Title would result in undue hardship. A variance shall not be granted unless the City further finds that the Applicant has demonstrated all of the following:
 - 1. That special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, do exist; and
 - 2. That because of such special circumstances, strict application of this Title would deprive the subject property of rights and privileges enjoyed by other properties in the vicinity under identical zoning district classification; and
 - 3. That the granting of the variance will not be materially detrimental to the public health, safety, and welfare or injurious to the property or improvements in the vicinity and zoning district classification in which the property is situated; and
 - 4. That the special circumstances do not result from the actions of the Applicant; and
 - 5. That the granting of a variance will be in harmony with the general purpose and intent of this Title, the specific zoning district, and the City Comprehensive Plan.

14.30.190 Notice of Decision. A Notice of Decision shall be issued for all Type 2, 3 and 4 permit applications. A Notice of Decision may not be issued until the expiration of the comment period on the Notice of Application.

- A. Notices of Decision shall include:
 - 1. A description of the decision or actions taken.
 - 2. Any mitigation or conditions of approval required under applicable development regulations or under SEPA.

3. If a SEPA threshold determination has not been issued previously, the Notice of Decision shall state this determination.
4. A description of applicable appeal procedures; and
5. Notification that affected property owners may request a change in valuation for property tax purposes.

14.30.200 Appeals.

- A. Standing to initiate an appeal of Type 1, 2, 3 and 4 Reviews is limited to the Applicant, Project Sponsor, or owner of the property in which the project permit is proposed, parties of record, affected agencies or tribes, or any person aggrieved by the final decision and who will suffer direct and substantial impacts from approval or denial of the project. A person is aggrieved or adversely affected within the meaning of this Section, only when all of the following conditions are present:
 1. The land use decision has prejudiced or is likely to prejudice that person.
 2. That person's asserted interests are among those that the local jurisdiction was required to consider when it made the land use decision.
 3. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the land use decision; and
 4. The petitioner has exhausted his/~~or her~~/their administrative remedies to the extent required by law.
- B. All appeals of interpretations or actions regarding Type 1 and 2 Reviews shall be filed in a format prescribed by the City along with the required fee, within 14 days of the date of the interpretation or action. If the deadline to file an appeal falls on a weekend or on a City Holiday, the deadline shall become the next business day. The City shall mail written notice to all parties of record to apprise them of all open and closed record public appeal hearings and shall place a public notice in the City's Newspaper of Record at least fourteen days before the open record appeal hearing.
 1. The Notice of Appeal shall specify the claimed error(s) and issue(s) which the Appellate Body is asked to consider and shall specifically state all grounds for such appeal. Issues or grounds of appeal which are not so identified need not be considered by the Appellate Body.
 2. The Appellants and any Respondents to the Notice of Appeal shall have the opportunity to present oral and written arguments during open record appeal hearings. For all closed

- record appeals, the record shall be limited to information presented during the preceding open record hearing. Oral argument shall be confined to the established record and to any alleged errors in the decision.
3. Following an appeal hearing, the Appellate Body may affirm, reverse, or modify the decision of record and shall adopt its own written findings and conclusions in support of its decision; and
 4. The City may require an Applicant and/or the Appellant to reimburse the City for the cost of preparing materials to be used during open record public hearings or closed record appeals, including but not limited to the cost of copying, taping, and/or transcribing a certified record of the proceedings.
 5. Appeals of SEPA threshold Determinations or SEPA actions shall be combined with any appeals of associated applications or permits. If the final decision incorporates the SEPA threshold determination subject to a fourteen-day comment period, a joint twenty-one-calendar-day appeal period shall be provided on both the project decision and the SEPA threshold determination.
- C. All Type 3 and Type 4 land use decisions and the decisions of the Hearing Examiner on appeals of Type 1 and 2 permits may be appealed by a party with standing to file a land use petition in Washington State Superior Court, unless otherwise specified, in accordance with the provisions of Chapter 36.70C RCW. Such petition must be filed within twenty-one days of issuance of the decision. This process shall be the exclusive means of judicial review except for local land use decisions reviewable by a quasi-judicial body created by state law, such as the shorelines hearings board.

14.30.210 Amendments. The purpose of this Section is to establish the process for amending project specific ~~permits and approvals~~permits/approvals/actions, as well as the City's Comprehensive Plan and the Unified Development Code and related maps.

A. Project Specific ~~Permits and Approvals~~Permits/approvals/actions - Minor Amendments.

1. Proposed amendments to project specific ~~permits and approvals~~permits/approvals/actions may be determined by the City to be minor amendments, and subject to the provisions of this Section, provided that the proposed amendments do not:
 - a. Alter the overall character of the project.
 - b. Increase the number of lots, dwelling units, or density.

- c. Decrease the quality or amount of open space.
 - d. Significantly increase the demand for public utilities or services.
 - e. Trigger the need for a new or supplemental environmental review; or
 - f. Introduce a new use that is prohibited in the zone or that may only be permitted through a conditional use permit.
2. Minor amendments shall be processed in accordance with the provisions of Section 14.30.080 and may be approved, modified with conditions of approval by the City, or denied, provided that:
- a. A proposed change to a condition of approval does not modify the intent of the original condition; and
 - b. The perimeter boundaries of the original site shall not be extended by more than five percent of the original lot area; and
 - c. The proposal does not add more than ten percent gross square footage of structures on the site; and
 - ~~d. The proposal does not increase the overall impervious surface on the site by more than ten percent; and~~
 - ~~e.d.~~ Proposed changes to yard and height requirements are limited to ten percent of the required dimension.
3. Any additions or expansions approved through minor amendments that would cumulatively exceed the requirements of this Section shall be reviewed as a major amendment.

B. Project Specific ~~Permits and Approvals~~Permits/approvals/actions - Major Amendments.

- 1. Proposed amendments to project specific ~~permits — and approvals~~permits/approvals/actions that do not meet the criteria for a minor amendment, as determined by the City, shall be considered a major amendment and subject to the provisions of this Section.
- 2. Major amendments shall be subject to processing in the same manner as the original permit or approval, as determined by the City.

- C. Amendments to the College Place Comprehensive Plan. Proposed amendments to the Comprehensive Plan including, but not limited to the Goals and Policies, Level of Service Standards, and the Future Land Use Map shall be processed as a Type 4 review, in accordance with the provisions of Section 14.30.080, provided that:
1. Applications from the public shall only be accepted for review in accordance with the provisions of the public participation plan adopted by the City to guide the annual review of Comprehensive Plan amendments.
 2. The City may propose amendments at any time.
 3. Amendments shall be considered by the City Council no more frequently than once a year, except when the proposed amendment:
 - a. Is for the initial adoption of a sub-area plan.
 - b. Adopts or amends a Shoreline Master Program; or
 - c. Amends the capital facilities element concurrent with the adoption of the City's budget.
- D. Amendments to the Unified Development Code and/or Official Zoning Map. Applications to amend Title 14 of the College Place Municipal Code, also known as the Unified Development Code and/or a general, non-site-specific amendment to the Official Zoning Map, also known as a general rezone, may be submitted at any time, in a format prescribed by the City. These applications shall be processed as a Type 4 review, in accordance with the provisions of Section 14.30.080, provided that:
1. Site specific rezone applications that require an amendment to the Comprehensive Plan or Future Land Use Map, shall be processed in conjunction with those amendments, and shall be subject to the annual limitations for processing proposed amendments to the Comprehensive Plan.
 2. Amendments to the Unified Development Code may be held by the City for processing in conjunction with the annual review of Comprehensive Plan amendments.
 3. The diagrams and illustrations contained in the Unified Development Code are provided as a resource to the reader and may be changed by City staff without formally amending the code.
- E. Upon review of the application materials, the City staff report, environmental documents, written comments from the public as well as from local, state, and federal agencies, and

testimony presented at the required public hearing, the Planning Commission shall make a recommendation to the City Council to approve, approve subject to conditions, or deny the Application. The recommendation of the Planning Commission shall be based on the official record of their proceedings and deliberations and shall include written findings addressing the following:

1. The need for the proposed rezone.
2. Whether the proposed rezone is in the public interest.
3. Consistency with the College Place Comprehensive Plan and related documents.
4. Consistency with the College Place Future Land Use Map.
5. Compliance with the provisions of the College Place Unified Development Code; and
6. Compliance with the provisions of the Laws of Washington State including, but not limited to, the Washington State Growth Management Act and the Washington State Environmental Policy Act.
7. The City Council shall make a decision to approve, approve subject to conditions, or deny the application(s) based on a review of the record provided by the Planning Commission, provided that the City Council may also remand proposed amendments to the Planning Commission for further research, review, and deliberations.

F. Nothing in this Chapter shall preclude the City Council from adopting Moratoria or Interim Zoning Controls in accordance with the provisions of RCW 36.70A. 390 or as subsequently amended.

14.30.220 Performance.

- A. Any development activity authorized through a permit or approval issued in accordance with the provisions of this Title shall be completed within two years from the date of approval, unless otherwise specified by the City.
 1. Failure to meet the time limit set shall void the permit or approval.
 2. The City, at its sole discretion, may authorize a time extension upon request, provided such extension request is filed in writing prior to the required completion date. Such extension request shall detail unique and special circumstances that prohibited the completion of the use authorized.

- B. If the City finds the conditions and safeguards made part of the terms under which the project permit was granted have not been complied with or are not being maintained, the City shall prescribe a reasonable time for correction, and if corrections are not made within the time limit, the permit may be suspended or revoked.
- C. The City may revoke a project permit issued pursuant to this Title, based on a finding that:
 - 1. The application included any false information material to the project permit approval, or the permit was obtained by fraud.
 - 2. The conditions and safeguards required in the permit have not been complied with or are not now being maintained.
 - 3. The use for which a conditional use permit was granted has at any time ceased for one-year or more; or
 - 4. The required fees were not paid, or documents were not recorded, in a timely manner.
- D. The suspension or revocation of a permit may be appealed to the City Hearing Examiner in order to show cause why such permit approval should not be suspended or revoked.
- E. An application for a permit previously revoked under this Section cannot be submitted until all remedial actions required of the Applicant/Project Sponsor/ Property Owner have been completed and all fines, penalties, and fees paid.
- F. Violation of such conditions and safeguards, when made part of the terms under which the project permit is granted, shall be considered a violation of this Title, and may result in suspension or revocation of the permit and/or enforcement actions in accordance with the provisions of the College Place Municipal Code.

14.30.230 Public Notice Requirements.

- A. These public notice requirements shall apply to the following unless otherwise specified:
 - 1. Notices of Application.
 - 2. Public hearing notices.
 - 3. SEPA Threshold Determinations.
 - 4. Notices of Decisions; and
 - 5. Notices of Appeals.

B. Prior to any public comment period and at least fifteen days prior to the date of any open record public hearing ~~and/or any public comment periods~~ the City shall:

1. Publish the notice in the general newspaper of record.
2. Post the notice on the City website and at City Hall.
3. Place a sign that displays the public notice on each street frontage in accordance City specifications and installation requirements; and
4. Mailed to the:
 - a. Applicant.
 - b. Owners of all parcels within 300 feet of the boundaries of the parcel in question and any adjacent parcels under the ownership or control of the Project Sponsor.
 - c. Agencies with jurisdiction.
 - d. Parties who have provided oral or written testimony on the permit and requested to be on the mailing list.
 - e. Parties who have submitted written requests to receive notice; and
 - f. Parties of Record.

C. All SEPA Threshold Determinations shall be distributed to:

1. The Washington State Department of Ecology SEPA Register at separegister@ecy.wa.gov.
2. Agencies and jurisdictions on the City's SEPA mailing list; and
3. All parties listed in Section 14.30.230 B 4 above.

Chapter 14.40 Environmental Review

Sections:

14.40.010	Introduction.
14.40.020	Substantive Authority.
14.40.030	SEPA Administration.
14.40.040	Categorical Exemptions.
14.40.050	SEPA Checklist.
14.40.060	Threshold Determination.
14.40.070	Preparation of EIS.
14.40.080	Appeals.

14.40.010 Introduction. The purpose of this Chapter is to highlight the environmental review requirements of the City and the Washington State Environmental Policy Act.

- A. The City recognizes that each person has a fundamental and inalienable right to a healthful environment, and that each person has a responsibility to contribute to the preservation and enhancement of the environment.
- B. The City shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:
 1. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
 2. Assure for all people safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
 3. Attain the widest range of beneficial uses of the environment without risk to health, safety, or welfare or other undesirable and unintended consequences.
 4. Preserve important historic, cultural, and natural aspects of our national, state, or City heritage.
 5. Maintain, wherever possible, an environment which supports diversity and variety of individual choice.
 6. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

7. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

14.40.020 Substantive Authority. The following provisions constitute the City's SEPA policies and the basis for exercising the substantive authority granted to the City through the Washington State Environmental Policy Act.

- A. The City designates and adopts by reference the following documents, as amended, as the basis for the City's exercise of authority pursuant to this Section:
 1. College Place Comprehensive Plan.
 2. College Place Parks Recreation and Open Space Plan.
 3. College Place Comprehensive Water and Sewer Plans.
 4. College Place Six-Year Transportation Plan.
 5. College Place Municipal Code.
 6. City of College Place Engineering Design Standards; and
 7. The International Codes as adopted and administered by the City.
- B. The City may attach conditions to a permit or approval for the proposal so long as:
 1. Such conditions are necessary to mitigate specific probable adverse environmental documents prepared pursuant to this Chapter.
 2. Such conditions are in writing.
 3. The mitigation measures included in such conditions are reasonable and capable of being accomplished.
 4. The City has considered whether other local, state, or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts; and
 5. Such conditions are based on one or more policies of the Comprehensive Plan and the provisions in this Title and cited in the permit, license, or other decision document.
- C. The City may deny a permit or approval for a proposal on the basis of a SEPA review so long as:

1. A finding is made that approving the proposals would result in probable significant adverse environmental impacts that are identified in a final environmental impact statement (FEIS), or final supplemental environmental impact statement (FSEIS) prepared pursuant to this Chapter.
2. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact; and
3. The denial is based on one or more policies identified in this Title or Comprehensive Plan and identified in writing in the decision document.

14.40.030 SEPA Administration.

- A. The City adopts Chapter 197-11 of the Washington Administrative Code by reference unless otherwise noted or modified by the provisions of this Title.
 - B. For those proposed projects, development activities, or actions for which the City is the lead agency, the SEPA Responsible Official shall be the Community Development Director or his/her/their designee.
2. The designated SEPA Responsible Official shall make the SEPA Threshold Determination, supervise the scoping and preparation of any required environmental documents, and perform any other related functions assigned to the lead agency as identified in this Chapter or WAC 197-11.
 3. In addition, the SEPA Responsible Official may require the Applicant or Project Sponsor to prepare and submit such environmental documents as may be necessary to complete required environmental reviews.

14.40.040 Categorical Exemptions. All proposed projects or development activities are subject to the provisions of this Chapter and WAC 197-11, except those activities that are identified in WAC 197-11-800 as being categorically exempt from SEPA, including:

- A. The following minor new construction activities are exempt from the provisions of this Chapter unless the site contains critical areas or otherwise does not meet the exemption criteria of WAC 197-11-800:
 1. The construction or location of up to and including fourteen (14) single family residential ~~nine (9)~~ dwelling units.
 2. The construction or location of up to sixty (60) multi-family residential dwelling units.

3. The construction of a barn, loafing shed, farm equipment storage building, produce storage, or packing structure, or similar agricultural structure, covering up to 30,000 square feet, provided that said structure is to be used by the property owner or his~~/or/~~ her~~/their~~ agent in the conduct of permitted farming on the property. This exemption shall not apply to feed lots.
 4. The construction of an office, school, commercial, recreational, service, storage building, with up to 30,000 square feet of gross floor area and associated parking facilities designed for no more than 90 automobiles.~~;~~~~or~~
 5. Any landfill or excavation of up to ~~200~~ 1,000 cubic yards throughout the total lifetime of the fill or excavation.
 6. The construction of a parking lot not associated with a specific structure designed for up to 90 automobiles.~~;~~~~or~~
- B. Actions which must be undertaken immediately, or within a time period too short to allow full compliance with this Chapter, to avoid an immediate threat to public health, safety, and welfare to prevent an immediate danger to public or private property, or to prevent an imminent threat to serious environmental degradation, shall be exempt from the procedural requirements of this Chapter.
1. The SEPA Responsible Official shall determine on a case-by-case basis those emergency actions which qualify for this exemption.
 2. The City's determination that a proposal is exempt shall be final and not subject to appeal. If a proposal is exempt, none of the procedural requirements of this Chapter shall apply to the proposal. The City shall not require completion of an environmental checklist for an exempt proposal.
- C. If a proposal includes exempt and nonexempt actions, the City may authorize exempt actions prior to compliance with the procedural requirements of this Chapter, except that:
1. The City shall not give authorization under this Section for:
 - a. Any nonexempt action.
 - b. Any action that would have an adverse environmental impact; or
 - c. Any action that would limit the reasonable choice of alternatives.

2. The City may withhold approval of an exempt action that would lead to modification of the physical environment when such modification would serve no purpose if nonexempt action(s) were not approved.
3. The City may withhold approval of exempt actions that would lead to substantial financial expenditures by a private applicant when the expenditures would serve no purpose if nonexempt action(s) were not approved.

14.040.050 SEPA Checklist. All applications for a permit, license, certificate, or other approval as required by the provisions of this Title shall include a completed SEPA Checklist in such form as provided by the City.

- A. A completed SEPA checklist shall not be required when:
 1. The City has determined the activity to be Categorically Exempt from the requirements of SEPA; or
 2. The City and Applicant mutually agree that an EIS is required; or
 3. SEPA compliance for the proposed project has already been completed; or
 4. SEPA compliance has been initiated by another agency.
- B. For private proposals, the Applicant shall be responsible for completing the SEPA checklist and providing all required supporting documentation.
- C. For proposals sponsored by the City or another public agency, the agency or department initiating the proposal shall be responsible for completing the SEPA checklist and providing all required supporting documentation.
- D. For projects submitted as planned actions under WAC 197-11-164, the City will use its existing environmental checklist form or may modify the environmental checklist form as provided in WAC 197-11-315. The modified environmental checklist form may be prepared and adopted along with or as part of a planned action ordinance or developed after the ordinance is adopted. In either case, a proposed modified environmental checklist form must be sent to the Washington State Department of Ecology to allow at least a 30-day review prior to use.

14.040.060 Threshold Determination. The SEPA Responsible Official shall review SEPA Checklists to determine if they are complete and ready for processing. If the checklist has not been completed, the City shall notify the Applicant in writing and shall identify what additional information must be provided. If the Checklist has been completed, the SEPA Responsible Official

shall make a Threshold Determination and issue either a Determination of Non-Significance (DNS), a Mitigated Determination of Non-Significance (MDNS), or a Determination of Significance (DS).

- A. An Applicant may request in writing early notice that a Determination of Significance may be likely.
 - 1. The City shall notify the Applicant in writing if a Determination of Significance is likely and the concerns that may trigger the need for the preparation of an EIS.
 - 2. The Applicant shall be given the opportunity to clarify or revise their proposal in order to lessen the potential adverse impacts.
- B. If the City determines that the proposed action shall not have a probable, significant adverse impact on the environment, it shall issue a Determination of Non-Significance, and no further environmental review of the proposed action shall be required. Upon issuance of the DNS the City may proceed with processing the application(s) associated with the proposed action.
- C. If the City determines that the proposed action may have significant adverse impacts on the environment, but that they can be reasonably mitigated by measures to avoid, minimize, or compensate for the potential adverse impacts, it shall issue a Mitigated Determination of Non-Significance, and shall identify in writing the mitigating measures that shall be included as subsequent conditions of approval.
 - 1. The issuance of an MDNS shall include public notice and a fifteen-day comment period. No permits or approvals associated with the proposed action shall be taken until the completion of this comment period.
 - 2. Based on comments received the City may modify required mitigation measures, impose additional measures, or may rescind the Threshold Determination.
- D. If the City determines that the proposed action is likely to have a probable, significant adverse impact on the environment, it shall issue a determination of significance and require the preparation of an environmental impact statement, in accordance with the provisions of this Title and WAC 197-11.

14.40.070 Preparation of EIS. The preparation and issuance of draft and final environmental impact statement (EIS) documents is the responsibility of the City.

- A. The City may elect to prepare EIS documents required for a proposed action with City staff or the EIS documents may be prepared by a qualified professional selected by the City in

consultation with the proposed Project Sponsor. All costs associated with the preparation and issuance of an EIS document shall be the responsibility of the Applicant or Project Sponsor in accordance with the provisions of the City fee schedule and/or voluntary cost sharing agreement.

14.40.080 Appeals.

- A. The following administrative appeal procedures are established in accordance with the provisions of RCW 43.21C.075 and WAC 197-11-680:
 1. Decisions concerning final threshold determinations (DS, DNS or MDNS) and final environmental impact statements (FEIS) made by the SEPA Responsible Official may be appealed to the College Place Hearing Examiner within 14 days of the issuance of DS, DNS, MDNS or FEIS by filing a written notice of appeal with the City.
 2. There shall be no appeals of determinations concerning whether there is a "proposal" or "action," whether a proposal is categorically exempt, or who is the lead agency; nor may there be appeals of checklists, scoping determinations, or draft impact statements.
 3. SEPA appeals must combine review of SEPA issues with the related government action.
 4. For any appeal under this section, the City shall provide for a record that shall consist of the following:
 - a. Findings, conclusions, and decisions.
 - b. Testimony under oath.
 - c. A taped recording of all hearings; and
 - d. True copy of all documents and comments submitted in the matter.
 5. The City may require the Appellant to provide an electronic transcript.
 6. Procedural determinations made by the City's SEPA Responsible Official shall carry substantial weight within any appeal proceeding.

Chapter 14.50 Zoning

Sections:

- 14.50.010 Introduction.**
- 14.50.020 Official Zoning Map.**
- 14.50.030 Table of Permitted Uses.**

14.50.010 Introduction.

A. It is the purpose of this Chapter Title to:

1. Facilitate orderly growth and development of the city consistent with the goals and policies of the Comprehensive Plan.
2. Protect the health, safety and general welfare of city and urban area residents.
3. Promote sound economic development and protect property values.
4. Promote the wise use of the area's natural resources.
5. Establish land use districts and provide for the appropriate regulations of land use within those districts.
6. Provide flexible regulations which encourage compatible and efficient land use.
7. Provide for the administration and enforcement of these regulations; and
8. Reduce the effects of incompatible land uses.

14.50.020 Official Zoning Map. The City shall establish and maintain an Official Zoning Map consistent with the provisions of this Title and the Comprehensive Plan.

- A. In order to classify, segregate and regulate the uses of land, buildings and structures, the city is divided into the following zoning districts:
1. Single-Family Residential (SFR). The purpose of the Single-Family Residential zoning district is to stabilize and protect residential neighborhoods; to prevent intrusion by incompatible uses; and to permit principal and accessory uses which will enhance the district's single-family residential character.

2. Multi-Family Residential (MFR). The purpose of the Multi-Family Residential zoning district is to provide a range of higher density residential opportunities in the vicinity of existing high-density residential areas, institutions, commercial areas, and major transportation routes.
3. Manufactured Housing/Mobile Home Park District (MHP). The purpose of this district is to provide and protect affordable opportunities for the long-term occupancy of manufactured housing and mobile homes and the like in a residential setting.
4. General Commercial (GC). The purpose of the General Commercial zoning district is to provide for the concentrated grouping of diversified retail trade, administrative, and professional offices, and services. This district encourages a full range of commercial activities, including convenience, comparison and professional shops and businesses serving the entire community trading area.
5. Downtown Mixed-Use (DMU). The purpose of the Downtown Mixed-Use zoning district is to promote innovative, well designed, mixed-use, higher density development along College Avenue. The DMU district is hereby created to:
 - a. Be consistent with City of College Place Comprehensive Plan goals and policies by encouraging more compact, higher density, mixed-use development of retail, office, and residential uses within the same building.
 - b. Provide an area with a compatible mix of residential and commercial uses.
 - c. Promote innovative site and building design to achieve above purposes by allowing flexibility within and modification from existing codes through flexible residential densities while not compromising the requirements established within the College Place Municipal Code.
6. Light Industrial (LI). The purpose of the Light Industrial zoning district is to provide for the location and grouping of industrial activities that do not generate offensive external impacts such as excessive noise, pollution, or emissions, involve limited assembly, fabrication, and handling of products, include research and technological processes, and do not create exceptional demands upon public facilities and services. A further purpose is to afford protection to the industries so located by prohibiting the intrusion of incompatible influences.
7. University District (UD). The purpose of the University District zone is to promote the use and development of properties on and in the immediate vicinity of the Walla Walla University Campus in accordance with the provisions of a Master Plan and to promote the compatibility of uses between the University and neighboring properties.

8. Public Use (PU). The purpose of the Public Use zoning district is to provide for the retention of lands necessary for open spaces, parks, K-12 schools, and City facilities such as the City Hall campus.

B. The locations and boundaries of these zoning districts are depicted on the Official Zoning Map. The regulations of this Title governing the uses of land, buildings and structures, the size of yards and other matters as set forth in this Title are established and declared to be in effect upon all land encompassed within the boundaries of each district as shown on the Official Zoning Map.

C. Where uncertainty exists as to the boundaries of zoning districts as shown on the Official Zoning Map, the Community Development Director or his/her their designee may make an administrative determination.

14.50.030 Table of Permitted Uses.

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Accessory building/use	A	A	A (11)	A	A	A	A	A	Section 14.60.170
Accessory dwelling unit (ADU)	A	A	<u>A</u>	A			<u>A</u>		Section 14.60.170
Adult home	P	P	P	P	P				
Alternative energy infrastructure	A	A		A	A	A	A	A	Section 14.60.110
Animals	A	A							CPMC Title 6
Antique/Secondhand store				P	P				
Appliance repair shop					P	P			
Arcade/Amusement facility					P				
Automobile service/repair (1)				P	P	P			
Automobile/Truck sales, New and used					P				
Bakery				P	P	P			
				P	P				

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Bank/Financial institution				P	P				
Beauty salon/Day spa				P	P				
Bed and breakfast inn	S	S		S					Section 14.60.160
Boarding house		P		P			P		
Brewery/Distillery					P				
Business park					P				
Business/Professional office				P	P				
Car wash					P				
Cemetery/Mausoleum					C		C	C	
Church	C	C		C	C		P		
Clubhouses, community centers, and recreation facilities for the primary use of mobile and manufactured home parks			P						Section 14.60.190
Communications center/facility						P			
Contractor/Construction yard					P	P			
Convalescent/Nursing/Retirement home		C		C	C				
Co-housing	P	P							Section 14.60.180
Convenience grocery			C						
Cottage housing	P	P							Section 14.60.180
Cultural facility				P	P		P	P	
Day care center, Adult	P	P	C	P	P		P		

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Day Care Center, Child			C	P	P				
Day Care, Child In-Home Facility	A	A		A			A		
Drug store				P	P				
Dry cleaning					P				
Dwelling units (3+), Multiple		P		P	P		P		
Dwelling unit, Single	P	P	A (10)	(5)			(5)		
Dwelling units (duplex), Two	P	P		(5)			(5)		
Electric vehicle infrastructure				P	P	P	P	P	
Farmers market				S	S	S	S	S	
Food/Beverage				P	P				
Food cart				S	S	S	S	S	
Food cart pod				S	S	S	S	S	
Golf course	C	C						C	
Government buildings				P	P		P	P	
Group home	P	P	P						
Hemp production	X	X		X	X	X	X	X	
Home business	A	A	A	A	A				Section 14.60.150
Hospital/Medical center					P				
Hotel				P	P				
Industry, Light						P			Section 14.60.240
Kennel					P				
Landfill	X	X	X	X	X	X	X	X	
Laundromat			C	P	P				
Lodges/Fraternal/Social Organization				P	P				

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
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Manufactured home	P	P		(5)		(5)			Section 14.60.180
Manufactured home park	P (6)	P (6)	P						Section 14.60.190
Manufactured housing community			P						Section 14.60.190
Manufactured/Mobil home community			P						Section 14.60.190
Manufacturing/ Assembly, Light						P			Section 14.60.240
Marijuana, medical cooperative	X	X	X	X	X	X	X	X	
Marijuana processing	X	X	X	X	X	X	X	X	
Marijuana production	X	X	X	X	X	X	X	X	
Marijuana sales	X	X	X	X	X	X	X	X	
Master Planned Development	P	P	P	P	P	P	X	P	Section 14.100
Medical office/clinic				P	P				
Mining	X	X	X	X	X	X	X	X	
Mini storage			C			P			Section 14.60.100
Mixed-use, Commercial/ Residential				P	P				Section 14.60.180
Mobile home	P (8)	P (8)	P						Section 14.60.190
Mobile home park	P (7)	P (7)	P						Section 14.60.190
<u>Mobile vendor</u>				S	S	S	S	S	<u>Section 14.60.140</u>
<u>Mobile vendor food court</u>				S	S	S	S	S	<u>Section 14.60.140</u>
Motel				P	P				
Nursery/Greenhouse					P	P			

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
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Office, Business/Professional			C (9)	P	P				
Office, Government/ Non-Profit				P	P				
Park/Playground	P	P	P	P	P		P	P	
Park and ride facility					P				
Parking lot				P	P	P	P		
Personal service			C (9)	P	P				
Pop-up business				S	S	S	S	S	
Post office				P	P				
Public utilities	P	P	P	P	P	P	P	P	
Recreation, Private indoor				P	P		P		
Recreation, Public indoor				P	P		P	P	
Recreation, Private outdoor					P		P		
Recreation, Public sports complex							P	P	
Restaurant				P	P				
Restaurant/Coffee shop			C						
Retail sales				P	P				
Retail sales, Large-Scale					P				
RV Park		P	P		<u>P</u>		P	P	Section 14.60.200
Salvage/Wrecking operations						P			Section 14.60.100
School, Vocational/Trade				P	P	P			
School, Public/Private	C	C		C	C	C			
Seasonal use	S	S	S	S	S		S	S	

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
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Secure community transition facility	C	C							
Security building, On-Site						A		A	
Sexually oriented business						C			Section 14.60.120
Shipping/Receiving center						P			
Storage of flammable material/liquid									
Storage, Outdoor					P	P			Section 14.60.100
Tasting room				P	P				
Tavern/bar				P	P				
Technology center						P			
Temporary homeless encampment	S	S		S	S	S	S		Section 14.60.210
Temporary use	S	S	S	S	S	S	S	S	Section 14.60.130
Theater, Live/Movie				P	P				
Tiny home									Section 14.60.180
Townhouse	P	P		P					Section 14.60.180
Underground injection well	X	X	X	X	X	X	X	X	
University							P		Section 14.60.250
Vacation rental	S	S		S					Section 14.60.160
Veterinary hospital/clinic					C	C			
Warehouse/Shipping					P	P			Section 14.60.100
Winery					P	P			

Use	SFR	MFR	MHP	DMU (3)	GC	LI (2)	UD (4)	PU	Special Conditions
<i>P = May be permitted as a primary use. A = May be permitted only as an accessory use.</i> <i>C = May be permitted through a Conditional Use Permit.</i> <i>S = May be permitted through a Special Use Permit. X (or blank cell) = Use not permitted.</i>									
Wireless communication facility, Academic	P	P		P	P	P	P		Section 14.60.270
Wireless communication facility, Major	X	X		X	C	C	C	C	Section 14.60.270
Wireless Communication facility, Minor	P	P	P	P	P	P	P	P	Section 14.60.270

Footnotes:

1. All repair work shall be conducted indoors in accordance with applicable environmental and safety standards.
2. See Section 14.60.240 Light Industrial District Standards.
3. New developments must comply with the Downtown Mixed-Use District Standards, please see Section 14.60.230.
4. New developments must comply with the University District Standards, please see Section 14.60.250.
5. Legally established single-family and multi-family dwelling units, in use on January 1, 2020, are a permitted use.
6. Legally established manufactured home parks in existence on January 1, 2020, are a permitted use.
7. Legally established mobile home parks in existence on January 1, 2020, are a permitted use.
8. Legally established mobile homes in existence on January 1, 2020, are a permitted use and may continue to be used at that location. After January 1, 2020, mobile homes may only be placed in mobile home parks in existence before June 12, 2008.
9. Personal and professional services designed primarily to serve the residents of the neighborhood.

10. One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.
11. The following accessory uses may be permitted in the MHP District:
 - a. Garages and carports.
 - b. Garden house, tool shed, playhouse, or greenhouse not used for commercial purposes.
 - c. Any use customarily incidental to a permitted principal use, i.e., the sale of new or eligible used manufactured homes for use within the park.
 - d. One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.

Chapter 14.60 Development Standards

Sections:

14.60.010	Introduction.
14.60.020	Environmental Performance Standards.
14.60.030	Density, Dimension, Area, Height, and Setback Standards.
14.60.035	Addressing Standards and Guidelines.
14.60.040	Landscaping, Fences, and Visibility Standards.
14.60.050	Clearing and Grading.
14.60.060	Stormwater Management.
14.60.070	Parking and Loading Standards.
14.60.080	Lighting.
14.60.090	Signs.
14.60.100	Outdoor Storage.
14.60.110	Alternative Energy Infrastructure.
14.60.120	Sexually Oriented Businesses.
14.60.130	Temporary Uses.
14.60.140	{Open} <u>Mobile Vendors and Vendor Food Courts.</u>
<u>14.60.145</u>	<u>Temporary Use of Sidewalks and Public Spaces.</u>
14.60.150	Home Businesses.
14.60.160	Vacation Rentals.
14.60.170	Accessory Buildings, Structures, Dwelling Units, and Uses.
14.60.180	Housing Standards.
14.60.190	Mobile Home Parks, Manufactured Housing Community, and Manufactured/ Mobile Home Community.
14.60.200	Mobile Homes, Recreational Vehicles (RV's), Trailers, and Tents.
14.60.210	Temporary Homeless Encampments.
14.60.220	{Open}.
14.60.230	Downtown Mixed-Use District Standards.
14.60.240	Light Industrial District Standards.
14.60.250	University District Standards.
14.60.260	{Open}.
14.60.270	Wireless Communication Facilities.

14.60.010 Introduction. The purpose of this Chapter is to highlight the special standards and conditions applicable to specific types or locations of development activities and land uses. This Chapter should be used in conjunction with the Table of Permitted Uses (Table 14.50.030). If you have a question about the applicability of these standards, please contact the Community Development Department.

14.60.020 Environmental Performance Standards. It is the responsibility of the operator and/or proprietor of any permitted use to comply with the following environmental performance standards as set forth in this Chapter. It shall further be the responsibility of the operator and/or proprietor of any permitted use to provide such reasonable evidence and technical data as the City may require documenting compliance with this Chapter, if and when such need arises.

A. Noise. Noise emissions from any permitted use shall comply with the maximum permissible sound level standards or any subsequent amendments thereto, in accordance with the noise regulations of the City, please refer to College Place Municipal Code Chapter 8.20 Noise Control.

B. Pollutants and Contaminants.

1. State and federal ambient air quality standards.
2. Toxic substances (including asbestos, beryllium compounds, vinyl chlorides and benzol and any others added to the toxics list of the U.S. Environmental Protection Agency) shall be handled in accordance with U.S. Environmental Protection Agency standards. Asbestos demolition (including the handling of scrap asbestos from any source) shall be conducted in accordance with the state Department of Ecology requirements.
3. Liquid or solid wastes or spills shall be disposed of in keeping with the best operating practices of the industry and in compliance with the regulations and requirements of local, regional, state, or federal agencies having jurisdiction in liquid or solid waste disposal and environmental health and safety.
4. The use, transportation, storage and disposal of all radioactive materials and handling devices shall be subject to the regulatory controls of any local, regional, state, or federal agency having jurisdiction.
5. Materials used or created in any commercial/industrial process shall be handled in such a manner so as to prevent groundwater or soil contamination which destroys or endangers the support of natural vegetation, or which may pollute underground aquifers or other natural drainage systems.

C. Perceptual Nuisances.

1. Any operation producing intense heat or glare shall be performed within an enclosure so as to completely obscure such operation from view from any point along the property line except during the period of on-site construction.

2. No use-activity or use shall cause earth vibrations or concussions detectable without the aid of instruments beyond its lot lines, with the exception of the temporary vibration produced as a result of construction activity.
 - a. Such temporary construction activity shall be restricted to the hours between 7:00 a.m. and 8:00 p.m.
 - b. Emergency conditions, as determined by the City, are exempt from these provisions.

14.60.030 Density, Dimension, Area, Height, and Setback Standards. The density, dimension, area, height, and setback standards of this Chapter shall apply to all lots, uses, structures, buildings, and fences, unless otherwise specifically provided by the provisions of this Title, or a variance is granted.

A. Table 14.60.030 Density, Dimension, Area, Height, and Setback Standards.

Zoning District	Maximum Density (dwelling units/acre) (1)	Minimum Lot Size (sq. ft.) (3)	Minimum Lot Width (6)	Maximum Building Height (7)	Setbacks		
					Front Yard (8)	Side Yard (8)	Rear Yard (8)
Single-Family Residential (SFR)	7	6,000 (4)	60' (4)	35'	20' (9)	5' (11)	20' (15) (16)
Multi-Family Residential (MFR)	(2)	None (4)	50' (4)	35'	20' (9)	5' (11) (12)	15' (15) (16)
Downtown Mixed-Use (DMU)	(2)	None (5)	50'	None	None (10)	None	None
General Commercial (GC)	(2)	None (5)	50'	None	None	None (13)	None (13)
Light Industrial (LI)		None (5)	50'	None	None	None (14)	None (14)
University District (UD)	(2)	None (5)	50'	None	None	None	None
Public Uses (PU)		None	50'	None	None	None	None

Table Footnotes:

- (1) The maximum density for a specific parcel may be calculated as follows, provided that the achieved density will be based on compliance with the provisions of this Title, including minimum lot size, lot width, required improvements, etc.:
 - a. Single Family Residential: parcel size (square feet)/43,560 *7 (results ending in .51 or greater may be rounded up).
- (2) The maximum density shall be determined based on compliance with the applicable development standards including building height, setbacks, ~~lot coverage~~, parking, landscaping, building codes, and the like.
- (3) Critical areas and their buffers shall not be included in lot size ~~and lot coverage~~ calculations.
 - ~~a. The maximum lot coverage requirement shall include the footprint of all buildings.~~
- (4) For cottage housing and townhouses, the minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot coverage~~, and setback requirements can reasonably be met.
- (5) There is no minimum lot size, provided that the density, lot width, setback, building height, and building separation, ~~and lot coverage~~ requirements can be met.
- (6) Lot width means the dimension of the lot at the front property line, unless otherwise provided in this Title.
- (7) Building heights are measured from the average elevation of the proposed finished grade around the building to the highest point of a flat roof and to the mean height between eaves and ridge of a pitched roof or to the mean height of any parapet or false front.
- (8) Building setbacks shall be from property lines, or from critical area buffers when present.
 - a. Buildings must also be set back 2' from easements.
 - b. No building, or foundation may encroach into a setback or easement.
 - c. Ramps, or other devices necessary for access for the disabled and elderly, which meet Washington State Rules and Regulations for Barrier Free Design, may be permitted in all required setbacks.
- (9) Garages must be set back at least 20' from the front property line, but the setback for the residential portion of building may be reduced to 15', if:

- a. The single-family residence includes a front porch open on three sides and is at least four feet deep; or
 - b. A 5' wide or larger planter strip is installed along the street frontage in accordance with City standards.
- (10) The maximum front yard setback shall be 10' and on corner lots 15'.
- (11) On corner lots, the exterior side yard setback shall be at least 15 feet from the property line.
- (12) Multi-story buildings adjacent to single-family residences and parcels in the Single-Family Residential Zone (SFR):
- a. The setback shall be equal to or exceed the height of the building at the eave, not to exceed 20'; and
 - b. The rear of the building shall be setback from the property line a distance greater than or equal to the height of the building at the eave, not to exceed 20'.
- (13) No setback is required, except when abutting a SFR, MFR, or PUD district, then the following landscaped buffers shall be required in accordance with the provisions of Section 14.60.040 Landscaping, Fences and Visibility Standards.
- a. Side yard: 10'.
 - b. Rear yard: 15'.
- (14) No setback required except when abutting a SFR, MFR, or PUD then a landscaped buffer equal to the height of the building at eave shall be required in accordance with the provisions of Section 14.60.040 Landscaping, Fences and Visibility Standards.
- (15) Accessory buildings may be located in the rear yard setback up to 5' from the property line.

(16) On corner lots the rear yard setback may be reduced to 5'.

14.60.035 Addressing Standards and Guidelines.

A. The purpose of these standards is to:

- 1. Prescribe a system for the naming of streets and the numbering of structures.

2. Provide a uniform pattern of addresses for law enforcement, medical, fire, utility responders, and mail service.
 3. Provide a uniform database to support the delivery of public services such as property research, GIS mapping, and enhanced 911 services.
- B. The Public Works Director or his/her/their designee, is responsible for implementing, enforcing, and maintaining the City addressing and street naming standards, unless otherwise authorized by the City Administrator. This shall include, but is not limited to:
1. Establishing and implementing, as well as periodically reviewing and updating, such administrative procedures as may be necessary to achieve the purposes of these standards in an efficient and effective manner.
 2. Maintaining a master list of all street and road names within the city, including both public and private streets.
 3. Notifying public agencies and public service providers of approved street names and addresses in a timely manner. This may include, but is not limited to:
 - a. Regional 911 Dispatch Center.
 - b. US Postal Service.
 - c. Walla Walla County Master Street Addressing Guide Coordinator.
 - d. Walla Walla County GIS Office; and
 - e. City Departments including Police, Fire, and Community Development.
 4. Erecting and maintaining public road signs.
- C. The responsibilities of private property owners shall include:
1. Obtaining approval from the City for all street names and addresses on their properties.
 2. Erecting and maintaining private road signs and providing extra signs as required by the City.
 3. Posting and the continuing maintenance of address numbers in accordance with the provisions of this Section.

- a. The City of College Place is not responsible if an emergency call cannot be located by emergency service personnel, if address numbers are not properly posted or are not visible from the street providing access to the property.
- D. All street names and addresses shall be approved by the City. Addresses may be assigned in conjunction with issuing a building permit, land use approval, issuance of a City business license, and/or upon request by a property owner, in accordance with these standards and guidelines.
 - 1. The failure to obtain an address as required by the City, and/or the utilization street names or addresses not approved by the City, shall be considered a violation of the College Place Municipal Code, and subject to code enforcement actions.
 - 2. Upon notification that a private street sign or building number is missing, illegible, incorrect, or not properly posted, the property owner shall make the necessary corrections within 30 days of such notice. The failure of a property or business owner to comply with such notices shall be considered a violation of the College Place Municipal Code, and subject to code enforcement actions.
 - 3. Any person, firm or corporation that violates any portion of this Chapter may be subject to civil and/or criminal penalties, with each day considered to be a separate offense.
- E. All public and private streets and roads shall have a name approved by the City.
 - 1. When selecting and approving street and road names, consideration shall be given to the following:
 - a. There shall be no duplication of existing names within like zip codes or ESN (Emergency Service Numbers) zones.
 - b. Names of similar pronunciation and/or spelling shall be avoided (ex: "Briar Lane," "Brier Lane").
 - c. Variations of the same name within a different road designation shall be avoided (ex: "Pine Street," "Pine Drive," "Pine Lane").
 - d. Articles (the, a, an) shall not be used to begin names.
 - e. Names duplicating facilities shall not be used (ex: "Bowling Alley," "Tennis Court").

- f. Names are limited to three words not including the road type designator.
 - g. Names that exceed 15 characters including spaces should be avoided.
 - h. Usage of names derived from community names or geographic features shall be limited to locations in close proximity to such communities or geographic features.
 - i. Where a proposed street or road is a continuation of or in alignment with an existing street or road, it should generally utilize the same name as the existing name. A new name shall be required if the proposed street or road is disconnected from the existing street or road by an offset greater than 60 feet.
 - j. Streets or roads that extend from unincorporated areas into incorporated areas may retain the same name.
2. Street type designators should be consistent with the roadway's expected traffic use, physical design, and location in accordance with the following guidelines, provided that the City may vary or waive these guidelines in certain circumstance, in accordance with established procedures.
- a. Court (CT): A dead-end street or cul-de-sac when not an extension of an existing road or a continuation of a proposed road.
 - b. Place (PL): A dead-end street or cul-de-sac from which other cul-de-sacs originate.
 - c. Loop (LP): A street that begins and ends on the same street.
 - d. Circle (CIR): A street that circles back on itself.
 - e. Avenue (AVE): A collector or arterial street in the community with a north/south directional course.
 - f. Street (ST): A collector or arterial street in the community with an east/west directional course.
 - g. Drive (DR), Road (RD), and Way (WAY): Streets that do not have a definite directional course.
 - h. Boulevard (BLVD): A wide street with median and landscaping.
 - i. Parkway (PKWY): A scenic or landscaped street.

- j. Highway (HWY): A federal or state designated primary street or road.
 - k. Bend (BEND), Cove (COVE), Grove (GRV), and Terrace (TER): Typically, a minor street in a subdivision.
 - l. Bluff (BLF): Typically, a street along high ground.
 - m. Crossing (CSG): A street that crosses a geographic feature (such as a creek), or a short street that serves as a connector between two other streets.
 - n. Lane (LN): A street that serves a limited number of lots.
3. All streets shall contain a directional prefix in accordance with the following standards:
- a. The base intersection for assigning a directional prefix will be College Avenue and Whitman Drive.
 - b. All streets that lie west of College Avenue and north of Whitman Drive shall have the prefix "northwest" attached to its name.
 - c. All streets that lie east of College Avenue and north of Whitman Drive shall have the prefix "northeast" attached to its name.
 - d. All streets that lie west of College Avenue and south of Whitman Drive shall have the prefix "southwest" attached to its name.
 - e. All streets that lie east of College Avenue and South of Whitman Drive shall have the prefix "southeast" attached to its name.
 - f. Whitman Drive shall have the prefix "west" attached to its name for that portion of the street that is west of College Avenue and Whitman Drive shall have the prefix "east" attached to its name for that portion of the road that is east of College Avenue.
 - g. College Avenue shall have the prefix "north" attached to its name for that portion of the street that is north of Whitman Drive and College Avenue shall have the prefix "south" attached to its name for that portion of the street that is south of Whitman Drive.
- F. All addresses shall consist of a number followed by a directional indicator, street name, and a street name designator. Numbering will be calculated by the position of the lot or

building relative to the base streets of College Avenue and Whitman Drive. Address numbers shall be assigned in accordance with the following guidelines:

1. All addresses assigned to lots and buildings situated within the first block north or south of Whitman Drive fronting on intersecting or generally perpendicular streets shall be given numbers between one and 99 inclusive; within the second block, numbers between 100 and 199 inclusive shall be used, and so on, in each succeeding block.
2. All addresses assigned to lots and buildings situated within the first block east or west of College Avenue fronting on intersecting or generally perpendicular streets shall be given numbers between one and 99 inclusive; within the second block, numbers between 100 and 199 inclusive shall be used, and so on, in each succeeding block.
3. Within any block, the lots or buildings nearer the base street shall use the smaller numbers. In assigning numbers, consideration shall be given to vacant lots and the future development potential of lots.
4. Odd numbers shall be used on the left-hand side of streets and roads and even numbers shall be used on the right-hand side of streets and roads. In determining the right and left side of streets, it shall be assumed that the numbers are being assigned progressively with the smallest number at the base street and proceeding away from the same.
5. The following numbering guidelines shall also be used by the City:
 - a. Prior to the completion of a site plan or final plat, all lots will be given an address. Addressing will, as much as possible, be done with a ten-number spacing between lots (e.g., 701, 711, 721, etc.). However, numbers shall not be officially assigned until the final site plan or subdivision has been approved.
 - b. Loops: Streets begin at the low numbered intersection and are numbered with odd numbers on the left side of the road. The outside of the loop is numbered first and consecutively. The inside is then numbered to match and mix with the outside. This may result, in some cases, in fewer numbers on the inside of the loop, and with gaps in numbering sequences.
 - c. The numbering of corner lots shall be assigned utilizing the front of the lot, as determined by the City.
 - d. Duplex/triplex: A number shall be provided for the building and each individual unit shall be assigned a unit number. The building number shall be placed in a

conspicuous area visible from the street and the unit number placed by the individual unit door.

- e. Four-plexes and larger are considered multi-tenant structures and should be numbered with the middle of the building determining the number and then assigning apartment or suite numbers. An example of an apartment address would be 750 NE Bruce ST Suite 101. No alphabetical characters are to be used in place of numbers. In multi-level buildings, the main level will have 100 numbers, the second floor will have 200 numbers, and consecutively for each floor. The basement will be numbered from one to 99 inclusive.
 - f. Addresses shall be assigned in mobile home parks, manufactured housing communities, or manufactured/mobile home communities, and RV parks in conjunction with the review and approval of required site plans. Numbers will be based on the primary access to each lot, building, dwelling, or designated RV space.
 - g. Accessory dwelling units will be assigned an address upon approval by the City.
- G. Following approval by the City, address numbers shall be posted by property owners in accordance with the following guidelines:
- 1. All numbers shall be visible from streets in accordance with the following guidelines:
 - a. Residential Type Development. Property owners shall post Arabic numerals only in contrasting background with the residence (light on dark/dark on light). The numbers shall be at least four inches in height and shall be located above or to either side of the main entrance door.
 - a. Commercial/Industrial Type Development. Property owners shall post Arabic numerals only in contrasting background with the residence (light on dark/dark on light). The numbers shall be at least six inches in height and shall be located above or to either side of the main entrance door.
 - c. Buildings located more than 30 feet from the street and/or the front entrance is not visible from the street, the owner shall post addresses on a city-approved address post and placed in an area approved by the City. Dual postings and exceptions may be approved by the City in accordance with established procedures.
 - 2. On corner lots, the number shall only be displayed to face the street upon which the property is numbered.

3. Any numbers previously displayed which could be confused with or mistaken for the assigned address number shall be removed from the mailbox and property.
4. Numbers shall be properly maintained by the property owner to ensure that they are clearly discernible from the roadway upon which the property is numbered.
5. It shall be the duty of each property owner assigned a property number to comply with this Chapter within 30 days of habitation.
6. Display of address numbers for multitenant structures and multi-building complexes:
 - a. If a building is divided into multiple units with separate entrances and each unit has been assigned an individual number, then each unit number shall be displayed on or next to the main doorway.
 - b. The address range of all individual unit numbers within a multi-unit building shall be displayed in a manner that is clearly visible from the road upon which the units are numbered. If more than one building shares an access, then the address range shall also be displayed on each building.

14.60.040 Landscaping, Fences, and Visibility Standards.

A. Landscaping Standards.

1. All developments throughout the city shall provide adequate screening and landscaping of their use activities so as to reasonably protect abutting properties from the effects of noise, light, glare, exhaust fumes and other adverse impacts and to provide an attractive urban environment.
2. All required landscaping and landscaped buffers shall be designed by a qualified professional and submitted as a landscape plan in a format prescribed by the City, for review and approval.
 - a. Unless otherwise provided, all required landscaping shall be evenly distributed and shall consist of a mixture of hardy evergreen planted material including trees, low, medium, and high-profile shrubs, together with suitable ground cover consisting of natural grasses, vines, bark mulch, and rockeries.
 - b. When plantings are used in screening or landscaping, they shall be compatible with area climate conditions and shall be provided with either a manual or automatic irrigation system.

- c. The use of native plants and low water usage plantings is encouraged; and
 - d. All landscaping shall be placed and maintained in such a manner as not to impair vehicular visibility at parking area points of ingress/egress, emergency vehicle access, City maintenance activities, and shall comply with the sight visibility requirements in this Section.
3. All shrubs, trees and vegetative material used in the screening or landscaping of these activities shall be perpetually maintained in a healthy, growing condition. Dead or dying trees or shrubs shall be replaced immediately and planting areas shall be maintained free of trash and weeds and shall not present a fire hazard. Fences used in screening and landscaping shall be perpetually maintained in an attractive and structurally sound condition.
 4. All mechanical equipment, outdoor storage and manufacturing areas, and loading, service, and delivery areas, shall be screened from view from all public streets and any Residential Zones. The screening shall be provided by one or more the following (minimum of 6 feet tall):
 - a. Decorative wall (i.e., masonry or similar quality material).
 - b. Evergreen hedge.
 - c. Sight-obscuring fence; or
 - d. Similar feature that provides a non-see-through barrier.
 5. Refuse Enclosures. Trash dumpsters or compactors that are required by this Code shall be enclosed by a refuse enclosure consisting of a six (6) foot tall decorative wall.
 6. All required off-street parking facilities which have 15 or more parking spaces shall provide landscaping in conformance with the standards in this Section and the following:
 - a. A perimeter landscaped border of at least 5' wide around the parking area.
 - b. Interior landscaping in at least ten percent of the total land area covered in parking.
 - c. The interior of the parking areas shall contain landscape islands and peninsulas located in such a manner as to:
 - (1) Divide and break up large expanses of paving.

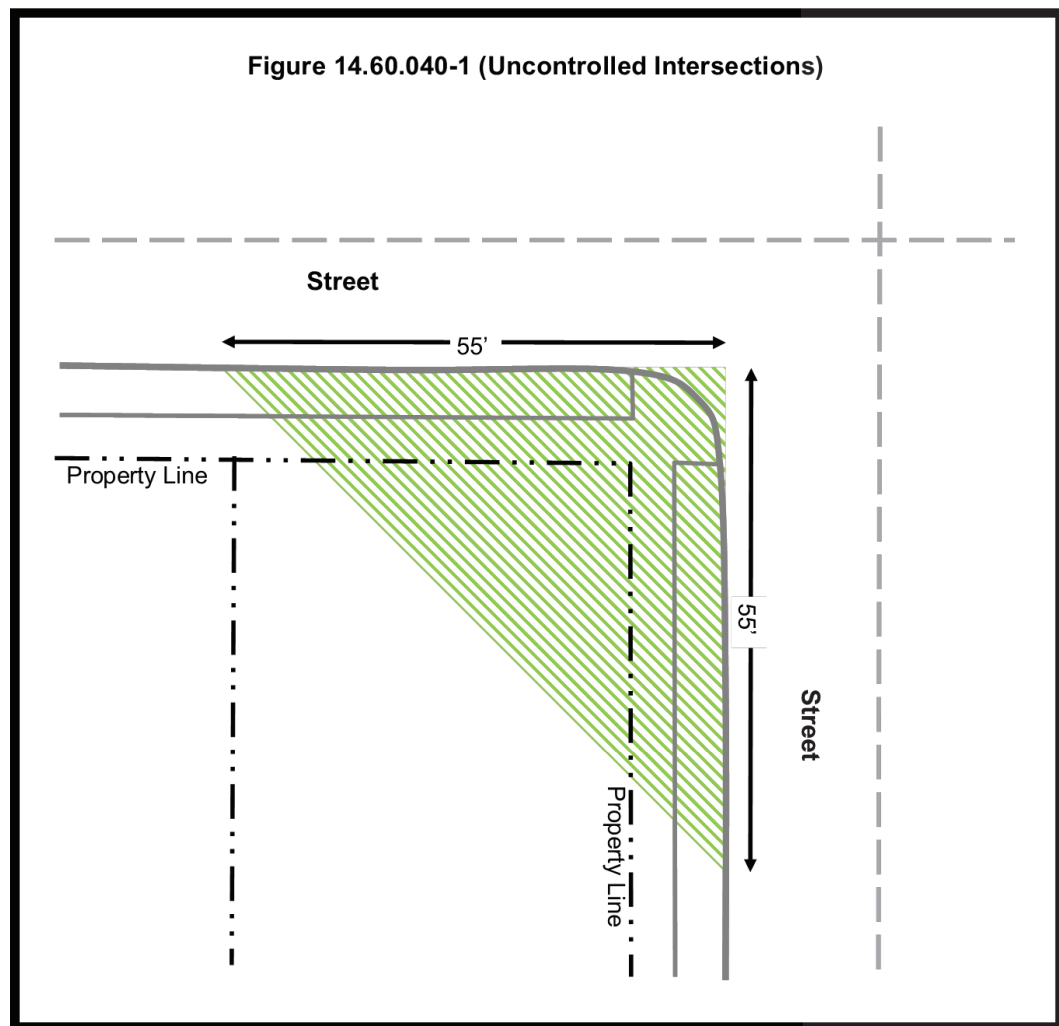
- (2) Guide traffic flow and direction.
 - (3) Promote pedestrian and vehicular safety; and
 - (4) Preserve existing trees and vegetation.
7. Landscape islands shall be installed to break up the parking area into rows of not more than 20 contiguous parking spaces or 10 spaces in one row.
- a. Each end of each row of parking spaces shall require a landscape island unless the end of such row of parking spaces is adjacent to a perimeter landscape.
 - b. The minimum width for a landscape island or peninsula shall be 5'; and
 - c. Each landscape island or peninsula shall contain a minimum of one (1) shade tree and a combination of five (5) deciduous and evergreen shrubs or groundcover.

B. The following standards shall apply to all fences in the City:

- 1. No fence shall exceed eight feet in height measured from the existing grade to the highest board, rail, or wire, including any retaining wall.
 - a. Fences exceeding seven feet in height shall require a building permit and must comply with the provisions of the International Codes, as adopted by the City.
 - b. All fences of any height require a fence placement permit.
- 2. No fence located within a required front yard setback (including half depth front yards) shall exceed 42 inches in height; provided, however, that in the case of corner lots, fences exceeding 42 inches in height may be erected within the required front yard setback for second front yards so long as no fence exceeding 42 inches in height is erected within 30 feet of the front property line of the primary front yard.
- 3. The maximum fence height limitations are further qualified and limited by the sight visibility triangle provisions of this Section.
- 4. No privately-owned fence may be constructed on public property or encroach into public right-of-way.

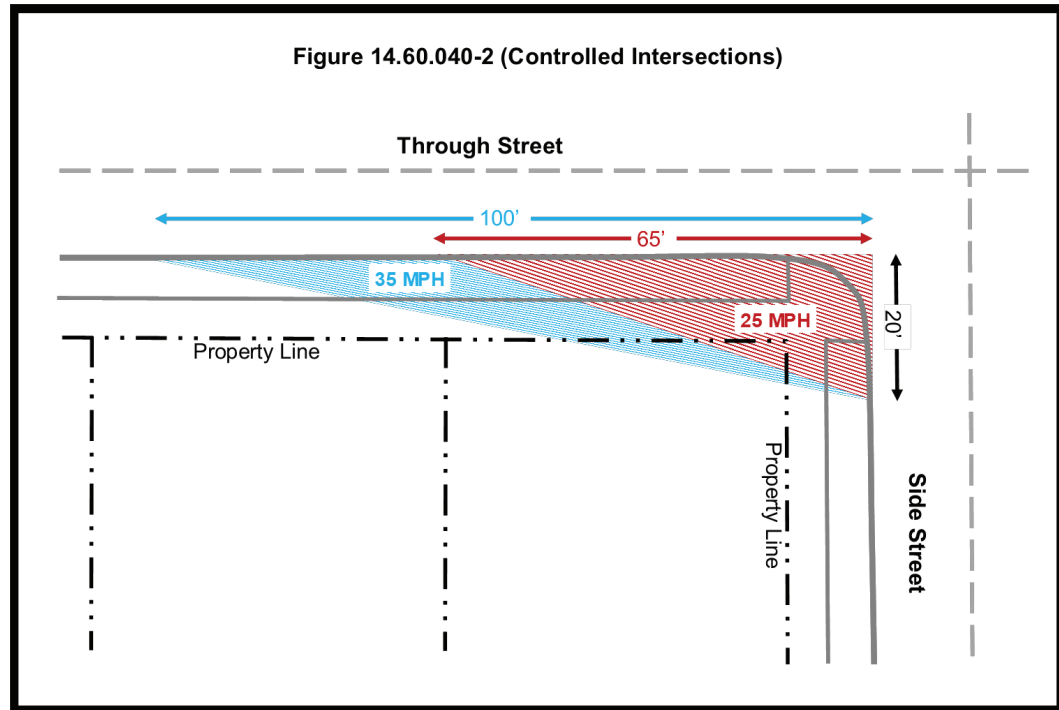
C. Site Visibility Triangles. In an effort to make intersections safer for vehicles, bicyclists, pedestrians, and other legal uses, the following standards shall apply to all buildings, structures, fences, vegetation, and landscaping.

1. Figures 14.60.040-1, 14.60.040-2, and 14.60.040-3 illustrate dimensions and terminology used in this Chapter with reference to sight visibility triangles.
2. At uncontrolled intersections, the sight visibility triangle shall be formed by measuring back from the point where the extensions of the face of curb (or edge of paved road surface for streets without gutters) meet, a distance of 55 feet along the extensions, with the third side of the triangle being the straight-line connection between the above-mentioned side lines (Refer to Figure 14.60.040-1.)

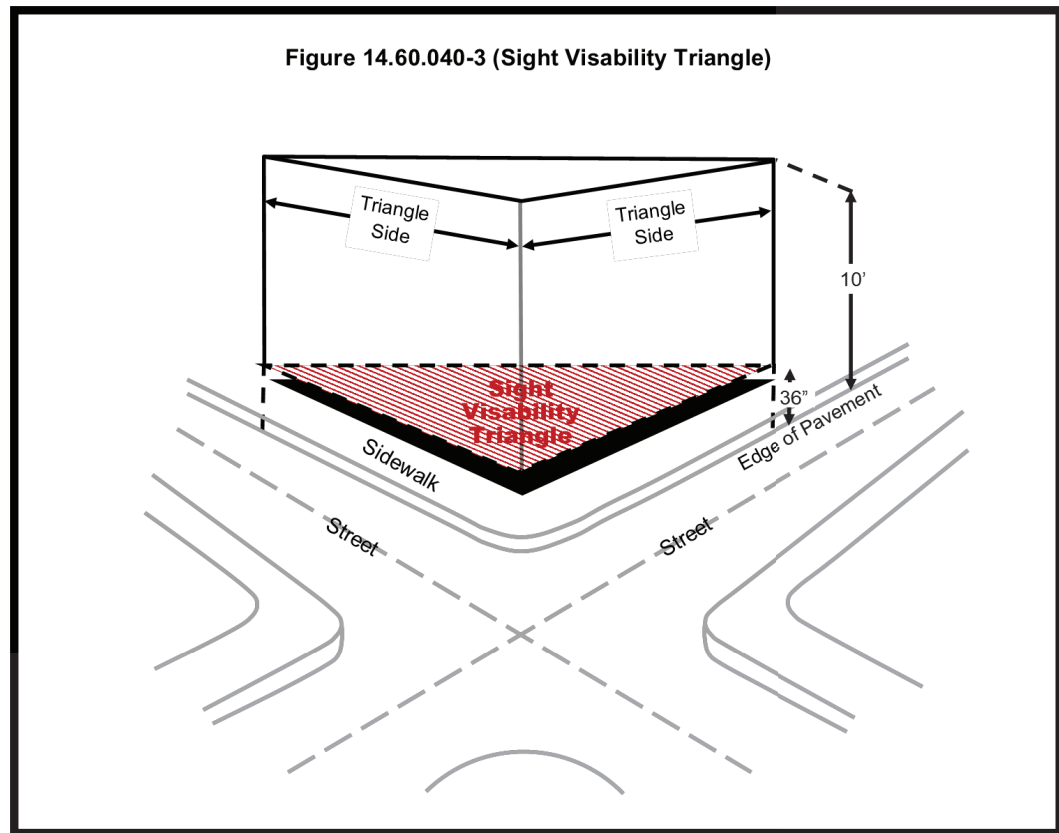


3. At controlled intersections the side street side of the sight visibility triangle shall be a distance of twenty feet measured back from the point where the extensions of the face of curb (or edge of paved road surface for streets without gutters) meet; the through

street side of the triangle shall be a distance of 65 feet for speed limits up to 25 miles per hour and 100 feet for speed limits up to 35 miles per hour; the third side of the triangle being the straight line connection between the above-mentioned side lines. (Refer to Figure 14.60.040-2.)



4. On property located within any sight visibility triangle there shall be located no structure, fence, wall, hedge, natural growth, tree, sign, or other object which materially impairs vision between a height of 36" (thirty-six inches) and a height of ten feet above the edge of the pavement except as provided for in Section 14.60.040(C)(5). (Refer to Figure 14.60.040-3.)



5. The sight visibility triangle regulations of this Chapter shall not apply to:
 - a. Permanent structures and fences which were existing prior to passage of this Title unless such are determined by the City to be a public hazard or nuisance.
 - b. Existing public utility poles.
 - c. Existing trees, so long as they are not planted in the form of a hedge and are trimmed to the trunk to a height of at least ten feet above the grade level of the centerline of the intersection so as to leave, in all seasons, a clear and unobstructed cross view.
 - d. Official warning signs or signals; or
 - e. Where existing conditions preclude compliance, as determined by the City Engineer.
6. The sight visibility triangle requirements of this Chapter are declared to be minimums only and do in no way prohibit the City from applying more restrictive height and

location requirements where this action is warranted in consideration of the public health, safety, and welfare.

7. Any structure, fence, wall, hedge, natural growth, tree, sign, or other object erected or placed in violation of the sight visibility triangle requirements of this Chapter is declared to be a public nuisance and shall be subject to abatement in accordance with the provisions of College Place Municipal Code Chapter 8.24.

14.60.050 Clearing and Grading.

- A. All activities that involve the clearing, grading, filling, and/or covering of the ground with impervious surface must receive a City permit or written approval, unless specifically exempted by the City.
 1. Applications shall be submitted on forms provided by the City, provided that the City may authorize the submittal of the required information as a part of a related application, such as a building permit.
 2. Clearing and grading permit applications should be submitted and processed concurrently with all associated project ~~permits~~ and approvals/permits/approvals/actions.
- B. The following activities may be determined by the City to be exempt from the requirements of this Chapter, provided that grading activities that would alter drainage courses, critical areas, archaeological sites, and/or impact stormwater facilities (with a public nexus) are not generally candidates for exemption:
 1. Excavating a foundation for a single-family residence, duplex, or accessory dwelling unit when authorized through a building permit.
 2. Resurfacing a conforming impervious surface such as a parking lot, provided that it does not alter the flows or volumes of stormwater and/or does not require excavation.
 3. Construction or maintenance of public roads when done by a public agency when the project has completed an environmental checklist and has been approved by the City.
 4. The installation of utilities in accordance with a valid permit, franchise, or road construction plan from the City, well drilling activities, or excavation for soil logs.
 5. Excavation or fill quantities less than 50 cubic yards.

6. The broadcasting of less than 50 yards of peat, sawdust, mulch, bark, chips, topsoil, or soil nutrients on a lot, tract or parcel of land, or the broadcasting of any amount of the above material to a maximum depth of twelve inches.
 7. Landscaping, routine vegetation management, and minor home improvement activities that do not involve heavy equipment such as excavators, bulldozers, etc.
 8. The storage or stockpiling of less than 50 cubic yards of material such as fill, gravel, sand, beauty bark etc.
 9. The removal of diseased, damaged, or unwanted trees from an existing yard or landscaped area.
 10. Routine maintenance and operation activities at cemeteries and public parks; and/or
 11. Emergency sandbagging, diking, ditching, filling, or similar work during or after periods of extreme weather conditions when done to protect life or property.
- C. All clearing and grading activities shall be designed and implemented in accordance with City standards, provided that the City may apply more stringent standards when necessary to protect the public health, safety, and welfare.
1. All clearing and grading activities shall include temporary erosion control and stormwater management provisions designed and implemented in accordance with the requirements of the City's Engineering and Design Manual, unless specifically exempted by the City.
 2. Excavation Standards – Cut Slopes.
 - a. Slopes shall be no steeper than is safe for the intended use and shall not be steeper than two horizontal to one vertical (2H:1V), unless otherwise recommended by a professional engineer licensed to practice in the State of Washington and approved by the City.
 - b. The top of cut slopes shall be set back from a down-grade site boundary line at a 2H:1V ratio or as dictated by the relevant building code, whichever is more restrictive, unless a retaining wall is designed by a qualified professional and approved by the City.
 3. Fill Standards.

- a. No material other than earth material shall be buried or placed in fills, unless specifically approved by the City. Placement of other than earth material is regulated by state statutes or federal laws and additional permits may be required.
- c. Fill which is intended for building sites shall be constructed in conformance with the requirements of the latest edition of the International Codes, as adopted and administered by the City.
- c. The ground surface for fills over five feet in height shall be prepared by removing vegetation, noncomplying fill, topsoil, and other unsuitable materials, scarifying to provide a bond with the new fill, and, where existing slopes are steeper than five horizontal to one vertical, by benching into competent material as determined by the engineer. At a minimum, the bench under the toe of a fill on a slope steeper than five horizontal to one vertical shall be at least 10 feet wide or as dictated by the relevant building code, whichever is more restrictive, or as recommended by a geotechnical professional engineer licensed to practice in the State of Washington. Additionally, grading activities shall conform to the minimum requirements and standards of the City's Engineering and Design Manual.

14.60.060 Stormwater Management. The City is required to manage stormwater runoff in accordance with the provisions of federal and state law as well as a Washington State Department of Ecology-issued National Pollutant Discharge Elimination System (NPDES) and a State Waste Discharge General Permit for Discharges from Small Municipal Separate Storm Sewers in Eastern Washington, commonly known as the Eastern Washington NPDES Phase II Municipal Stormwater Permit. As a result, the City has adopted the Stormwater Manual for Eastern Washington prepared by the Washington State Department of Ecology and established a stormwater utility.

- A. For the applicable stormwater standards and requirements please refer to the College Place Municipal Code Chapter 13.86 Stormwater Management and the City of College Place Engineering Design Standards.

14.60.070 Parking and Loading Standards. Project Sponsors shall make adequate provisions to meet the projected parking and loading needs associated with all new development activities including the construction of new buildings, the expansion of existing buildings, changes of use, and/or changes to the terms and conditions of occupancy such as enlarging, moving, or increasing capacity by creating or adding dwelling units, commercial or industrial floor space, or seating facilities, or by making alterations to parking areas.

- A. General Requirements.

1. The provision and maintenance of off-street parking and loading facilities as required by the City, shall be a continuing obligation of the Property Owner and Project Sponsor. It is unlawful to discontinue, reduce, modify, or otherwise dispense with parking and loading facilities that comply with the requirements of this Chapter, without a permit or written authorization from the City.
2. With regard to preexisting parking facilities, the following shall apply:
 - a. A preexisting use which does not have sufficient parking facilities to meet the requirements of this Chapter may continue to operate with the parking deficiency so long as no enlargement or other change is made in the use or building size which would require additional parking facilities.
 - b. When a preexisting use is modified or enlarged so as to require additional parking facilities, the requirements of this Chapter shall apply.
 - c. When additional uses are placed on the same lot with the preexisting use or an enlarged lot of which the preexisting use lot is a part, the requirements of this Chapter shall apply only to the additional use.
3. All required parking spaces shall be located on the same site with the building they serve, unless:
 - a. A shared or joint use parking agreement has been approved by the City; or
 - b. A voluntary in lieu of payment to provide the required parking in a public or cooperative parking facility has been approved by the City; and/or
 - c. The City makes a written finding that adequate on-street parking exists to reasonably serve the new development/use.
4. A shared or joint use parking agreement may be approved by the City, provided that:
 - a. The agreement is in writing, in a form approved by the City, and has been signed by the Property Owners.
 - b. There is no substantial conflict in the principal operating hours of the buildings or uses for which a joint use of off-street parking facilities is proposed; and
 - c. Following approval by the City, the agreement shall be recorded with the County Auditor and filed for permanent record with the City.

5. The installation and improvement of required off-street parking facilities shall be completed to the required standards before a Certificate of Occupancy is issued unless a time limit extension to a specified date is authorized by the City and financial protection is provided in accordance with the provisions of this Title.
6. When a change in use within a historic structure would necessitate additional off-street parking, the additional off-street parking may be reduced or waived by the City, based on a finding that the reduction or waiver is necessary to preserve the historic character of the building or site. The Applicant shall be required to show the need for a reduction or waiver and shall be the minimum necessary.
7. The City may waive, grant a variance, or modify required parking spaces based on a finding that adequate provisions for parking have been made.

B. Design Standards.

1. All driveways, parking areas, loading areas, bicycle facilities, and walkways shall be designed in accordance with the provisions of the City of College Place Engineering Design Standards and shall accommodate pedestrians, motor vehicles and bicycles used by occupants or visitors of a building or use.
2. All off-street parking areas shall be paved with asphalt or concrete and shall manage stormwater in accordance with the provisions of the College Place Engineering Design Standards.
3. All parking areas shall comply with the landscaping provisions in Section 14.60.040.
4. Parking spaces, loading facilities, and all pedestrian areas shall be provided in accordance with the provisions of state and federal law, including the American with Disabilities Act (ADA), and the International Codes, as adopted by the City.
5. Required parking, pedestrian, loading, and bicycle facilities proposed in the Downtown Mixed-Use district must also comply with the Downtown Mixed-Use District Standards, please see Section 14.60.230.
6. Shared detached garages and surface parking shall comply with the following standards, unless otherwise provided:
 - a. Parking areas should be located so their visual presence is minimized, and associated noise or other impacts do not intrude into public spaces.

- b. Shared detached garage structures may not exceed four (4) garage doors per building, and a total of 1,200 square feet.
 - c. For shared detached garages, the design of the structure must be similar and compatible to that of the dwelling units within the development.
 - d. Shared detached garage structures and surface parking areas must be screened from public streets and adjacent residential uses by landscaping or architectural screening.
 - e. Shared detached garage structures shall be reserved for the parking of vehicles owned by the residents of the development. Storage of items which preclude the use of the parking spaces for vehicles is prohibited.
 - f. The design of carports must include roof lines similar and compatible to that of the dwelling units within the development.
- C. Minimum Parking Requirements. All new uses, changes of use, modifications of an existing use, as well as all new buildings, and modifications to existing buildings shall provide off-street parking in accordance with the following standards, unless otherwise provided in this Title.
- 1. If the parking requirements for a use are not specifically identified in this Chapter, the parking requirements shall be determined by the City in a written finding based upon:
 - a. The requirements for the most comparable use defined in this Chapter; and/or
 - b. The appropriate standards derived from the Institute of Transportation Engineers (ITE)'s Parking Generation Manual, as adopted by the City; and/or
 - c. A parking study prepared by the Applicant documenting the expected parking demand for the proposed use; and/or
 - d. Required parking for the proposed use as determined by other comparable jurisdictions.
 - 2. Required Off-Street Parking Spaces.
 - a. Single Residential Dwelling Units and Duplexes: 2 spaces/dwelling unit.
 - b. Multi-Family Dwellings:

- (1) 1.5 spaces/dwelling unit with 2 or more bedrooms; or
- (2) 1 space/dwelling unit with 1 bedroom or a studio apartment.
- c. Accessory Dwelling Unit: 1 additional space/ADU.
- d. Mobile Home Park: 2 spaces/dwelling unit.
- e. Cottage Housing: 1 space/dwelling unit.
- f. Vacation Rentals:
 - (1) 2 spaces/dwelling unit with 2 or more bedrooms.
 - (2) 1 space/dwelling unit with one bedroom or studio dwelling unit.
- g. Bed and Breakfast Inn: 1 space/guest room.
- h. Hotel/Motel:
 - (1) 1 space/guest room; and
 - (2) At least one space for each employee at work during peak periods; and
 - (3) 1 space/500' of common areas.
- i. Retail, Commercial and Office:
 - (1) 1 space/200 square feet plus adequate employee parking and;
 - (2) At least one space for each employee at work during peak periods.
- j. Industry and Warehouse: 1 space/500 square feet.

14.60.080 Lighting.

- A. Exterior lighting for all uses and signs shall be directed downward and otherwise arranged, shaded, screened, shielded, and of a design that results in the light being directed onto the site and of an intensity or brightness as follows:
 - 1. So as not to interfere with the safe operation of motor vehicles, bicyclists, and other legal use of the roadway or sidewalk.

2. Maximum illumination at neighboring property lines shall not exceed 0.5 foot-candles at grade level.
 3. Luminaries shall be aimed and shielded in a manner that shall not direct illumination on adjacent properties.
 4. Full cutoff shielding is required for all luminaries to prevent wasted light up into the dark sky and prevent glare from normal viewing angles.
 5. Shielding is required for luminaries located along property lines to prevent spill light onto adjacent properties; and
- B. The City may require that the Project Sponsor submit a photometric plan and analysis to verify compliance with these standards.

14.60.090 Signs.

A. Intent and Purpose.

1. Signs have a strong visual impact on the character and quality of our community. As a prominent part of the scenery, they attract or repel the viewing public, affect the safety of vehicular traffic, and their suitability or appropriateness helps to set the tone for our community. The City relies upon its physical setting and beauty to attract commerce and aesthetic considerations assume economic value. The intent of this Chapter is to protect and enhance both the City's residential character and its economic base using appropriate and aesthetic signage.
2. The purpose of this Chapter is to promote the public health, safety, and welfare through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements that:
 - a. Promote and accomplish the goals and policies of the City's Comprehensive Plan.
 - b. Provide minimum standards to safeguard life, health, property, and public welfare, and promote traffic safety by controlling the design, quality of materials, construction, illumination, size, location, and maintenance of signs and sign structures and discouraging excessive numbers of signs.
 - c. Recognize free speech rights by regulating signs in a content-neutral manner.

- d. Promote the free flow of traffic and protect pedestrians and motorists from injury and property damage caused by or which may be fully or partially attributable to signage.
 - e. Promote a positive visual image of the City and protect the beauty of the City's built environment by encouraging signs that are compatible with the architectural style, characteristics, and scale of the building to which they may be attached; appropriate to the size of the subject property and amount of street frontage adjacent to the subject property; and compatible with adjacent buildings and businesses.
 - f. Protect property values, the local economy, and the quality of life by preserving and enhancing the appearance of the City's streetscape.
 - g. Provide consistent sign design standards.
 - h. Protect and encourage creative and innovative approaches to signage and signs that are of a quality design, pleasing in appearance, and are appropriate in size, materials, and illumination to the surrounding neighborhood or commercial district.
 - i. Provide an improved visual environment for the citizens and visitors of the City.
 - j. Adopt clear, understandable regulations that will assure equal protection and fair treatment under the law through consistent application of the regulations and consistent enforcement of this Section.
 - k. Balance both public and private business needs with the specific objectives of creating a community with an unmatched quality of life and a strong focus on economic well-being, aesthetics, community, the environment, and public infrastructure.
 - l. Support and enhance the economic well-being of all businesses within the city and recognize the needs of all businesses to identify their premises and advertise their products and services; and
 - m. Recognize that the aesthetic value of the total environment affects economic values and that an unrestricted proliferation of signs, or the absence of regulations governing the size, location, or materials of signs detracts from the economic value of the community.
- B. Applicability. This Section applies to all signs within the city which may be visible from any street, sidewalk, or public place, regardless of the type or nature.

1. All signs shall fall into one of the following categories, as determined by the City:
 - a. Exempt signs. Signs that meet the criteria of Section 14.60.090 C may be installed without a Sign Permit from the City. Please note that exempt signs may be subject to other local, state, or federal regulations and persons installing signs are encouraged to contact the City to determine if other permits or approvals may be required.
 - b. Prohibited Signs. Signs determined by the City to meet the criteria in Section 14.60.090 D shall not be permitted or displayed in any zoning district.
 - c. Regulated Signs. Signs that are not specifically exempted or prohibited, may be displayed only in accordance with the provisions of this Section. Regulated signs include both temporary and permanent signs.
2. No person shall erect, alter, or relocate any sign without first submitting the required application(s) and receiving an approved Sign Permit from the City, and any associated permits that may be required, in accordance with the provisions of this Title, unless the sign is determined by the City to be exempt, and a permit is not required.
3. This Section is not intended to, and shall not be interpreted to, restrict speech on the basis of its content, viewpoint, or message. Any classification of signs in this Section which purports to permit speech by reason of the type of sign, identity of the sign user or otherwise, shall be interpreted to allow commercial or non-commercial speech on the sign. No part of this Section shall be construed to favor commercial speech over non-commercial speech. To the extent that any provision of this Section is ambiguous, the term shall be interpreted not to regulate speech on the basis of the content of the message.
4. It shall be the responsibility of the property owners, project sponsors, and applicants to be knowledgeable of and comply with the provisions of applicable local, state, and federal standards.
 - a. This shall include, but is not limited to, the International Building Code and related International Codes, as adopted and administered by the City.
 - b. It is important to note that some signs may also be subject to the provisions of state and federal laws, such as the Scenic Vistas Act (RCW 47.42), the regulations of the Washington State Department of Transportation, the regulations of the Washington State Liquor and Cannabis Control Board, and/or the Manual of Uniform Traffic Control Devices.

~~5. The provisions of this Section shall not be construed as relieving or limiting in any way the responsibility or liability of any person, business, or organization erecting, owning, maintaining, allowing, or operating a sign within the City of College Place for personal injury, or death, or property damage resulting from a sign, regardless of whether a permit is required, or the sign is temporary or permanent. Nor shall it be construed as imposing on the City or its officers or employees any responsibility or liability by reason of the approval or disapproval of any signs, materials, or devices under the provisions of this Section or enforcement of this Chapter, Title, or any other Code or policy relating to signs.~~

C. Exemptions. The following types of signs and activities may be exempt from the provisions of this Section and a Sign Permit may not be required, based on a finding by the City that the proposed sign does not present a risk to the public health, safety, and welfare. Please note that exempt signs must still comply with applicable provisions of the International Codes as adopted and administered by the City and a Building Permit may be required. Sponsors should contact the City to confirm that a permit is not required before installing or displaying any of the following types of signs, or initiating the following actions:

1. Changes to the face or copy of legal signs that do not change the material appearance, type, or size of the sign as originally permitted by the City.
2. The normal repair and maintenance of conforming and legal nonconforming signs.
3. The flag of any nation, state, city, or other governmental agency, nonprofit organization, or educational institution.
4. Signs necessary to the expression of constitutionally protected forms of free speech as determined by the City Attorney.
5. Signs or decorations temporarily placed on private property in observance of religious, state, or national holidays (i.e., Christmas, Halloween, Fourth of July).
6. Legal notices, postings, or similar sign placed by or required by a governmental agency carrying out its responsibility to protect the public health, safety, and welfare.
7. Signs of a noncommercial nature and in the public interest erected by or on the order of a public official in the performance of his/her/their public duty, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and the like.
8. Signs owned and maintained by a federal, state, or local government agency including but not limited to, street and highway signs, signs necessary to protect the public health,

- safety, and welfare, directional and wayfinding signs, and/or public information signs.
9. Privately maintained traffic control signs or directional signs for pedestrians on private roads or property.
 10. Building address numbers.
 11. One sign not exceeding two square feet in area, attached to a building, provided that the sign:
 - a. Is securely attached flush to the face of the building.
 - b. Does not project above the eave or roof line; and
 - c. Only announces the name and address of the occupant(s) and contact information.
 12. Names of buildings, dates of erection, commemorative tablets, and the like when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.
 13. Approved interpretative signs and historic markers; and
 14. Temporary signs located on fences of a construction site, provided that there is an active building or development permit that includes external work or modifications of the site.
- D. Prohibited Signs. No person shall erect, alter, maintain, or relocate any of the following signs in any zone in the City, unless specifically authorized in this Section.
1. Signs that are determined by the City Attorney to meet the judicial standards for obscenity.
 2. Signs that create a safety hazard for pedestrian or vehicular traffic, or any other person legally using the property.
 3. Signs that are specifically designed to move or have parts/mechanisms that physically move or that may cause a safety hazard by swinging or otherwise noticeably moving as a result of wind pressure because of the manner of their suspension or attachment.
 4. Any sign, poster or other advertising matter of any nature placed upon a utility pole or other poles, fences, trees, sidewalks, streets, signs, traffic signs or other traffic control devices or other structures or places within streets, alleys or other public places or rights-of-way in accordance with this Chapter and Chapter 8.24 Nuisances.

5. Off premise signs.
6. Billboards (see Figure 14.60.090-1).

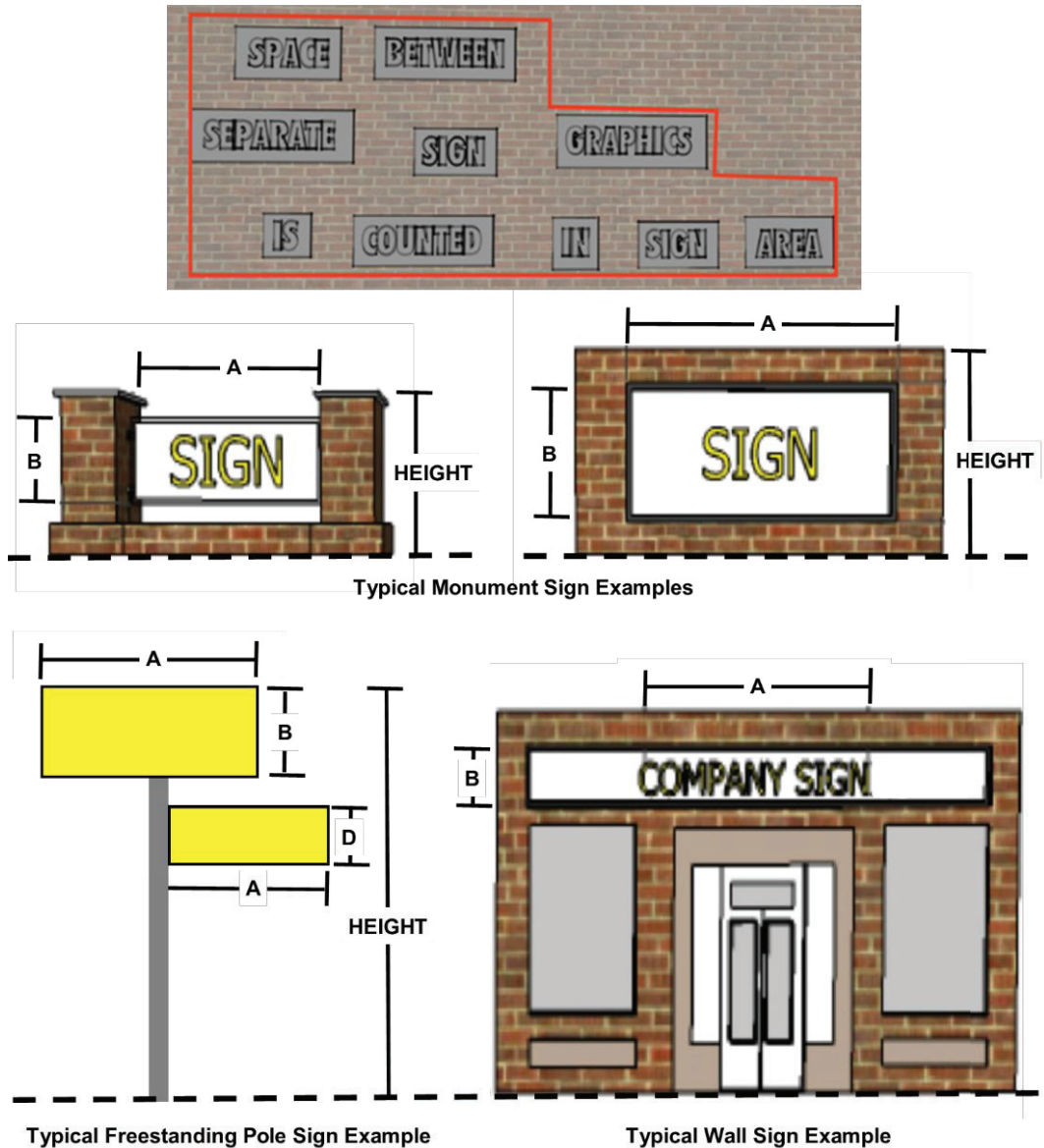


Figure 14.60.090-1 Typical Billboard

7. Signs with flashing lights or reflective materials.
 8. Signs attached to or placed on a vehicle or trailer parked on public or private property, stored or displayed conspicuously in a manner to attract the attention of the public; provided however that signs that are permanently painted or wrapped on the surface of the vehicle, or adhesive vinyl film affixed to the interior or exterior surface of a vehicle window, or signs magnetically attached to motor vehicles or rolling stock that are actively used in the daily conduct of business are not prohibited so long as such vehicles are operable and parked in a lawful or authorized manner.
 9. Mobile signs.
 10. Permanent signs on vacant lots or parcels. Signs may only be established as an accessory use to a permitted primary use.
 11. Roof mounted signs; and
 12. Signs attached to towers or wireless communication support towers, except as required by law.
- E. General Provisions. All signs shall comply with the following provisions unless otherwise provided in this Section:

1. Street signs shall be designed in accordance with the provisions of the College Place Engineering Design Standards and the Manual of Uniform Traffic Control Devices.
2. No signs may be placed on private property without the permission of the owner.
3. Signs may not be located in, or extend into or over, the public right-of-way, unless specifically authorized in this Section.
4. All signs shall be permanently attached to the ground, to a building, or another structure by direct attachment to a rigid wall, frame, or structure, unless otherwise provided in this Section.
5. No sign may be erected or displayed in a manner that may present a threat to public safety and required clear sight distances shall be maintained at all times.
6. All signs shall be made of durable, weather resistant materials that are intended for outdoor applications.
 - a. Signs shall not be made with reflective material or moving parts; and
 - b. No signs shall have full motion digital images, video or film displays or stream content in real time.
7. Externally illuminated signs shall be illuminated only with steady, stationary, fully shielded light sources directed solely onto the sign without causing glare. Light shielding shall ensure that the lamp or light source is not visible beyond the premises and shall further ensure that the light is contained within the sign face.
8. Flashing signs or light sources are not permitted, except when used as a safety device during an approved construction project.
9. The size of signs shall be determined by the City based upon a measurement of the area of the sign devoted to copy, unless otherwise provided in this Section (see Figure 14.60.090-2).

Figure 14.60.090-2 (Sign Type, Area, & Height Measurement)



Note: The areas of these sign types is calculated as $A \times B$.
Calculate multiple area signs as $A \times B + C \times D$, etc. for total sign area.

10. Where a height limit is imposed by this Section, the height shall be measured from the existing grade (see Figure 14.60.090-2).
11. All signs and components thereof must be maintained in good repair and in a safe, neat, clean, and attractive condition. Maintenance of a sign shall include periodic cleaning,

- replacement of flickering, burned out or broken light bulbs or fixtures, repair or replacement of any faded, peeled, cracked, or otherwise damaged or broken parts of a sign, and any other activity necessary to restore the sign so that it continues to comply with the requirements of this Section and the conditions of its approval.
- a. Legally installed signs that do not meet the provisions of this Section, shall be considered legal, non-conforming signs, and may be continued, provided that they are maintained in good condition and the degree of non-conformity is not increased.
 - b. Legal, non-conforming signs may not be altered, replaced, or relocated except in full compliance with the provisions of this Section.
- F. Temporary Signs. Temporary signs may be displayed for a limited duration without a Sign Permit, in accordance with the following provisions, unless otherwise provided in this Section:
1. Temporary signs shall not have direct or internal illumination, changing image features, or electronic elements, provided that battery operated string lights that comply with lighting designs in this Chapter may be permitted.
 2. No temporary signs may be displayed in such a position that it covers or obstructs another sign.
 3. Temporary banners advertising City-approved activities or events may be displayed over streets in designated locations through the issuance of a Special Use or Right-of-Way Use Permit in accordance with the provisions of College Place Municipal Code Chapter 12.32.
 4. Small banners or similar type temporary signs with a non-commercial message, may be displayed on light poles or streetlights with brackets designed specifically for that purpose by the City, in accordance with the provisions of College Place Municipal Code Chapter 12.32.
 5. Temporary signs with a non-commercial message may be placed in the City right-of-way, without a permit, only between the property line and the back of the nearest curb, or where no curb exists, between the property line and the nearest edge of the pavement, provided that the temporary sign is:
 - a. Not placed in or over a roadway, median, traffic circle, designated parking place, driveway, sidewalk, other paved areas designed for pedestrian, bicycle, or vehicle use, unless specifically authorized by the City; and

- b. Not placed in any location or manner so as to create a threat to public safety, to adversely affect critical areas, or to adversely affect the health of trees, shrubs, or other landscaping; and
- c. Placed in a location acceptable to the abutting private property owner(s); and
- d. Attached to a stake that can be manually pushed or hammered into the ground, and shall not exceed four square feet per side or three feet in height, from the ground to the top of the sign; or
- e. Is an A-frame sandwich board sign not more than six square feet per side and shall be constructed or secured in such a manner as to be resistant to being blown over, becoming airborne, or otherwise becoming a threat to public safety in strong winds (see Figure 14.60.090-3).



Figure 14.60.090-3 Typical A-Frame Sandwich Board Sign

- 6. Temporary signs may be displayed on properties actively advertised for sale or lease, without a permit, while the property is advertised for sale or lease, in accordance with the following provisions:
 - a. In the Single-Family (SFR) and Multi-Family Residential (MFR) zoning districts:
 - (1) One temporary sign, for each street frontage of developed sites, displaying a commercial message that does not exceed six square feet in area, can be attached to the building, displayed in a window, or if less than seven feet in height, placed on the property; or
 - (2) One temporary sign, for each street frontage of undeveloped sites, displaying a commercial message that does not exceed thirty-two square feet or seven feet in height may be placed on the property.
 - b. In the General Commercial (GC), Light Industrial (LI), and Downtown Mixed-Use (DMU) zoning districts, one or more temporary signs, displaying a commercial

message that does not exceed a total area of 35 square feet for each street frontage of the site, can be attached to the building, displayed in a window, or if less than seven feet in height, placed on the property.

7. One temporary banner sign may be permitted per tenant of a building in the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts provided that:
 - a. The maximum size of the banner shall not exceed 32 feet.
 - b. The banner shall be attached to the face of the building, and may not extend above the roofline; and
 - c. Temporary banner signs shall count against the maximum area of building mounted signs.
8. One A-frame, sidewalk/sandwich board sign per licensed business may be permitted on each street frontage, in the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts, provided that:
 - a. The sign shall not exceed six square feet per side.
 - b. The sign must be removed during non-business hours.
 - c. The sign is located on private property at the site of the business, or in an abutting right-of-way on a sidewalk, or in areas not used as a roadway, driveway, bike lane, or for required parking.
 - d. At no time shall sandwich board/sidewalk sign block or present a hazard to pedestrians, obstruct safe sight distance, be placed in a street or gutter and/or become a nuisance, hazard and/or danger to the public as determined by the City; and
 - ~~e. The liability for all sandwich board signs placed in the right-of-way rests with the business and/or property owner placing the sign. The City may require proof of liability insurance, a hold harmless agreement from both the property owner and the tenant, and/or such other documents as may be required by the City Attorney.~~
9. Temporary signs that contain or consist of pennants, ribbons, streamers, feather shaped pennants, or similar types of displays as determined by the City, as well as searchlights, balloons, or inflated figures may be displayed on private property only in the General Commercial (GC), and Light Industrial (LI) zoning districts.

10. Temporary signs may be installed on private property in the University District, without a permit, in accordance with the provisions in this Section.

11. Temporary signs may be permitted in the Public Use District in accordance with the following provisions:

- a. No temporary signs may be permitted on City owned property including, but not limited to parks, trails, open space, or public buildings, except in conjunction with an approved special event, special use permit, or other permit or approval from the City.

G. Permanent Signs Permitted in all Zoning Districts. The following signs may be permitted in all zoning districts in accordance with the following provisions:

1. Signs designated by the City's Historic Preservation Commission as:

- a. Eligible for inclusion on the College Place Historic Register.
- b. Being iconic or of special historical interest to the community; or
- c. Integral to a historic site or building.

2. Community message board signs may be permitted on the site of municipal buildings, schools, universities, churches, and other public buildings in all zones, provided that:

- a. The messages shall be non-commercial and should advertise community events, meeting times, public service announcements, and public notices.
- b. The community message board may be wall mounted, or a monument style sign.
- c. The message board may be designed for messages that are changed by hand or with a changeable message that is electronically displayed and controlled.
- d. Electronically changeable signs shall display images for a period of at least three (3) seconds before transitioning to another image.
- e. Full motion digital images, video or film display or streamed in real time is not permitted; and
- f. Community message board signs shall not exceed 32 square feet in area or and monument style signs shall not exceed 6' in height.

- H. Permanent Signs in Residential Zoning Districts. Permanent signs may be permitted in the Single-Family Residential (SFR) and the Multi-Family Residential (MFR) zoning districts in accordance with the following provisions (see Figure 14.60.090-2 for sign types and measurements):
1. One freestanding monument sign, not to exceed 32 square feet in area, or six feet in height, may be installed along each road entering a residential subdivision.
 2. One freestanding monument sign, not to exceed 32 square feet in area, or six feet in height, may be installed at each entrance into a multi-family development from a road.
 3. Each City-licensed business may have one sign not exceeding two square feet, that is permanently attached to the building that is its primary place of business, provided that the sign:
 - a. Is securely attached flush to the face of the building.
 - b. Does not project above the eave or roof line; and
 - c. Only announces the name and address of the occupant(s) and contact information.
- I. Permanent Signs in Non-Residential Zoning Districts. Permanent signs may be permitted in commercially oriented non-residential zoning districts, including but not limited to the General Commercial (GC), Light Industrial (LI), and Downtown Mixed Use (DMU) zoning districts in accordance with the following provisions (see Figure 14.60.090-2 for sign types and measurements):
1. Signs in the Downtown Mixed-Use District must also comply with the Downtown Design Standards and Guidelines as adopted or subsequently amended by the City.
 2. Building Mounted Signs. Building mounted signs includes signs attached to or painted on the exterior wall of a building, awning or canopy signs, projecting signs, or signs displayed in a window. Building mounted signs may be permitted on each face of a building fronting a street or parking lot, provided that:
 - a. The maximum area for all building façade signs, projecting signs, and temporary banner signs shall not exceed twenty-five percent (25%) of the building façade area.
 - b. No building façade sign may extend above the parapet or eave line.
 - c. Wall signs must be attached or erected parallel to and not extending more than ten inches from the wall, façade, or face of any building to which it is attached and

supported throughout its entire length with the exposed face of the sign parallel to the plane of the wall or facade.

- d. One projecting sign (see Figure 14.60.090-4) per street or parking lot frontage may be permitted, provided that:
 - (1) The sign is perpendicular to the face of the building and is permanently attached in accordance with manufacturers' specifications and the provisions of the International Codes, as adopted and administered by the City.
 - (2) Projecting signs may be two-sided and not exceed 16 square feet per side.
 - (3) Projecting signs extending over public right-of-way and pedestrian pathways (sidewalks) shall be erected with clearance and projection limitations as set forth in the International Building Code; provided, that in no case shall any sign be permitted to extend within four (4) feet of the back of curb line.



Figure 14.60.090-4 Typical Projecting Sign

- e. Window signs (see Figure 14.60.090-5) located inside and affixed to a window and intended to be viewed from the exterior of the structure may be displayed without a permit, provided that:
 - (1) Window signs shall not exceed 25 percent of the area of the window on which they are displayed; and
 - (2) The window signs may be illuminated or a neon sign.



Figure 14.60.090-5 Typical Window Sign

- f. A non-electric sign may be printed on, painted on, or attached to the vertical surface or flap of an approved awning or canopy (see Figure 14.60.090-6), provided that:
 - (1) The awning or canopy shall be erected with clearance and projection limitations as set forth in the International Building Code, provided, that in no case shall any sign be permitted to extend within four (4) feet of the back of curb line.



Figure 14.60.090-6 Typical Awning Sign

- 3. Monument and Pole Signs (see Figure 14.60.090-2 for sign types and measurements). One pole or monument sign is permitted on sites when buildings are setback at least twenty feet from the right-of-way, provided that:
 - a. Pole signs:
 - (1) Shall not exceed sixty square feet per side or thirty feet in height in the Downtown-Mixed Use District.

(2) Shall not exceed two hundred square feet per side or fifty feet in height in the General Commercial or Light Industrial districts; and

(3) If more than thirty feet in height, must be located at least one hundred feet from any residential zone.

b. Monument Signs:

(1) Must be set back at least five (5) feet from the property lines.

(2) Shall not exceed sixty square feet per side or 5 feet in height in the Downtown-Mixed Use District; and

(3) Shall not exceed two hundred square feet per side or 6 feet in height in the General Commercial or Light Industrial districts.

c. Monument or pole signs may contain LED displays and/or electronically changeable messages, provided that:

(1) All electronic message centers shall come equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.

(2) Electronically changeable signs shall display images for a period of at least three (3) seconds before transitioning to another image.

(3) Full motion digital images, video or film display or streamed in real time is not permitted; and

(4) Signs located within one hundred feet of a residential zoning district may only operate between the hours of 6 a.m. and 11 p.m.

J. Permanent Signs in the University District. Permanent signs may be permitted in the University District in accordance with the following provisions:

1. Permanent signs without a commercial message may be installed on private property without a Sign Permit.

2. Permanent signs with a commercial message may be installed on private property in accordance with the provisions of the Downtown Mixed-Use District.

K. Enforcement and Removal. Any violations of this Section, such as the placement of prohibited signs on a property or the failure to maintain existing or new signage in good condition, shall be subject to a code enforcement action.

1. In addition to the remedies in this Section and College Place Municipal Code Title 8, the City shall have the authority to require the repair, maintenance or removal of any sign or sign structure which has become dilapidated or represents a hazard to the safety, health, or welfare of the public, at the cost of the sign and/or property owner.
2. Abandoned or illegal signs are hereby deemed to be a public nuisance and shall be removed by the property owner within forty-five days after notice from the City. Any sign not removed following such notice may summarily be abated by the City at the cost of the sign and/or property owner.
3. Legal, conforming structural supports for abandoned signs may remain, if installed with a blank sign face and the supporting structures are maintained.

14.60.100 Outdoor Storage. Storage and screening requirements for permitted commercial/industrial and residential uses or activities shall be as follows:

- A. Every reasonable effort shall be made by persons conducting commercial/industrial activity to store merchandise, raw materials, equipment, fixtures, scrap, junk, or solid wastes in such a manner so as not to create visual nuisance conditions and shall comply with the following:
 1. All such materials shall be enclosed entirely within a building with the following exceptions:
 - a. Where such inside or screened storage is not practical or desirable when justified with regard to health, fire, or safety codes, as determined by the City.
 - b. Where the outside storage of merchandise, manufactured products or raw materials open to view from the public right-of-way is normal and standard practice, such as in the sale of auto equipment, manufactured homes, recreational vehicles, nursery stock and the like, but not including the storage of secondhand or used materials or junk.
 - c. Where the outside storage of junk, used or secondhand furniture, appliances and other similar items is necessary, provided in this case such items shall be entirely enclosed within a sight-obscuring fence (six feet in height minimum) with such enclosed area being located no closer than 20 feet from the right-of-way of any street as herein defined; and

- d. Where outside storage is temporary during permitted construction only.
- 2. Outside storage of such materials shall be maintained in an orderly manner consistent with good housekeeping practices and shall create no visual or noxious offense to adjacent properties, or the public right-of-way, or create a fire, safety, or health hazard, or public nuisance and shall comply with the provisions of local, state, and federal laws, as well as the provisions of City NPDES permits.
- B. Storage pertaining to residential activities shall comply with the same requirements as those specified for commercial/industrial activities noted in this Section, and in addition comply with the following:
 - 1. Appliances and other mechanical equipment normally used in the residential environment which is no longer operable shall not be stored outside.
 - 2. Motor vehicles no longer operable and/or abandoned shall comply with the requirements of College Place Municipal Code Chapter 10.24 Abandoned Vehicles and Chapter 8.24 Nuisances.
 - 3. Boats, recreational vehicles, and the like may be stored on the premises provided they are not parked within a required front yard or side yard setback.
- C. Storage in the public right-of-way is prohibited.

14.60.110 Alternative Energy Infrastructure.

- A. This Section is established to:
 - 1. Promote clean energy production by citizens and businesses.
 - 2. Ensure that alternative energy infrastructure is compatible with the development and development on adjacent properties.
 - 3. Provide options to traditional energy use; and
 - 4. Promote reduction of energy use within the city.
- B. General Criteria. Alternative energy infrastructure shall meet all of the following criteria:
 - 1. Alternative energy infrastructure shall not be located within any building setback or required setback, unless below grade or for panels that are components of roof structures.

2. Any installation of an alternative energy system shall comply with any and all applicable provisions of the International Codes, as adopted by the City.
 3. No alternative energy system shall be installed unless evidence has been provided to the City that the utility company has been informed of the customer's intent to install an interconnected customer-owned power generation system. Off-grid systems shall be exempt from this requirement.
 4. Any installation of alternative energy infrastructure shall comply with all applicable environmental regulations.
- C. Geothermal Infrastructure Criteria. In addition to the general criteria in subsection B above, geothermal alternative energy systems shall comply with the following standards:
1. Geothermal infrastructure shall be located entirely within the subject property, or within appropriate easements.
 2. Installation of geothermal infrastructure shall comply with all applicable federal, state, and local laws and regulations.
- D. Solar and Wind Infrastructure. Alternative energy facilities, including solar and wind equipment, are encouraged, subject to the following provisions:
1. Solar and Wind Infrastructure Requirements.
 - a. Building-mounted solar and wind equipment shall be integrated into the structure's architectural design. Techniques for achieving this include, but are not limited to, aligning equipment with a building's structural or functional articulation, coordinating panel placement with other building features, or using equipment to enhance a building's architectural expression.
 - b. Roof-mounted solar and wind equipment may extend above the building height limit without screening but shall be designed to avoid creating glare or blocking views and solar access to surrounding properties.
 2. Solar and Wind Infrastructure Guidelines.
 - a. Use of solar panels to serve other functions, like weather protection, shading, building articulation and place-making, is encouraged.
 - b. Exposing solar and wind equipment in a way that enhances architectural design and demonstrates the viability of alternative energy is encouraged.

14.60.120 Sexually Oriented Businesses.

- A. The purpose of this Section is to establish standards for the siting of sexually oriented businesses and services to minimize adverse impacts to the public health, safety, and welfare, including but not limited to children, individuals with a developmental disability(ies), and to individuals' ability to quiet enjoyment and use of their property or property interests. It is also intended to disperse adult concessions to avoid a concentration of these uses that likely will negatively impact the City's ability to adequately and efficiently provide emergency, law enforcement, and peace keeping activities to the general public.
- B. Location Standards.
 - 1. Sexually oriented businesses shall not be located within five hundred (500) feet of the following:
 - a. A Single-Family Residential (SFR), Multi-Family (MFR), or Downtown Mixed-Use (DMU) zoning district).
 - b. Property used for public or private schools.
 - c. Public parks, playgrounds, recreation facilities, and/or public libraries.
 - d. State-licensed day care facilities.
 - e. Youth or community centers.
 - f. Churches, cemeteries, mausoleums, or other religious facilities.
 - g. Sports complexes and recreational facilities.
 - h. Cultural or historical centers and other facilities.
 - i. Secure community transition facilities.
 - j. Other sexually oriented businesses or services; and
 - k. Other facilities or land uses which provide as a substantial portion of their activities, the provision of services to children and/or youth.
 - 2. The five hundred (500) foot distance shall be measured by following a straight line, without regard to intervening structures or obstacles, from the nearest point of the

property line upon which the proposed use is to be located, to the nearest point of the property from which the proposed land use is to be separated.

C. All sexually oriented businesses shall comply with the following standards:

1. No person owning, operating, or managing a sexually oriented business or service or his/her/their employee or agent shall invite, allow, or permit any person under the age of 18 years to enter, go over, or remain on the premises.
2. There shall be no window, marquee, or other display of any matter depicting or portraying City specified anatomical areas or sexual activities.
3. Nothing in this section is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building, or use which violates any ordinance or statute of the City, County, State, or the United States.
4. Violation of the use provisions of this Section is declared to be a public nuisance per se and is subject to abatement as well as criminal and/or civil penalties in accordance with the provisions of the College Place Municipal Code.

14.60.130 Temporary Uses. Temporary uses include limited duration activities on private property that may be permitted for a specified period through the issuance of a Special Use Permit. Limited duration activities on public property may be permitted through a Special Use Permit or a Right-of-Way Use Permit.

- A. In addition to the temporary uses identified in the Table of Permitted Uses, limited duration activities on private property permitted through a Special Use Permit may also include, but is not limited to:
1. Roadside stands.
 2. Carnivals, circuseses, rodeoss, festivalss, or street fairs.
 3. Christmas tree sales.
 4. Fireworks sales.
 5. Outdoor concerts, or theatrical performances.
 6. Parking lot/outdoor sales events.
 7. Seasonal sale of agricultural products grown off premises.

8. Outdoor dining areas, wine tastings, beer gardens, and the like.
 9. The rental of buildings or grounds for events such as weddings, family reunions, and the like.
 10. Temporary construction and sales offices; or
 11. Other activities that involve the temporary alteration of a site, temporary changes in ingress and egress, or uses of a limited duration that would not adversely affect the public health and safety.
- B. Yard sales/garage sales do not require a permit, provided that a Special Use Permit must be obtained for yard sales/garage sales more than 3 days in length, or that occur more frequently than four times in the same calendar year.

14.60.140 **Mobile Vendors, Street Vendors, and Vendor Food Courts.** Mobile vendors, street vendors, and mobile food carts are permitted to operate in the City in accordance with the following provisions.

A. General Provisions.

1. Mobile vendors, street vendors, and mobile vendor food courts shall obtain, and maintain in good standing, a City Business License, as required by the City.
2. Mobile vendors, street vendors, and mobile vendor food courts must comply with applicable local, state, and federal laws, including, but not limited to:
 - a. College Place Municipal Code:
 - (1) Solid Waste Collection and Disposal and Policies – Chapter 8.12 (as amended).
 - (2) Nuisances – Chapter 8.24 (as amended).
 - (3) Litter - Chapter 8.28 (as amended).
 - (4) Vehicles and Traffic - Title 10; and
 - (5) Streets, Sidewalks, and Public Places - Title 12.
 - b. Walla Walla County-City Health Department rules and regulations.

3. Mobile vendors shall comply with all Washington State Department of Licensing requirements, including but not limited to:

- a. Obtaining and maintaining a valid motor vehicle operator's license for all vehicle operators.
- b. Proof of required vehicle liability insurance coverage.
- c. Proof of vehicle registration.

4. No mobile vendors, street vendors, or mobile vendor food courts may operate on or utilize private property without written approval of the property owner.

5. All permits, registrations, and licenses for mobile and street vendors shall be prominently displayed on all vehicles, trailers, or temporary structures being used.

B. Exemptions. The following vendors and uses may be exempt from the provisions of this Section, as determined by the City.

- 1. Authorized vendors at City-sponsored events.
- 2. Vendors authorized through a Special Event Permit issued by the City pursuant to CPMC 12.04.

C. Mobile Vendor and Street Vendor Standards.

1. No mobile vendor or street vendor shall operate in a manner which obstructs or causes to be obstructed, including obstruction caused by people or vehicles congregating, in part or in whole, the use of any public right of way, including but not limited to sidewalks, streets, roads, alleys, public facilities, or any other public place.

2. No mobile or street vendor shall sell or vend any services or wares from their vehicle or conveyance:

- a. In a lane of travel.
- b. Within four hundred feet of any public or private school grounds during regular school hours, extra-curricular activities, or school related or sponsored events, except when specifically authorized by the school.

- c. Within one hundred feet of the entrance of any business which is open for business offering as a main featured item or items of similar goods or services for sale as the vendor, except when specifically authorized by the business.
 - d. Within one hundred feet of any eating establishment which is open for business if selling food or food items, if the vendor is selling food items, except when specifically authorized by the business or the City.
 - e. Within three hundred feet of any City sponsored event or an event for which the City has issued a Special Event Permit and the event includes the sale or provision of food and/or goods, except when specifically authorized by the City.
 - f. Within three hundred feet of any City authorized concession stand in a City park, except when specifically authorized by the City.
5. Mobile vendors shall be prohibited from residential zones except for those vendors which operate for less than fifteen minutes at a location.

D. Mobile Vendor Food Court Standards. In addition to the requirements in this Chapter, a Mobile Vendor Food Court must obtain a Special Use Permit and comply with the following provisions:

- 1. Submit a Site Plan with the Special Use Permit Application to include, but not limited to:
 - a. Location of mobile vendors.
 - b. Site access for vehicles, pedestrians, and emergency service providers.
 - c. Off-street parking areas.
 - d. Public spaces and seating areas.
 - e. Restrooms, potable water availability and sanitation stations.
 - f. Solid waste and any recycling facilities.
 - g. Landscaping and screening, if any.
 - h. Proposed measures to minimize or mitigate potential adverse impacts on neighboring properties.

2. Provide seating at the rate of six seats per vendor.
3. Provide restroom facilities with handwashing facilities on site or within an adjacent building that is accessible to the mobile vendor food court when vendors are in operation. A mobile vendor food court shall have a minimum of one restroom for every five vendors in the court.
4. Prohibit tents, tarps, or pop-up shelters.
5. Direct any site lighting away from adjacent properties and shield and aim all lighting downward.

E. Operations and Enforcement.

1. All mobile vendors, street vendors, and mobile vendor food courts shall be responsible for cleaning up each day all litter originating from or due to their business.
2. During operation the vendor(s) shall continue to monitor the level and nature of use by the public and may propose and/or the City may require additional measures by the vendors in the interest of public health, safety, and welfare.
3. The City may suspend or revoke a vendor's City's business license and/or initiate code enforcement actions for failure to comply with applicable laws and regulations, including this Chapter, provided notice and reasonable time for the vendor(s) to take timely corrective actions is provided. Posting at the site is sufficient notice.
4. The City may immediately revoke a business license or permit if operation of a mobile vendor, street vendor, or mobile food vendor court poses an immediate or imminent risk to the health, safety, or welfare of the public or may pose a significant risk to the health, safety or welfare of the public as determined by the City.

14.60.145 Temporary Use of Sidewalks. Business owners or operators may use specified areas within public sidewalks or other public areas within the public right-of-way to sell goods and/or services on a temporary basis subject to compliance with the following provisions.

A. General Provisions.

1. All business owners and operators shall obtain, and maintain in good standing, a City Business License, as required by the City.
2. Business owners and operators must comply with applicable local, state, and federal standards. This shall include, but is not limited to:

- a. The College Place Municipal Code:
 - (1) Solid Waste Collection and Disposal and Policies – Chapter 8.12 (or as amended).
 - (2) Nuisances – Chapter 8.4 (or as amended).
 - (3) Litter - Chapter 8.28 (or as amended).
 - (4) Vehicles and Traffic - Title 10; and
 - (5) Streets, Sidewalks, and Public Places - Title 12.
- b. Walla Walla County-City Health Department rules and regulations.
- c. The regulations of the Washington State Liquor and Cannabis Board for outside public seating.
- 3. The business owner and operators must provide evidence of insurance coverage for the use of the right-of-way with the City of College Place as an additional insured.
- 4. The use must be adjacent to and of the same nature as the business's usual operations.
- 5. The use must not interfere with the public's reasonable use of City right of ways and may only have a diminimus impact on the existing use of neighboring properties.

B. Operations

- 1. All business owners and operators shall be responsible for cleaning up each day all litter originating from or due to their business.
- 2. During the period of the authorized special use, the business owner shall continue to monitor the level and nature of use by the public. The City reserves the right to require additional measures in the interest of public health, safety, and welfare and vendors shall comply with such requirements.
- 3. Upon completion of the temporary use, the business owner or operator shall clean and return the site(s) to its previous condition.

14.60.150 Home Businesses.

- A. **Applicability.** The residents of a legal dwelling unit may conduct a business(es) in their home as an accessory use, subject to City review and approval.
1. All home businesses shall obtain, and maintain in good standing, a City Business License and shall annually renew the license, as required by the City.
 2. All home businesses shall operate in a residence or approved accessory building in compliance with the provisions of this Title including, but not limited to the International Codes, as adopted, and administered by the City.
 3. In addition to the requirements in this Section, the City may place additional conditions of approval to protect the public health, safety, and welfare, and critical areas, as well as to reasonably minimize adverse impacts on neighboring properties.
 4. The City may deny, revoke, and/or suspend a home business license based upon non-compliance with the provisions of this Title.
 5. Home businesses may be subject to inspection by the City; and
 6. Uses identified in the Table of Permitted Uses as being permitted in a residential zone such as in-home child day care, and bed and breakfast inns, are not considered home businesses and are not subject to the provisions of this Section.
- B. **Permitted Uses.** The following uses, and similar uses as determined by the City, may be permitted as a home business, in accordance with the provisions of this Section:
1. Artist and sculpture studio.
 2. The sale of art and handcrafted items produced on site.
 3. Home crafts, such as model-making, rug weaving, and lapidary work.
 4. Dressmaking, seamstresses, tailors.
 5. Music instruction, no more than two students at a time.
 6. Interior design.
 7. Message therapy.
 8. Beauty parlor, barber shop, tanning bed, or salon (one chair/bed only).

9. Professional services such as accounting or business consulting.
 10. Tutoring, not to exceed two students at one time.
 11. Repair of small household items.
 12. Personal trainer, no more than two clients at a time.
 13. Professional office.
 14. Pet grooming.
 15. Telephone answering or soliciting.
 16. Computer programming and small-scale repair.
 17. Construction or assembly of products for sale off site.
 18. Manufacturer's representative; and
 19. Other business activities as determined by the City that meet all of the standards of this Section.
- C. Uses Not Permitted as Home Businesses. The following uses or activities, or similar activities as determined by the City, shall not be permitted as home a business:
1. Any use generating, storing, or utilizing hazardous waste.
 2. Animal breeding.
 3. Kennels.
 4. Veterinary clinic or hospital.
 5. Automotive servicing, maintenance, repairs, or construction.
 6. Painting, seal or clear coating of vehicles, trailers, boats, and the like.
 7. Storage of vehicles, boats, or equipment.
 8. Parking or storage of heavy equipment.

9. Shipping, trucking, dispatching of vehicles, or related activities.
10. Contractor yards, landscaping, or related businesses.
11. Sexually oriented businesses.
12. Marijuana production, processing, or sales.
13. Machine and metal shop.
14. Antique/vintage store, thrift or secondhand store, or junk yard.
15. Refurbishing used appliances and/or sales.
16. Uses specifically prohibited in the Table of Permitted Uses in the zone; and
17. Other uses, as determined by the City, that do not meet the standards of this Section.

D. Conditions of Approval. The residents of a dwelling unit may be permitted to conduct a business(es) in their home, subject to compliance with applicable state and federal laws, the College Place Municipal Code, including the following provisions, and any additional conditions of approval that may be established by the City to protect the public health and safety and to promote compatibility with the use of neighboring properties:

1. Not more than one non-resident may work on the site of the home business.
2. Hours of operation shall occur between 8:00 a.m. and 7:00 p.m. unless otherwise authorized or restricted by the City.
3. There shall be no exterior evidence of the home business, other than a permitted sign, that would cause the premises to differ from its residential appearance and character.
 - a. Only one sign is permitted to advertise a home business. The sign shall be no larger than two square feet in area, non-illuminated, and must be attached to the dwelling.
 - b. Windows may not be used to display commercial messages.
4. Home business activities shall be conducted within the dwelling unit and/or inside approved accessory buildings. There shall be no business activities conducted outside of the residence or approved accessory buildings.

- a. There shall be no outside storage of materials, supplies, or display of goods or equipment of any kind related to the home business.
 - b. No goods or merchandise shall be displayed such that they are visible from public rights-of-way or adjacent properties.
5. There shall be no offensive noise, vibration, smoke, dust, odors, heat, light, or glare noticeable at or beyond the property line, in accordance with the provisions of College Place Municipal Code Chapter 8.20 Noise Control and Chapter 8.24 Nuisances.
6. The home business shall not use electrical or mechanical equipment that results in:
 - a. A change to the fire rating of the structure(s) used for the home business.
 - b. Visual or audible interference in radio or television transmitters or receivers, cellular or satellite signals, digital signals, or electronic equipment located off premises; or
 - c. Fluctuations in line voltage off premises.
7. There shall be no storage and/or distribution of toxic or flammable materials, and spray painting or spray finishing operations that involve toxic or flammable materials that, in the judgment of the Fire and County Health Departments, pose a dangerous risk to the residence, its occupants, and/or surrounding properties. Those individuals who are engaged in home occupations shall make available to the Fire or County Health Departments for review the material safety data sheets which pertain to all potentially toxic and/or flammable materials associated with the use.
8. The on-site sale of goods is not permitted, except as follows:
 - a. The sale of items is incidental to a permitted home occupation (e.g., a barber shop that sells hair-care products, etc.).
 - b. Hand crafted items made on site, such as art, jewelry, fishing lures, etc.; and
 - c. Online, mail order and telephone sales, with off-site delivery.
9. Any need for any parking created by the home business shall be provided on site, provided that with the exception of existing driveways, no parking shall be allowed in setbacks or buffers.

- a. No on-street parking of employees or commercial vehicles, or vehicle with a commercial message display associated with the business is allowed.
 - b. No more than one vehicle associated with the business may be permitted. Such vehicle shall not exceed a nominal model designation of one ton (i.e., Ford F350; Chevy-GMC 3500).
10. No traffic shall be generated by a home business in greater volumes than normally expected in a residential neighborhood, as determined by the City.
11. Home businesses may be subject to an annual public health, safety, and welfare inspections by the City.

14.60.160 Vacation Rentals.

- A. Applicability. The purpose of this Section is to establish the standards under which an approved single-family residence, accessory dwelling unit, or other approved real property, may be used as a vacation rental or short-term rental, as well as bed and breakfast inns.
- 1. Vacations rentals shall be limited to legally established single-family residences, or accessory dwelling units, as approved by the City, provided that the following shall not be used for vacation rentals or short-term rentals under any circumstances:
 - a. Railroad cars.
 - b. Boats.
 - c. Shipping containers; and
 - d. Structures that do not meet the standards of the International Codes, as adopted, and administered by the City.
 - 2. The following may only be permitted as a vacation rental or short-term rental in a conforming mobile home or RV park:
 - a. RVs.
 - b. Camper trucks.
 - c. Tents.
 - d. Park models or tiny homes.

- e. Trailers; and
 - f. Mobile homes.
- B. Vacation rentals and bed and breakfast inns are subject to City review and approval ~~shall be approved by the City~~ through the issuance of a Special Use Permit.
1. It shall be the responsibility of the property owner to ensure that all vacation rentals and bed and breakfast inns are be operated and used in compliance with applicable state and federal laws, ~~this Code, the College Place Municipal Code,~~ including the following provisions, and any additional conditions of approval that may be established by the City to protect the public health, safety, and welfare and to promote compatibility with the use of neighboring properties.
 2. A property owner may designate a local agent to manage a vacation rental(s) or bed and breakfast inn on his/her/their behalf.
 3. The maximum capacity for overnight guests for each vacation rental and bed and breakfast inn shall be based on information provided by the Applicant and shall not exceed 2 adults per room identified to accommodate overnight sleeping.
 4. Each room identified to accommodate overnight sleeping must comply with the International Codes as adopted and administered by the City, including but not limited to the International Building Code, International Residential Code, and International Fire Code.
 5. All exterior lighting shall be downward facing and screened.
 6. All uses of a vacation rental or bed and breakfast inn shall not generate noise in excess of what is typically associated with residential uses in the neighborhood and shall comply with the provisions of College Place Municipal Code Chapter 8.20 Noise Control.
 7. The Property Owner of each vacation rental and bed and breakfast inn, or his/her/their designee, shall maintain on file with the City up to date copies of:
 - a. A property management plan, that:
 - (1) Identifies the Property Owner and agents authorized to act on the Property Owner's behalf.
 - (2) Provides emergency and local contact information.

- (3) Identifies how the Property Owner will ensure that solid waste and recycling containers are put out and picked up in a timely manner.
 - (4) Identifies how the exterior of the building, grounds, and landscaping will be maintained; and
 - (5) Identifies how the Property Owner will enforce compliance with the terms and conditions of approval.
- b. A professionally prepared site plan that identifies the location of:
- (1) The rental facilities.
 - (2) On-site amenities.
 - (3) Required off-street parking in accordance with the provisions of Section 14.60.070 Parking and Loading.
 - (4) Refuse and recycling facilities; and
 - (5) Emergency shut-off valves and fire extinguishers.
- c. A professionally prepared floor plan that identifies:
- (1) The designated use and dimensions of each room.
 - (2) The capacity of each room designated for sleeping.
 - (3) The location of windows, doors, and emergency exits.
 - (4) Fire extinguisher locations; and
 - (5) The location of the circuit box and the emergency shut-off valves.
8. The special use permit may include conditions of approval to protect the public health, safety, and welfare and to minimize adverse impacts on neighboring properties.
9. The owner of a short term or vacation rental, or a bed and breakfast inn shall obtain and maintain in good standing, a city business license.
10. The Property Owner or his/her/their designee shall be responsible for the collection and

payment of all required taxes including lodging taxes, state business and occupation taxes, fees, and charges and shall provide the City with annual documentation of compliance, in a format acceptable to the City.

C. A special use permit issued for a vacation rental or bed and breakfast inn may be subject to periodic review and renewal as specified by the City.

1. Additional conditions may be added at the time of renewal.
2. The vacation rental or the bed and breakfast inn may be subject to an annual public health and safety inspection by the City.
3. It shall be the responsibility of the property owner to ensure that the users of a vacation rental, and all guests, are respectful of their neighbors, and shall be in compliance at all times with the terms and conditions of approval and the provisions of this Code.
 - a. It shall be the responsibility of the property owner, or his/her/their authorized agent to promptly investigate and appropriately respond to complaints. Repeated complaints and/or the failure to respond to complaints in a timely manner, may result in the suspension or revocation of approval, and/or civil or criminal penalties.
4. A special use permit issued for a vacation rental, or a bed and breakfast inn, is not transferable and upon sale or transfer of the property a new business license application must be submitted.
5. Failure to comply with the conditions of approval of a special use permit may result in the suspension or revocation of the permit, and/or civil or criminal penalties.

14.60.170 Accessory Buildings, Structures, Dwelling Units, and Uses.

- A. Accessory structures or buildings shall not occupy any parcel or lot independent of the primary building and shall comply with the following provisions:
1. Accessory buildings may include the following or similar structures, in accordance with the provisions of this Title, as determined by the City:
 - a. Detached and attached accessory dwelling units.
 - b. Garages.

- c. Shops.
 - d. Buildings utilized by an approved home business.
 - e. Storage sheds.
 - f. Greenhouses and potting rooms; and
 - g. Children's playrooms.
2. The following shall not be converted to, or used as a storage building, accessory building, or accessory dwelling unit, unless specifically authorized in this Title.
- a. Trailer.
 - b. Bus.
 - c. RV.
 - d. Vehicle.
 - e. Camper.
 - f. Mobile home.
 - g. Used shipping container.
 - h. Railroad car.
 - i. Tent; or
 - j. Park model or tiny house.
3. The rental of buildings or rooms for periods of 30 days or less shall require a Special Use Permit and/or related permits from the City, in accordance with the provisions governing short-term or vacation rentals.
4. Accessory buildings, dwelling units, or structures shall only be permitted on parcels with a legally established primary residence, primary building, and/or primary use.
5. All accessory buildings and structures shall comply with the applicable provisions of this Title, including setback, ~~lot coverage~~, building height, and stormwater

management, as well as the provisions of the International Codes, as adopted and administered by the City, unless otherwise specifically authorized in this Title.

~~6. The footprint of the primary residence shall not exceed 35% of the size of the parcel and the total footprint of all accessory buildings and structures shall not exceed 10% of the lot size.~~

7. No accessory building or structure shall occupy the front or side yard setback.

~~8. An accessory building or structure may be located in the rear yard setback up to the property line except in instances where the City routinely plows snow on the abutting alley, in which case it may be located up to 5' of the property line. An accessory building or structure may be located in the rear yard setback up to 5' from the property line.~~

9. The minimum distance to buildings on an adjacent lot shall be at least ten feet in accordance with the provisions of the International Codes as adopted and administered by the City.

10. The maximum height of a ~~detached~~ accessory building or structure shall not exceed 24' . 15' at the eave line.

~~11. Windows on accessory buildings shall be oriented to protect the privacy of adjacent property owners. This may include the placement of windows above or out of view into adjacent yards or windows, or by using obscure glass.~~

B. Accessory Dwelling Units. In addition to the preceding criteria applicable to all accessory buildings, the following criteria shall also apply to accessory dwelling units:

1. Not more than ~~two~~ one accessory dwelling units may be permitted on a parcel.

2. An accessory dwelling unit may be detached from the primary structure, an addition to a primary structure, within a primary structure, or above an approved detached accessory building such as a garage or shop, provided that an accessory dwelling unit that is attached to or within the primary building, must have a separate entrance and must be a self-contained residential unit.

3. Existing non-conforming accessory buildings may be converted to accessory dwelling units provided that the degree of non-conformity is not increased and that all improvements comply with the provisions of this Chapter.

4. Accessory dwelling units shall comply with the provisions of the International Codes, as adopted, and administered by the City.
5. All accessory dwelling units must have water and sewer service in accordance with City standards, provided that the accessory dwelling unit may share sewer and water connections and services with the primary residence.
 - a. A capital facility charge for water and sewer service will be required regardless of whether the water and sewer service are shared or not; and
 - b. Accessory dwelling units 600 sq. ft. or less may be eligible for a reduced capital facility charge.
6. One additional paved, off-street parking space ~~is required.~~ shall be required for each accessory dwelling unit, provided that this requirement shall not apply to accessory dwelling units that are located within 1/2 mile of a "major transit stop" as determined by the City. This shall include:
 - a. A stop on a high-capacity transportation system funded or expanded under the provisions of chapter 81.104 RCW.
 - b. Commuter rail stops.
 - c. Stops on rail or fixed guideway systems, including transitways.
 - d. Stops on bus rapid transit routes or routes that run on high occupancy vehicle lanes; or
 - e. Stops for a bus or other transit mode providing actual fixed route service at intervals of at least fifteen minutes for at least five hours during the peak hours of operation on weekdays.

14.60.180 Housing Standards. The following regulations are intended to supplement the general provisions of this Title and the International Building Codes, as adopted by the City.

A. Applicability. These provisions shall apply to the following uses, as defined by the City:

1. Manufactured housing.
2. Recreational vehicles.
3. Multiple residential dwelling units.
4. Cottage housing and co-housing.
5. Townhouses.
6. Tiny homes; and
7. Mixed-use commercial and residential development.

B. Manufactured housing conforming to the standards of 42 U.S.C. Sec. 5401-5403, as amended, and RCW 35.63.160, as amended, shall be permitted in all zones where single-family residences are permitted, provided that:

1. Manufactured homes shall be set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground shall be enclosed by concrete or an approved concrete product which can be either load bearing or decorative.
2. Manufactured homes in an approved manufactured home park are not required to be set upon a permanent foundation, provided that they are attached to the ground and that the space from the bottom of the home to the ground is enclosed as specified by the manufacturer and approved by the City.
3. The manufactured home shall comply with all City design standards, including setbacks, applicable to all other homes in the neighborhood.
4. The new manufactured home shall be thermally equivalent to the state energy code.

C. Multiple Residential Dwelling Units. Housing in buildings with multiple residential dwelling units may be permitted in accordance with the following standards:

1. All required parking shall be provided onsite.

2. A minimum of 1,000 square feet per dwelling unit shall be designated and permanently reserved as usable common open space in multi-family dwellings with 10 or more units.
 3. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping).
 4. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
 5. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and driveways to the greatest extent practicable; and
 6. See [College Place Municipal Code](#) Section 14.60.040 Landscaping for more details.
- D. Cottage Housing. Three or more detached, single-family dwelling units may be clustered on a lot around a shared open space or courtyard, provided that:
1. The cottage development shall comply with the Density, Dimension, Area, Height, and Setback Standards for the applicable zoning district, provided that:
 - a. The minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot coverage~~, and setback requirements can reasonably be met.
 - b. The footprint of each dwelling unit shall not exceed 800 square feet.
 - c. The maximum overall floorspace of each dwelling unit, excluding garages, shall not exceed 1,200 square feet.
 - d. The height of the cottage units shall not exceed 15' at the eave line.
 - e. There must be at least 10' of separation between all buildings; and
 - f. Two dwelling units may be attached to form a duplex.
 - ~~f. The lot coverage shall not exceed 45%.~~

2. Each dwelling unit shall have at least 64 square feet of personal outdoor space, which may include patios, decks, or covered porches. The minimum dimension of this personal outdoor space shall be 7' on all sides.
3. Cottage units will be clustered around a shared open space that provides a sense of openness, visual relief, and community for the residents. A cottage development should not be designed to “turn its back” on the surrounding neighborhood.
 - a. There shall be at least 400 square feet of shared open space per dwelling unit.
 - (1) Critical areas and their buffers shall not be considered as shared open space.
 - (2) Land located between dwelling units and an abutting right-of-way or access easement greater than 21 feet in width may not serve as required common open space, unless the area is reserved as a separate tract, and does not contain pathways leading to individual units or other elements that detract from its appearance and function as a shared space for all residents.
 - b. Shared open space shall be located in a centrally located area and be easily accessible to dwelling units within the development.
 - (1) The shared open space may be divided into no more than two (2) separate areas per cluster of dwelling units.
 - (2) Each shared open space area shall have a minimum dimension of 20 feet on all sides.
 - c. At least 50 percent of the units in the development shall abut a common open space.
 - (1) A cottage is considered to “abut” an area of open space if there is no structure between the unit and the open space.
 - (2) The site shall be designed so that cottages abut at least two sides of all shared open space.
 - d. Shared open space shall be designed to provide passive and/or active recreation opportunities and may include shared gardens, picnic facilities, and recreation areas.
 - e. Each dwelling unit that abuts a common open space shall have a primary entry and/or covered porch oriented to the common open space.

- f. Each dwelling unit abutting a public right-of-way (not including alleys) shall have an inviting facade, with the primary entrance oriented to the public right-of-way. If a dwelling unit abuts more than one (1) public right-of way, the City shall determine to which right-of-way the inviting facade shall be oriented.
- 4. Community buildings are encouraged in cottage developments, provided that:
 - a. Community buildings shall be clearly incidental in use and size to the dwelling units.
 - b. Community buildings shall be no more than one (1) story. Where the community space is located above another common structure, such as a detached garage or storage building, standard building heights apply; and
 - c. Community buildings must be located on the same site as the cottage housing development and be commonly owned by the residents.
- 5. Cottage housing that is designed as co-housing shall also comply with the following standards:
 - a. Only be required to contain minimal kitchen facilities (e.g., a sink and stove or hot plate), consistent with the International Codes, as adopted and administered by the City, provided that a common structure(s) provides a fully equipped kitchen (e.g., containing a stove, refrigerator, and sink) and dining area available to all residents of the development; and
 - b. Co-housing projects may contain any number of common structures, however, no more than two (2) common structures shall exceed eight hundred (800) square feet in size, and none shall exceed five thousand (5,000) square feet in size. At least one (1) common structure shall contain a dining room and kitchen large enough to serve at least fifty percent (50%) of the development's residents at a time (based upon occupancy of one (1) person per bedroom, and at least one (1) of the following: a children's day care center, recreational facilities (such as pool tables or exercise equipment), or a meeting room available for the use of all residents.
- 6. A landscaping plan shall be prepared by a qualified professional and submitted for City review and approval in accordance with the provisions of Section 14.60.040 Landscaping. This shall include, but is not limited to:
 - a. Areas under private ownership or use.
 - b. Areas under common ownership or shared use.

- c. Proposed landscaping or fencing to buffer or otherwise provide privacy for abutting properties.
 - d. Mature trees to be retained.
 - e. Draft documents creating a homeowners' or property owners' association, as regulated by State law, and any other documents establishing the maintenance responsibilities for the ongoing maintenance of common areas, shared spaces, and stormwater facilities; and
 - f. Parking areas and documentation that parking requirements have been met.
7. At least one off-street parking space shall be required for each cottage unit in accordance with the provisions of Section 14.60.070 Parking, provided that:
 - a. At least 1.5 off-street parking spaces shall be provided for each cottage unit if no on-street parking is available.
 - b. Garages or carports, if provided, shall be detached.
 - c. At least .5 parking spaces per cottage unit will be reserved as shared guest parking.
 8. If the topography or lot configuration precludes the full compliance with these standards, a variance may be granted for alternative methods based on a finding that the public interest is served.
 9. Cottage housing may be constructed in accordance with the provisions of a phasing plan approved by the City, provided that all frontage improvements, access improvements, and common areas are constructed first.
- E. Townhouses may be permitted in accordance with the following standards:
1. Each development shall comply with the Density, Dimension, Area, Height, and Setback Standards for the applicable zoning district, provided that:
 - a. The minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot coverage~~ and setback requirements can reasonably be met.
 - b. The building placement, landscaping, and/or design of windows on the non-zero lot line sides of the structure shall provide a buffer for the occupants of abutting lots. The side of the building, which is located on the property line, cannot have

any openings (vents, windows, doors, etc.), nor an eave that overhangs the property line.

- c. Usable outdoor living areas shall be provided in rear and side-oriented courtyards.
- 2. Each building shall comply with the provisions of the International Building Codes as adopted and implemented by the City, provided that:
 - a. The International Residential Code exception to the required parapet construction is not applicable to zero lot line residential structures.

F. Tiny Homes.

- 1. Tiny homes may be approved for use as a residential dwelling unit, only if:
 - a. The wheels have been removed and the tiny home has been attached to a permanent foundation, in accordance with the provisions of local, state, and federal laws, including but not limited to WAC 296-150I-0310.
 - b. The tiny home has been connected to utilities, including but not limited to water, sewer, and electricity, in the same manner as a typical single-family residence.
 - c. The tiny home complies with the applicable provisions of the International Codes, including but not limited to Appendix Q of the International Residential Code, as adopted, and administered by the City of College Place; and
 - d. The tiny home has received a Modular Gold Label Insignia or comparable certification from the Washington State Department of Labor and Industries.

G. Mixed-Use Commercial and Residential Development. Residential and commercial uses may be permitted in the same development as a part of a “vertical” mixed use (housing above ground floor commercial) or a “horizontal” mixed use (housing and commercial permitted on the ground floor in buildings), in accordance with the following standards:

- 1. All required off-street vehicle parking, including surface lots and garages, shall be oriented to alleys, placed underground, placed in structures above the ground floor, or located in parking areas located behind or to the side of the building; except that side-yards facing a street (i.e., corner yards) shall not be used for surface parking. All garage entrances facing a street (e.g., underground or structured parking) shall be recessed behind the front building elevation by a minimum of 4 feet. On corner lots, garage entrances should be oriented to a side-street (i.e., away from the arterial or collector street) when access cannot be provided from an alley.

2. A minimum of 400 square feet per dwelling unit shall be designated and permanently reserved as usable common open space in multi-family dwellings with 10 or more units or the voluntary payment to the City in lieu of the permanent reservation of usable open space consistent with the provisions of Section 14.90.040 I. 5.
3. All ground-floor housing units shall have front or rear patios or decks measuring at least 35 square feet. Ground-floor housing means the housing unit entrance (front or rear) is within 5 feet of the finished ground elevation (i.e., after grading and landscaping).
4. A minimum of 75 percent of all upper-floor housing units shall have balconies or porches measuring at least 35 square feet. Upper-floor housing means housing units which are more than 5 feet above the finished grade.
5. Private open space areas shall be oriented toward common open space areas and away from adjacent single-family residences, trash receptacles, parking, and driveways to the greatest extent practicable. See Section 14.60.040 Landscaping for additional requirements.
6. All common areas (e.g., walkways, drives, courtyards, private alleys, parking courts, etc.), private stormwater facilities, and building exteriors shall be maintained by the property owner, a homeowner's or property owner's association, or other legal entity approved by the City.
7. The documents creating a homeowners' or property owners association, as regulated by State law, and/or any other documents establishing the maintenance responsibilities for common areas shall be subject to City review and approval by the Community Development Director or his/her/their designee in consultation with the City Attorney. Such documents may be required to be recorded with the County and to run with the land.

14.60.190 Mobile Home Parks, Manufactured Housing Community, and Manufactured/Mobile Home Community.

- A. This section shall apply to the placement of manufactured homes, mobile homes, RV's, park models, and tiny homes in designated developments where individual spaces are leased or rented, but not sold to the occupants. This shall include:
 1. Mobile home parks.
 2. Manufactured housing communities; and

3. Manufactured/mobile home communities.
- B. Permitted uses in a mobile home park, manufactured housing community, or manufactured/mobile home community may include:
1. Manufactured homes, mobile homes, RV's, park models, tiny homes, and campers. (Collectively referred to as residential units).
 2. Parks and playgrounds.
 3. Clubhouses, community centers, and recreation facilities for the primary use of park residents; and
 4. One single-family dwelling for the primary use of a manager or caretaker responsible for maintaining or operating the property.
- C. Permitted accessory uses in a mobile home park, manufactured housing community, or manufactured/mobile home community include:
1. Garages and carports.
 2. Garden houses, tool sheds, playhouses, or greenhouses not used for commercial purposes.
 3. Any use customarily incidental to a permitted principal use, i.e., the sale of new manufactured homes for use within the park; and
 4. Home business when in compliance with Section 14.60.150.
- D. The following standards shall be applicable to the development of mobile home parks, manufactured housing community, or manufactured/mobile home community:
1. Only one dwelling shall be permitted per designated residential space.
 2. All dwellings and buildings shall be located at least 15 feet from the perimeter of the park.
 3. Unless an intervening fire wall is provided, no residence shall be located closer than 10 feet from any other residence, nor closer than 10 feet from any common parking area or common walkway, or 15 feet from any dedicated street. Detached accessory structures shall not be closer than 5 feet from any residence.

4. Along all property lines adjacent to a Single-Family Residential (SFR) or Multi-Family Residential (MFR) zone, screening consisting of a sight-obscuring fence or dense evergreen hedge designed to constitute a solid planting to a minimum height of 6 feet shall be installed and maintained. See Section 14.60.040 Landscaping for more details.
5. All manufactured homes and mobile homes shall be placed on a foundation or a concrete pad in accordance with the applicable provisions of:
 - a. National Manufactured Housing Construction and Safety Standards Act of 1974 and rules and regulations adopted thereunder.
 - b. Regulations and interpretations of the Washington State Department of Labor and Industries adopted pursuant to HUD rules; and
 - c. Information supplied by the manufacturer.
6. All manufactured and mobile homes not placed on a permanent foundation shall be attached to the ground and the space from the bottom of the home to the ground is enclosed with weather resistant skirting as specified by the manufacturer and approved by the City.
7. Use of recreational vehicles, tiny homes, park models, or campers for permanent residences is permitted provided that all utility hookups meet state or federal health standards for recreational vehicle parks.
8. A recreational vehicle must contain at least one internal toilet and at least one internal shower. If the park owner or manager permits the use of recreational vehicles that do not have at least one internal toilet and shower the manufactured home community must provide adequate sewer utilities, including toilets and showers.
9. All other utilities to each residential space shall be underground except for outlets and risers at each space.
10. All residential spaces must be served by an adequate supply of water, as determined by the City, in accordance with local, state, and federal standards, provided that the City may require a Certificate of Water Availability from a certified water provider for lots not served by the City water system. All required water system improvements shall be designed and constructed in conformance with City standards and shall address:
 - a. Potable water from a public water supply source.
 - b. Adequate water supply, pressure, and facilities for fire protection purposes; and

- c. Water necessary to maintain required landscaping.
11. All lots must be served by City sewers, if available, in accordance with the provisions of the Laws of Washington State. If not, the City may authorize the use of a septic system(s) designed to the standards of the Walla Walla County Health Department, provided that the City may require the execution of a No Protest LID Agreement, or other instrument to ensure that a connection is made when City sewer service is available.
 12. All mobile home parks, manufactured housing communities, and manufactured/mobile home communities shall be served by one or more public streets providing ingress and egress at not less than two points. This requirement may be waived based on a finding by the City that the proposed access complies with the provisions of:
 - a. The City of College Place Engineering Design Standards.
 - b. The International Fire Code, as adopted by the City; and
 - c. Is in the public interest.
 13. All streets shall comply with all City transportation plans, including but not limited to:
 - a. Comprehensive Plan Transportation Map.
 - b. Arterial Street Plan; and
 - c. City 6-Year Transportation Plan.
 14. All street networks and improvements shall provide ready access for fire and other emergency vehicles and equipment and route of escape for inhabitants, in accordance with the provisions of the International Fire Code, as adopted by the City.
 15. All streets shall be dedicated to the City and designed in accordance with the City of College Place Engineering Design Standards. This shall include street lighting, street signs, sidewalks, landscaping strips, curbs, gutters, stormwater facilities, pedestrian facilities, and bike lanes, as required.
 - a. Private streets are discouraged, and all streets shall be dedicated to the City, unless a private street is approved by the City. Private streets may be permitted in:
 - (1) When serving parcels that are isolated by topography or the configuration of existing lots and that connection with other streets is unachievable; and

- (2) Unusual situations based on a finding by the City that it is in the public interest.
 - b. Private streets, when permitted, must be designed, and constructed in accordance with the City of College Place Standard Specifications, provided that:
 - (1) Pedestrian access must be provided to existing and future streets or pathways.
 - (2) Provisions must be made for privately owned and maintained water and sewer improvements, designed, and constructed to City standards, as no public utilities shall be located under a private street.
 - (3) Traffic circulation shall not be obstructed or cut off future development from public access or utilities; and
 - (4) The transition to a public street shall not occur in mid-block, unless a mid-block transition is unavoidable, a public turn-around designed to meet City standards must be constructed.
 - c. All residential spaces shall be accessible from a City street, driveway, joint use driveway, or in the limited circumstances provided in this Title, a private street, in accordance with City standards and the needs of emergency service and utility providers.
16. Frontage improvements may be deferred by the City, if:
- a. There are no frontage improvements on either side of the mobile home park, manufactured housing community, or manufactured/mobile home community; and
 - b. A no protest LID agreement is executed; or
 - c. A financial guarantee is executed to ensure that the improvements are installed by a certain date or event.
17. The City may accept a voluntary payment in lieu of the installation of required frontage improvements, to be used at a later date, and/or for similar improvements at another location.
18. Street lighting shall be provided in accordance with City lighting standards.
19. Each mobile home park, manufactured housing community, and manufactured/mobile home community shall provide 300 square feet of usable common open space per dwelling. Common open space shall not include:

- a. Areas reserved for the exclusive use or benefit of an individual tenant.
 - b. Dedicated vehicular and pedestrian right-of-way, easement, or off-street parking areas; or
 - c. Critical areas and their buffers.
- 20. A designated storage area for recreational vehicles, boats, or trailers may be provided. If provided, a 6 foot-high, sight-obscuring fence shall be erected around the perimeter of such storage area. Storage of recreational vehicles, boats, or trailers on individual manufactured home spaces or required parking stalls is prohibited.
- E. Maintenance. It shall be the responsibility of the mobile home park, manufactured housing community, or manufactured/mobile home community owner or manager to:
 - 1. Assure that all required landscape and common areas are perpetually maintained.
 - 2. Keep the park free of unsightly brush, leaves, weeds, and debris which might communicate fires between manufactured homes and other improvements.
 - 3. Keep the park free from nuisances as defined in 8.24 CPMC.
 - 4. Assure that all private stormwater facilities are perpetually maintained.
- F. The City shall issue only building permits and certificates of occupancy which conform to the approved final plans of park development and all other applicable sections of this Chapter, other city ordinances, and all applicable laws and regulations.
 - 1. No building permit for the placement of manufactured homes shall be issued prior to completion of manufactured home park improvements, including drives and screening and landscaping of required common open spaces.
 - 2. No major changes, as determined by the City, such as rearrangement of spaces, blocks, or drives may be made to an approved manufactured home park plan without again going through the procedures provided under this Chapter for original manufactured home park approval.
- G. All residents in mobile home parks, manufactured housing communities, and manufactured/mobile home communities shall be given at least six (6) months' notice by the manufactured/mobile home park property owner in advance of requested or proposed

zoning changes, changes to development standards, and/or to variances from development standards.

- H. Residents, park homeowners' association and eligible organizations must be given an opportunity to purchase or lease the manufactured/mobile home park. Prior to any sale, lease, or transfer, a park owner must provide written notice to all residents and any homeowners' association on or before the date the owner advertises or lists or otherwise proffers the park for sale, lease, or transfer, a notice of opportunity to purchase or lease. Resident(s), homeowners' association, or eligible organization must provide the owner written notice of intent to consider purchase (if for sale) or lease (if for lease) the park within 45 days of receipt the owner's notice of opportunity to purchase or lease. If the owner receives notice of intent to consider purchase or lease from a resident(s), homeowners' association or eligible organization, owner must negotiate in good faith to sell or lease the park to the resident(s), homeowners' association or eligible organization and owner must not sell, lease, or transfer the property or accept an offer to lease or purchase from any other party for a period of 120 days after receipt of notice of intent to consider purchase or lease from the resident(s), homeowners' association or eligible organization.
1. The notice of opportunity to purchase or lease must include a statement that resident's, homeowners' association, and eligible organizations have 45 days from the date on which the notice of opportunity to purchase was personally delivered or postmarked to provide the owner with notice of intent to consider purchasing or leasing the manufactured/mobile home park. The notice must also provide the address where the notice of intent to consider purchase or lease must be delivered and the name of the person to whom it must be delivered.
 2. "Eligible organizations" include community land trusts, resident nonprofit cooperatives, local governments, local housing authorities, nonprofit community or neighborhood-based organizations, federally recognized Indian tribes in the state of Washington, and regional or statewide nonprofit housing assistance organizations.
 3. A notice of opportunity to purchase or lease is not required with respect to a sale, transfer, conveyance, or lease of the manufactured/mobile home community or the property on which it sits where the transaction is:
 - (a) Due to foreclosure.
 - (b) Incidental to financing the park.
 - (c) Pursuant to eminent domain.

- (d) Pursuant to a tax sale.
 - (e) Between joint tenants or tenants in common.
 - (f) Among the partners or shareholders who own the manufactured/mobile home community; or
 - (g) To a member of the owner's family or to a trust for the sole benefit of members of the owner's family.
4. Owner is not required to wait 120 days to sell, lease, or transfer the property if all timely notice(s) of intent to consider purchase or lease is withdrawn in writing.

14.60.200 Recreational Vehicles (RV's), Campers, Trailers, Tiny Houses, and Tents.

- A. Recreational vehicles, campers, trailers, tiny houses, and tents (aka recreational units) may be used for human habitation only in approved recreational vehicle parks unless otherwise specifically provided in this Title.
1. All applications for new RV Parks or modifications to existing RV Parks or approved RV Park Site Plans, shall include a site plan prepared by a qualified professional in a format prescribed by the City. This site plan should include, but is not limited to:
 - a. Identification of the RV park boundaries.
 - b. Internal streets and driveways.
 - c. The location and dimensions of designated RV spaces.
 - d. Required setbacks and buffers.
 - e. Designated open spaces and common areas.
 - f. Park facilities such as community center, restrooms, waste disposal, and laundry facilities.
 - g. The location and dimensions of required parking spaces.
 - h. A landscaping plan; and
 - i. Identification of "no parking" areas and fire lanes.
 2. The Project Sponsor shall also include with any application:

- a. A narrative description and documentation of how the site plan complies with the provisions of this Title; and
 - b. A copy of the RV Park Management Plan.
- 3. All recreational units shall retain their mobility and the wheels or means of transport shall not be removed or disabled.
- 4. The RV park owner or a designated agent shall always be on the site. It shall be the continuing responsibility of the RV park owner to:
 - a. Assure that all required landscape and common areas are perpetually maintained.
 - b. Keep the park free of unsightly brush, leaves, weeds, and debris.
 - c. Keep the park free from nuisances as defined in 8.24 CPMC.
 - d. Establish and enforce standards for the maintenance of recreational units occupied for more than 180 days.
 - e. Assure that all private stormwater facilities are perpetually maintained; and
 - f. That no outside storage of materials or equipment is allowed.
- 5. RV parks shall be designed, constructed, operated, and maintained in compliance with all applicable federal, state, and local laws and regulations.
- 6. RV park owners shall always maintain in good standing a City business license, provided that:
 - a. The business license shall be subject to annual renewal.
 - b. The RV park may be inspected by the Fire Marshal or other representative of the City in conjunction with the renewal process; and
 - c. The City may suspend or revoke a business license for failure to comply with the provisions of this Title.
- B. All recreational vehicle (RV) parks shall be designed in accordance with the following standards:

1. RV's, campers, trailers, tiny houses, and tents may only be located in RV spaces as designated on a site plan approved by the City.
 - a. The minimum width for each RV space shall be twelve feet (12').
 - b. The minimum length for a back-in RV space shall be fifty-six feet (56') long and for each pull through RV space seventy feet (70') long, and the space shall not include any common areas, roadways, general use structures, walkways, parking areas for vehicles other than RVs, or landscape areas.
 - c. There shall be a minimum distance of ten feet (10') between all recreational vehicles, campers, trailers, tiny houses, and tents.
 - d. Each designated space shall have at least one (1) 10' x 20' parking space.
 - e. Parking and driveway areas shall be paved with asphalt or concrete or similar surface, in accordance with City standards.
2. RV parks shall be designed with the following setbacks:
 - a. All designated RV spaces and buildings within the RV park shall be setback at least 20' from all exterior property lines.
 - b. Recreational units shall be setback at least twenty feet (20') from vegetative hedges.
3. Streets within an RV park shall have a minimum twelve foot (12') wide paved surface for one- way travel, and a minimum twenty-four foot (24') wide paved surface for two-way travel.
 - a. No dead-end streets are allowed.
 - b. Streets shall be paved with asphalt, concrete, or similar surface, in accordance with City standards.
4. All parking associated with the RV park, including guests, visitors, and employees, shall be on-site in areas designated on the site plan approved by the City. No off-site parking or parking that obstructs access by emergency vehicles shall be permitted at any time.
5. 300 square feet of usable open space or recreational area per recreational unit shall be provided, in common areas, accessible by all tenants, exclusive of:

- a. Areas reserved for the use or benefit of individual tenants.
 - b. Dedicated vehicular and pedestrian rights-of-way, easements, and off-street parking areas.
 - c. Required perimeter setbacks, and
 - d. Critical areas and their buffers.
6. A landscaping plan prepared in accordance with the provisions of Section 14.60.040 prepared by a qualified professional, that includes, but is not limited to:
 - a. Perimeter landscaping and screening on all sides in accordance with City standards.
 - b. Interior landscaping including grass, shade trees, shrubs, and an automated sprinkler system.
 7. The RV park shall be designed in compliance with the City Stormwater standards.
 8. All RV spaces shall have access to water, sewer, and electrical service in accordance with City standards.
 9. Recreational units may without internal toilets or showers may only be permitted if the RV park provides toilets, lavatories, and showers as required by State and local laws and regulations.
 10. At least one (1) sanitary disposal station for removing and disposing of waste from holding tanks shall be provided.
 11. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations throughout the park. The number and capacity of trash receptacles shall be sufficient to insure there is no uncovered accumulation of trash at any time in the park.
 12. All lighting shall be screened and downward facing; and
 13. No permanent buildings, structures, or additions may be constructed on a designated RV space, or attached to an RV, camper, trailer, or tiny house, or tent.
- C. Recreational vehicles, campers, trailers, tiny houses, and tents may be occupied by visitors to a single-family residence on a temporary basis for a period not to exceed fourteen (14)

calendar days, in any calendar year, provided that the recreational vehicle, trailer, or tent is located in the driveway, or in the yard outside of required setbacks.

- D. Recreation vehicles may be stored/parked in residential zoning districts by residences or their guests, provided the following conditions are met:
1. The recreational vehicle must not be in use for temporary or permanent housing.
 2. No more than one recreational vehicle may be stored outside on a parcel.
 3. The recreation vehicle shall not intrude into the public right-of-way or obstruct sight visibility from adjacent driveways.
 4. The recreation vehicle shall not be parked in the front or side yard setback.
 5. The recreation vehicle shall be maintained in a clean, well-kept state which does not detract from the appearance of the surrounding area.
 6. The recreational vehicle and its use comply with the provisions of College Place Municipal Code Chapter 8.24 Nuisances.

14.60.210 Temporary Homeless Encampments.

- A. Religious organizations may be permitted to host encampments for the homeless on a temporary basis in accordance with the provisions of RCW 36.01.290, provided that:
1. The City may impose conditions of approval necessary to protect the public health, safety, and welfare.
 2. Prospective applicants shall submit for City review and approval, plans that at a minimum address:
 - a. The maximum number of occupants to be allowed in the encampment.
 - b. Provisions for toilets, running water, and garbage collection that meet local health standards.
 - c. Provisions for cooking facilities including food storage and dish washing.
 - d. Provisions for tents or similar sleeping shelters; and

- e. Plans for the location of first aid equipment, fire extinguishers, designated smoking areas (if any), maintenance of necessary access, plans for keeping the site free of litter or garbage, and plans for prohibiting open flames.
- 3. Encampments shall be open for inspection by the City at all times, without prior notice, to determine compliance with the conditions of approval. This shall include, but is not limited to the Health Department, Fire Department, Police Department, and the Department of Community Development.

14.60.220 {Open}

14.60.230 Downtown Mixed-Use District Standards.

- A. Development activities in the Downtown Mixed-Use District (DMU) shall comply with the following standards:
 - 1. The City of College Place Downtown Design Standards and Guidelines dated January 10, 2018, or as subsequently amended by the City.
 - 2. Building storefronts must face College Avenue and shall be placed at back of sidewalk, allowing for a minimum ten-foot-wide sidewalk with twenty-feet encouraged to promote sidewalk activities like outdoor dining, etc. Sidewalks shall be designed and constructed by Project Sponsors in accordance with the provisions of the College Place Engineering Design Standards.
 - 3. Street trees shall be provided by the Project Sponsor in accordance with the provisions of the City of College Place Engineering Design Standards.
 - 4. Street lighting shall be provided by the Project Sponsor in accordance with the provisions of the College Place Engineering Design Standards.
 - 5. Required on-site parking facilities shall be provided by the Project Sponsor, at the rear or side of the building; and
 - 6. Normal daytime display of salable items may be placed in a neat and orderly manner on the sidewalk adjacent to the merchant's business. The display shall not materially affect sidewalk traffic or ADA compliance and shall be moved from the sidewalk at the end of each day.

14.60.240 Light Industrial District (LI) Standards. The following provisions, in addition to all other requirements of this Title, shall apply to all development activities and changes of use

in the Light Industrial District, as established by the City, unless otherwise provided in this Chapter.

- A. The manufacture, fabrication, assembly, packaging, handling, and storage of previously prepared materials may be permitted in accordance with the provisions of this Title, provided there shall be no manufacture, refining or treatment of any of the following products or materials:
1. Asphalt, tar.
 2. Acetylene.
 3. Brick, tile, terra cotta.
 4. Concrete, cement, lime, gypsum, and plaster of paris.
 5. Chemicals of a hazardous, noxious or a poisonous nature such as and similar to strong acids and alkalines, ammonia, bleaching powder, chlorine, dyestuff, glue, gelatin, herbicides, and pesticides.
 6. Explosive or highly flammable material.
 7. Fats, oils, and soaps.
 8. Fertilizer, offal, bones, and the reduction of dead animals.
 9. Forging or smelting of metal.
 10. Lampblack and stove or shoe polish.
 11. Heavy timber lumber and planing mills.
 12. Oilcloth and linoleum.
 13. Paint, shellac, turpentine, lacquer, and varnish.
 14. Petroleum.
 15. Primary manufacture of paper and pulp.
 16. Slaughtering and processing of meat and fish products; and

17. Tannery and curing of raw hide.

14.60.250 University District Standards. The following provisions shall apply to all development activities and changes of use in the University District, as established by the City, unless otherwise provided in this Chapter.

A. Applicability. All new construction of buildings and structures, the modification or expansion of existing building or structures, new uses, or changes of use, and any related development activities shall comply with the provisions of this Title and must receive the required ~~permits and approvals~~permits/approvals/actions from the City before the initiation of any development activities.

1. In an effort to promote the timely review and approval of all proposed development activities, the University is encouraged to schedule a pre-application meeting with the City Community Development Department to review what the University plans to accomplish and the City's application requirements.
2. Properties that are owned by the University that are not located within the boundaries of the University District, shall be subject to the provisions of the zoning district in which they are located.

B. Permitted Uses. In addition to the uses identified in the Section 14.50.030 Table of Permitted Uses, the following uses may be permitted, provided they are designed to primarily serve University students, faculty, staff, volunteers, and visitors:

1. Classrooms and lecture halls.
2. Administrative buildings and offices.
3. Dormitories and student housing.
4. Maintenance facilities.
5. Indoor and outdoor athletic and recreation facilities.
6. Food preparation and eating facilities.
7. Parking facilities.
8. Places of worship.
9. Meeting and performance facilities.

10. Bookstores.

11. Special and temporary uses; and

12. Other uses typically associated with small, private universities as determined by the City through an administrative code interpretation.

C. Development Standards. The following development standards shall apply to the University Campus:

1. The University shall provide documentation that all parking needs generated by the proposed development will be met on the campus.
 - a. This may require additional on-campus parking improvements, efficiencies, or increased enforcement.
 - b. Parking on City streets shall not be permitted.
2. The University shall prepare a traffic study or otherwise provide documentation on the number and frequency of trips that will be generated by the proposed development and whether the new trips can reasonably be accommodated without a reduction in established levels of service. The City may require the University to construct road improvements to maintain level of service standards and to protect public safety.
3. All proposed development activities shall comply with the provisions of the International Codes, as adopted, and administered by the City of College Place. This shall include, but is not limited to:
 - a. All new buildings, and the expansion of existing buildings, shall meet the building separation requirements.
 - b. Additional separation or access improvements for emergency vehicles may be required in order to meet the requirements of the International Fire Code.
4. The University shall provide documentation that adequate water is available to serve the proposed use and meet required fire flows.
5. The University shall provide documentation that adequate provisions have been made to connect to the City's utilities.
6. The University shall meet the City Stormwater Regulations.

7. All new lighting on the campus shall comply with City lighting standards.
 8. The University shall contact the City when planning for special or temporary uses to determine if a Special Use Permit is required and/or measures should be taken to protect the public health, safety, and welfare. This may include, but is not limited to:
 - a. Consultation with the Public Works Director, City Engineer, City Police Chief, or Fire Chief to ensure access by emergency vehicles; and
 - b. Consultation with the County Health Department regarding sanitation measures and permits.
- D. Campus Master Plan. As an alternative to the provisions of this Chapter, the University may submit for City review and approval, a Campus Master Plan to guide the use of existing facilities and new development activities on the campus.
1. This Campus Master Plan shall be based on a projected student population and the projected number of faculty and staff.
 2. The Campus Master Plan shall include a map(s) of the campus along with supporting narrative and studies that identifies:
 - a. All existing buildings and facilities and the use of each building.
 - b. The projected location and use of future buildings and facilities.
 - c. Existing and proposed parking areas, the capacity of each area, and documentation of projected parking needs on campus.
 - d. The documented location of all existing and planned water and sewer mains, lines, valves, connections, irrigation lines, and fire hydrants.
 - (1) In addition, the location of all existing and planned fire hydrants shall be identified.
 - e. Documentation of the water service needs for the campus including all proposed buildings and uses, and demonstration that adequate water supply exists to meet the potable water requirements and the requirements of the International Fire Codes, as adopted by the City.
 - f. Documentation of the sewer service needs for the campus including all proposed buildings.

- g. A traffic plan that identifies where ingress and egress for vehicles and deliveries will occur, the baseline level of trips to and from the campus, and the projected number of trips associated with proposed buildings or uses. Proposed improvements to maintain safety and City level of service standards will also be depicted.
 - h. A bicycle and pedestrian circulation plan that identifies road crossings and proposed improvements to maintain a safe environment for students, faculty, staff, and visitors to the campus.
 - i. The identification of all existing and proposed stormwater management facilities and improvements. The Stormwater Operation and Maintenance Plans and access agreements should also be included.
3. The proposed Campus Master Plan shall be prepared in consultation with neighboring property owners and shall feature measures to avoid or minimize potential adverse impacts.
 4. The City shall conduct an environmental review of the proposed Campus Master Plan.
 - a. Subsequent project specific development proposals that are consistent with the provisions of the approved Campus Master Plan, and that fall within the parameters evaluated during the environmental review, may be permitted by the City without additional environmental review.
 - b. Proposed development activities that do not fall within the parameters of the environmental review may be required to prepare and addendum or supplemental environmental review, or a new environmental review, as determined by the City.
 5. The proposed Campus Master Plan shall be processed by the City through the same process as a conditional use permit.
 - a. Minor amendments to the Campus Master Plan may be approved administratively, in writing, by the City.
 - b. All other amendments shall be processed as a conditional use permit.
 6. The City and the University may elect to execute a development agreement in accordance with the provisions of the Laws of Washington State, to implement the approved Campus Master Plan.

14.60.260 {Open}

14.60.270 Wireless Communication Facilities.

- A. The purpose of this Chapter is to establish permit requirements and development standards for wireless communication facilities and services within the city that address the appearance, placement, and safety of antennas, facilities, and equipment associated with wireless communications; to provide predictability to service providers in the permitting process and to allow for site development issues to be addressed through clear and objective placement criteria and development standards.
 - 1. Interpretations of this Section shall be guided by Section 6409 of the Spectrum Act; the Wireless FCC Eligible Facilities Request Rules, the FCC's Report and Order in, *In re Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies*, WT Docket Nos. 13-238, 13-32; WC Docket No. 11-59; FCC 14-153.
 - 2. In the event of a conflict between the provisions of this Section and the provisions of federal laws, federal regulations, and/or the decisions of federal courts, the federal provisions shall apply unless otherwise determined by the City Attorney.
- B. The provisions of this Section shall apply to all new wireless communication facilities as well as the expansion and/or modification of any existing facilities within the city, unless specifically exempted.
 - 1. The following wireless communication facilities are exempt and may be installed without a conditional use permit in accordance with the provisions of this Section:
 - a. VHF and UHF receive-only television antennas.
 - b. Amateur and academic wireless communication facilities.
 - c. Satellite to earth stations using antennae not more than 2 meters in diameter in commercial and industrial districts and direct-to-home satellite services using any size antenna in any zoning district.
 - d. Send-and-receive citizen band radio antennae operated by federally licensed amateur (ham) radio operators.
 - e. Industrial, scientific, and medical equipment as regulated by the FCC in 47 CFR Part 18; and

- f. Military and government radar antennae and associated communication towers used for navigational purposes as regulated by the FCC by 47 CFR Parts 97 and 95 respectively.
- 2. The following wireless communication facilities are exempt and may be installed without a building and mechanical permit in accordance with the provisions of this Section:
 - a. VHF and UHF receive-only television antennas.
 - b. Amateur and academic wireless communication facilities.
 - c. Satellite to earth stations using antennae not more than 2 meters in diameter in commercial and industrial districts and direct-to-home satellite services using any size antenna in any zoning district; and
 - d. Send-and-receive citizen band radio antennae operated by federally licensed amateur (ham) radio operators.
- 3. Existing and future Federal Communications Commission (FCC) exemptions and/or rulings not explicitly mentioned in this code shall be in effect at the time of enactment by the FCC.
- C. The City shall prescribe the application requirements for all non-exempt wireless communication facilities, provided that a pre-application conference shall be required for all Major Wireless Communication Facilities.
- D. Development Standards. The following standards shall be applied to all non-exempt wireless communication facilities, consisting of equipment enclosures, antenna support structures, and antennas, unless otherwise provided.
 - 1. Co-location on existing antenna support structures or alternative antenna support structures is preferred if technically feasible and otherwise suitable for the proposed wireless communication services. Attachment of antennas to existing nonresidential structures and buildings primarily within light industrial and commercial zoning districts is preferable to additional antenna support structures.
 - 2. Amateur wireless communication facilities shall not be used for the placement or operation of non-exempt wireless communication equipment and shall not be used to provide or offer non-exempt wireless communication services.

3. The facilities shall comply with the applicable provisions of Section 14.60.030 Density, Dimensions, Area, Height, and Setback Standards, unless otherwise provided in this Section.
 - a. Non-exempt, non-amateur, or non-academic wireless communication facilities and related structures shall be located not less than 100 feet from any nearby residentially zoned property, as measured from the base of the facility to the property line of each nearby residentially zoned property. Antennas located on an alternative antenna support structure are exempt from the 100-foot requirement provided that related structures are screened in accordance with the provisions of this Section.
 - b. Antenna support structures and attached antennas shall be located at a point farthest from lot lines as feasible, provided that these locations allow optimal signalization.
 - c. Antenna placements in the Downtown-Mixed Use District shall extend up no farther than 25 feet and shall be placed as far back from the building exterior as is feasible.
4. Wireless communication facilities shall not be located within easements or any required building setback areas.
5. Wireless communication facilities shall not be used for the purposes of signage.
6. A structural engineer licensed in the state of Washington shall certify in writing that both construction plans and final construction of the antenna support structure or alternative antenna support structure upon which attached antennas may be mounted is designed to reasonably withstand wind and seismic loads as established by the International Building Code.
7. Screening of wireless communication facilities shall be provided in accordance with the provisions of this Section.
8. Development standards for amateur and academic wireless communication facilities.
 - a. Wireless communication facilities shall not be located within any easements or building setback areas. Antenna support structures held up by stays or guys may encroach into building setback areas.
 - b. Mountings and antenna support structures should be no taller than the minimum required for the purposes of obtaining an obstruction-free reception/transmission window and optimal signalization.

- c. "Lattice" and "monopole" towers regardless of height are subject to current state code requirements.
 - d. Antenna support structures shall not be used for the purposes of signage.
 - e. Antenna support structures may be ground- or roof mounted.
 - f. Amateur wireless communication facilities shall not be used for the placement or operation of non-exempt wireless communication equipment and shall not be used to provide or offer non-exempt wireless communication services.
 - g. Equipment enclosures, equal to or less than 120 square feet, designed or used to accommodate amateur or academic radio equipment and/or antenna support structures shall be exempt from any development standards contained elsewhere within this Chapter, except for those specified and applicable in Section 14.60.270 D 3 c.
- E. Removal of Wireless Communications Facilities. Any antenna or tower that is not operated for wireless communications for a continuous period of 12 months, shall be removed by the owner of the property on which the tower or antenna is situated, or by the owner or lessee of the tower or antenna within 90 days of receipt of notice to remove from the City. If the antenna and/or tower is not removed within said 90 days, the City may remove the antenna or tower at the owner's expense. If there are two or more wireless communications providers collocated on a single tower, this provision shall not become effective until all provider's cease using the wireless communication facility for a continuous period of 12 months.
- F. Disrepair, Hazard, Nuisance, Improper Maintenance - Abatement Required.
- 1. When the City determines that any wireless communication facility, structure, and/or antenna is in a state of disrepair, presents a safety hazard to the public, constitutes a public nuisance due to disrepair or improper maintenance, or is otherwise not properly maintained, the City shall notify the owner of the facility of such concern by certified mail. Such notice shall specify the problems and the expected resolution.
 - 2. The facility owner shall specify in writing the actions which will be undertaken to rectify the problems with the site. The City may accept or modify the proposed actions as it determines necessary.
 - 3. Failure to complete work specified by the City shall constitute a violation of the conditional use permit or other authorization as provided in this code and may result in the removal of the facility at the expense of the responsible parties.

4. The owner of the telecommunications facility, the lessee of the property upon which the facility is located (if different from the owner of the facility), and the owner of the property (if different from the owner of the facility and/or the holder of the lease) are individually, jointly, and severally responsible for removal of the facility as described above.
 - a. Should the responsible parties fail to remove a facility or component thereof, or resolve maintenance issues, as directed by the City pursuant to this section, the City may remove the facility at the expense of the responsible parties.
 - b. The City may pursue recovery of costs for its actions from any and all responsible parties through any means available in courts of competent jurisdiction.

Chapter 14.70 Critical Area Protections

Sections:

- 14.70.010 Introduction.**
- 14.70.020 General Provisions.**
- 14.70.030 Critical Aquifer Recharge Areas.**
- 14.70.040 Special Flood Hazard Areas.**
- 14.70.050 Geologic Hazard Areas.**
- 14.70.060 Wetlands.**
- 14.70.070 Fish and Wildlife Habitat Conservation Areas.**
- 14.70.080 Enforcement.**

14.70.010 Introduction. The purpose of this Chapter is to identify critical areas to help preserve the natural environment, maintain fish and wildlife habitat, and protect drinking water, and to supplement the City's development regulations governing land use.

- A. All development activities including new uses of land and buildings, changes of use, as well as new construction and the modification of existing buildings, structures, and infrastructure must comply with all provisions of this Chapter and this Title, as well as all other applicable provisions of local, state, and federal law, unless specifically exempted.
- B. Critical areas subject to the provisions of this Chapter include:
 - 1. Critical Aquifer Recharge Areas.
 - 2. Special Flood Hazard (Frequently Flooded) Areas.
 - 3. Geologic Hazard Areas.
 - 4. Wetlands; and
 - 5. Fish and Wildlife Habitat Conservation Areas.
- C. The following activities may be determined by the City to be exempt from the provisions of this Chapter:
 - 1. Emergency actions necessary to prevent an immediate threat to life, or to public health, safety, or welfare, or that pose an immediate risk of damage to private structures or improvements and that require remedial or preventative action in a time frame too short to allow for compliance with the procedural requirements of this Chapter.

- a. Emergency actions that create an impact on a critical area or its buffer shall be limited to those actions that are required to address the emergency and generally are limited to the actions necessary to remove the immediate threat. Additional actions to permanently address a deficiency generally do not qualify as emergency actions and require full compliance with the procedural requirements of this Chapter. Emergency actions should be carried out in a manner that has the least feasible impact on the critical area or its buffer.
 - b. The person or agency undertaking emergency action shall notify the City within five working days following commencement of the emergency activity. Within 30 days, the City shall determine if the action taken was within the scope of the emergency actions allowed in this subsection. If the City determines that the action taken, or any part of the action taken, was beyond the scope of an allowed emergency action, then enforcement actions may be initiated.
 - c. After the emergency, the person or agency undertaking the action shall submit a critical area report assessing effects on critical areas and conduct necessary restoration and/or mitigation for any impacts to the critical area and buffers resulting from the emergency action in accordance with an approved critical area report and mitigation plan. The person or agency undertaking the action shall apply for all approvals required by this Chapter. Restoration and/or mitigation activities must be initiated within 180 days of the date of the emergency, unless an extension is approved by the City, and completed in a timely manner.
2. Maintenance, operation and/or repair of rights-of-way, trails, roads, utilities, buildings and other facilities within critical areas and buffers; provided, that the activity does not further alter, impact, or encroach upon the sensitive area or buffer or further affect the functions of sensitive areas, and there is no increased risk to life, property, or the environment, as a result of the proposed operation, maintenance, or repair.
 3. Maintenance of existing, lawfully established landscaping and gardens within a regulated critical area or its buffer, including but not limited to mowing lawns, weeding, removal of noxious and invasive species, harvesting and replanting of garden crops, pruning and planting of ornamental vegetation or indigenous native species to maintain the condition and appearance of such areas as they existed prior to adoption of this code; provided, that native growth protection areas, mitigation sites, or other areas protected via conservation easements or similar restrictive covenants are not covered by this exception.
 4. Maintenance, repair, or replacement of an existing legal, nonconforming structure that does not immediately, or is not likely in the future to further alter or increase the impact to the sensitive area or buffer and results in no increased risk to life, property, or the

- environment, as a result of the proposed modification or replacement, or reconstruction of unintentionally damaged nonconforming structures provided structures are not expanded or reconstructed for a new use.
5. Replacement, modification, installation, or construction of utility facilities, lines, pipes, mains, equipment, or appurtenances, not including substations, when such facilities are located within the existing improved portion of the public right-of-way (road surface, shoulder, sidewalks, and slopes) or the improved portion of City-authorized private roadway; provided, that no fill or discharge occurs outside the existing improved area and with appropriate best management practices to control erosion, sedimentation and other potential impacts. Excluded is work within a water body or wetland, including but not limited to culverts or bridge replacement or construction.
 6. Utility projects that have minor or short duration impacts to critical areas and buffers, as determined by the City in accordance with the criteria below, and which do not significantly impact the functions or values of a sensitive area(s); provided, that such projects are constructed with best management practices and appropriate restoration measures are provided. These activities shall not result in the transport of sediment or increased stormwater, or adversely affect health, property, or the environment. Such allowed minor utility projects shall meet the following criteria:
 - a. There is no practical or feasible alternative to the proposed activity with less impact on sensitive areas.
 - b. The activity involves the placement of a utility pole, street signs, anchor, or vault or other small component of a utility facility; and
 - c. The activity involves disturbance of less than 200 square feet of the sensitive area and/or buffer, exclusive of any equipment and/or vehicles needed to perform the activity.
 7. Low impact activities such as hiking, canoeing, nature study, photography, fishing, education, or scientific research.
 8. Public and private pedestrian trails, provided that:
 - a. The trail surface does not exceed six feet in width.
 - b. The trail surface consists of uncompacted gravel or pervious materials, including boardwalks.

- c. The trail meets all other City, state, and federal requirements, including state water quality standards; and
 - d. Sensitive area and/or buffer widths may be increased, where possible, equal to the width of the trail corridor, including disturbed areas.
9. The following non-aquatic vegetation removal activities:
- a. The removal of the noxious weed species designated by Washington State or the local weed control authority with hand labor and light equipment, or other invasive species.
 - b. The removal of hazard trees from sensitive areas and buffers that are posing a threat to public safety, or an imminent risk of damage to a permanent structure.
10. Minor site investigative work necessary for land use submittals, such as surveys, soil logs, percolation tests, and other related activities, where such activities do not require construction of new roads, removal of native trees or shrubs, or displacement of more than five cubic yards of material. Investigations involving displacement of more than five cubic yards of material, including geotechnical soil borings, groundwater monitoring wells, percolation tests, and similar activities shall require submittal of specific plans and restoration plans to the City prior to commencement of any activity. In every case, impacts to the sensitive area shall be minimized and disturbed areas shall be immediately restored. No activity shall commence or occur without City written approval.
11. The application of herbicides, pesticides, fungicides, organic or mineral-derived fertilizers, or other hazardous or potentially hazardous substances, if necessary, provided that their use shall be conducted in accordance with applicable local, state, and federal law.
12. Activities undertaken to comply with a United States Environmental Protection Agency superfund related order, or a Washington Department of Ecology order pursuant to the Model Toxics Control Act that specifically preempts local regulations in the findings of the order.
13. Project and facilities for restoration and enhancement of ecological functions of critical areas and related resources may be allowed within critical areas and buffers, upon City approval of a restoration and mitigation plan in accordance with the provisions of this Chapter, or for restoration or enhancement programs in an adopted shoreline restoration plan pursuant to Chapter 173-26 WAC, a watershed planning document prepared and adopted pursuant to Chapter 90.82 RCW, a watershed restoration project pursuant to

- RCW 89.08.460, a salmonid recovery plan, the salmon recovery board habitat project list, or identified by the Washington Department of Fish and Wildlife as essential for fish and wildlife habitat enhancement pursuant to RCW 77.55.290.
14. The repair and maintenance of drainage ditches.
 15. The installation of individual service lines for agricultural purposes and to existing uses.
 16. Reasonably necessary activities conducted by a public agency to control mosquitoes, pests, rodents, weeds, invasive species, and the like.
 17. Agricultural activities including farming, horticulture, normal maintenance and repair of irrigation delivery systems and drainage systems, ranching, and grazing of animals and pest and weed control. This includes land lying idle under a government program, agricultural set-aside land and changes between agricultural activities.
 18. Normal and routine maintenance of agricultural ponds, livestock watering ponds, and fishponds.
 19. Intentional construction of artificial structures from upland areas for purposes of stormwater drainage or water quality control, grassy swales, or ornamental landscape ponds, which are not a part of a critical mitigation plan and are consistent with the Stormwater Management Manual for Eastern Washington, as adopted and implemented by the City.
 20. Normal dredging required to maintain flows and minimize flooding, provided that other applicable local, state, and federal permits are obtained.
 21. Cases where a federal agency has jurisdictional control over a wetland and the City determines that those permit conditions would satisfy the requirements of this Chapter.

14.70.020 General Provisions.

- A. It shall be the responsibility of Property Owners and Project Sponsors to know and/or to identify the location of critical areas on and near their property and to comply with the provisions of this Chapter at all times.
 1. Property Owners and Project Sponsors that may be proposing development activities in proximity of critical areas are strongly encouraged to schedule and attend a conference with City staff to discuss the applicability of these regulations prior to preparing and submitting land use applications to the City.

2. The City maintains public maps that may assist in the identification of critical areas.
 - a. It is the responsibility of the Property Owner/Project Sponsor to identify and map all critical areas on their property.
 - b. The presence of a critical area and/or its associated buffer on a parcel triggers the requirements of these regulations, regardless of whether a critical area or buffer is depicted on an official map.
 3. Reasonable access to the project site shall be provided to the City, state, and federal agency staff for the purpose of inspections and compliance review during any proposal review, restoration, emergency action, new construction, or monitoring period.
- B. These regulations shall apply in addition to the other applicable provisions of this Title, as well as applicable local, state, and federal regulations.
1. Compliance with the provisions of this Chapter does not necessarily constitute compliance with other federal, state, and local regulations and permit requirements that may be required (for example, Hydraulic Project Approvals permits, Army Corps of Engineers Section 404 permits, National Pollutant Discharge Elimination System permits).
 2. The Project Sponsor shall be responsible for obtaining all required ~~permits and approvals~~permits/approvals/actions before initiating any action.
- C. The City, when regulating uses, activities, and developments within or adjacent to, and likely to affect one or more critical areas, shall do so consistent with the best available science and the provisions of this Chapter.
1. The best available science is that scientific information applicable to the critical area prepared by local, state, or federal natural resource agencies, a qualified professional, or team of qualified professionals that is consistent with criteria established in WAC 365-195-900 through WAC 365-195-925.
 2. Nonscientific information may supplement scientific information, but it is not an adequate substitute for valid and available scientific information. Common sources of nonscientific information include anecdotal information, non-expert opinion and hearsay.
 3. Where there is an absence of valid scientific information or incomplete scientific information relating to a critical area leading to uncertainty about the risk to critical area function of permitting an alteration of or impact to the critical area, the City may:

- a. Take a "precautionary or a no-risk approach," that strictly limits development and land use activities until the uncertainty is sufficiently resolved; and/or
 - b. Require application of an effective adaptive management program that relies on scientific methods to evaluate how well regulatory and nonregulatory actions protect the critical area. An adaptive management program is a formal and deliberate scientific approach to taking action and obtaining information in the face of uncertainty. An adaptive management program shall:
 - (1) Address funding for the research component of the adaptive management program.
 - (2) Change course based on the results and interpretation of new information that resolves uncertainties; and
 - (3) Commit to the appropriate timeframe and scale necessary to reliably evaluate regulatory and nonregulatory actions affecting protection of critical areas. and anadromous fisheries.
- D. Property Owners and Project Sponsors shall, when designing development activities that may affect geologic hazard areas, wetlands, and fish and wildlife habitat conservation areas, use the following measures, listed in priority order:
- 1. Avoid the adverse impact altogether by not taking a certain action or parts of an action or moving the proposed action.
 - 2. Minimize adverse impacts by limiting the degree or magnitude of the action and its implementation by using appropriate technology and engineering, or by taking affirmative steps to avoid or reduce adverse impacts.
 - 3. Rectify the adverse impact by repairing, rehabilitating, or restoring the affected environment to the conditions existing at the time of the initiation of the project.
 - 4. Reduce or eliminate the adverse impact over time by preservation and maintenance activities during the life of the action.
 - 5. Compensate for the adverse impact by replacing, enhancing, or providing similar substitute resources or environments.
 - 6. Monitor the impact for a reasonable period of time and taking appropriate corrective measures; and

7. Mitigate the adverse impact through a combination of measures.
- E. A Critical Area Authorization or Permit is required before any construction or development activity may be initiated on a site with an area that meets the criteria for designation as a Special Flood Hazard Area, Geologic Hazard Area, Wetland, or Fish and Wildlife Habitat Conservation Area(s) or their associated buffers.
1. A Critical Area Authorization must be based on a written finding by the City that:
 - a. The proposed activity is exempt; or
 - b. The proposed activity only occurs outside of the critical area and the associated buffer; or
 - c. The City has adequate information to determine that the proposal will not have an adverse impact on the Critical Area; or
 - d. The proposed activity will not have an adverse impact on the critical area and otherwise complies with the provisions of this Section.
 2. A Critical Area Permit shall be based on the findings and recommendations contained in a Critical Area Report(s).
- F. In order to receive a required Critical Area Permit, Project Sponsors must prepare and submit for City review and approval a critical area report(s) in a format prescribed by the City.
1. The City shall determine the scope, content, and format for a Critical Area Report based on pre-application consultation with the Project Sponsor and his/her/their consultants, resource agencies, and qualified professionals.
 - a. Please contact the City Community Development Department or go to the City's website to get the most recent copy of the City's Guidelines for preparing a Critical Area Report.
 - b. Individual critical areas reports may be combined into a single comprehensive report, in a format approved by the City.
 2. Critical Area Reports shall be prepared by a qualified professional, as determined by the City.

- a. The cost of preparing required critical areas report(s) shall be borne by the Applicant/Project Sponsor.
 - b. The cost of a professional peer review of any required critical areas report, if required by the City, shall be borne by the Applicant/Project Sponsor.
- 3. Critical Area Reports shall be submitted to the City in draft form for City review and comment. Following this review, the City shall notify the Applicant in writing:
 - a. That the report complies with City guidelines and that it may be submitted in final form.
 - b. That additional information is necessary and/or revisions must be made before the report can be accepted for processing, and that identifies the corrective actions that must be taken; or
 - c. That the report does not comply with City guidelines and that identifies the corrective actions that must be taken.
- 4. Upon acceptance of the Critical Area Report(s), the City shall utilize the report to evaluate the proposed development activity and to establish conditions of approval. In addition, the City may require the Project Sponsor to:
 - a. Submit detailed construction plans and drawings prepared by a qualified professional necessary to implement mitigating measures and other conditions of approval.
 - b. Conduct or permit to be conducted on-going monitoring and evaluation.
 - c. Install protective fencing and signage.
 - d. Provide the City with financial guarantees; and
 - e. Comply with other such measures as may be necessary to comply with the provisions of the applicable local, state, and federal laws.
- G. Fencing and Signs of Critical Areas and Required Buffers. The City may require, as a condition of approval, that temporary or permanent fencing and signage may be installed to protect critical areas and their buffers from inappropriate uses, unauthorized development activities, intrusion, or accidental encroachment.

1. The outer perimeter of the critical area or buffer and the limits of those areas to be disturbed pursuant to an approved permit or authorization shall be marked in the field in such a way as to ensure that no unauthorized intrusion will occur and is subject to inspection by the City prior to the commencement of permitted activities. This temporary marking shall be maintained throughout construction and shall not be removed until permanent signs, if required, are in place.
 2. Fencing installed as part of a proposed activity or as required in this Section shall be designed so as to not interfere with native species migration, including fish runs, and shall be constructed in a manner that minimizes impacts to critical areas and buffers.
- H. In order to inform subsequent purchasers of real property of the existence of critical areas, the owner of private property containing a critical area or buffer on which a development proposal has been approved, shall file a notice with the County Records and Elections Division, as directed by the City. The notice shall state the presence of the critical area or buffer on the property, the application of this Chapter to the property, and the fact that limitations on actions in or affecting the critical area or buffer may exist. The notice shall "run with the land."

14.70.030 Critical Aquifer Recharge Areas. Critical aquifer recharge areas (CARAs) are lands with prevailing geologic conditions associated with infiltration rates that create a high potential for contamination of ground water resources or contribute significantly to the replenishment of ground water.

- A. The entire City of College Place is hereby designated as a critical aquifer recharge area and the provisions of this Chapter shall apply to all proposed development activities unless specifically exempted, or otherwise provided.
1. All uses and development activities shall comply with local, state, and federal laws and regulations to protect groundwater including, but not limited to the Washington Administrative Code Chapters 173-216, 173-218, 173-240, 173-303, 173-304, 173-360 and the US Clean Water Act.
 2. The City may require a critical area report prepared by a qualified professional and supported by best available science, to identify design features and best management practices necessary to protect the quality and quantity of groundwater.
 3. Uses and activities may only be permitted if the Project Sponsor can show that the proposed use or activity will not cause contaminants to enter local aquifers, adversely affect the recharging of the aquifer, or adversely affect the quantity or quality of groundwater.

14.70.040 Special Flood Hazard Areas.

- A. All Special Flood Hazard Areas in the City of College Place, as determined by utilizing data obtained from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) are subject to the provisions of this Section. Special Flood Hazard Areas are subject to inundation by 1-percent-annual chance flood, and shall include Zones A, AE, A1-30, AH, AO, AR, and A99.
- B. No development activities or new uses may be permitted on sites with designated Special Flood Hazard Areas without a Critical Areas Authorization or Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020.
- C. All proposed development activities and new uses on sites with designated Special Flood Hazard Areas must comply with FEMA regulations and standards. Please note that federal flood insurance purchase requirements apply in these zones.

14.70.050 Geologic Hazard Areas. The purpose of these regulations is to maintain the integrity of designated geologic hazard areas and their buffers in order to protect adjacent lands from the impacts of landslides, mudslides, subsidence, excessive erosion, and seismic events, and to safeguard the public from these threats to life or property.

- A. Geologic hazard areas in the City of College Place shall include those areas that are susceptible to one or more of the following types of hazards:
 - 1. Erosion hazard.
 - 2. Landslide hazard.
 - 3. Seismic hazard; or
 - 4. Other geological events including, mass wasting, debris flows, rock falls, and differential settlement.
- B. No development activities or new uses may be permitted on sites with areas that meet the criteria for designation as a Geologic Hazard Area or an associated buffer without a Critical Areas Authorization or Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020.
 - 1. The City may waive or reduce engineering study and design requirements in geologic hazard areas for:

- a. Additions or alterations to existing structures that do not increase occupancy or significantly affect the risk of structural damage or injury; or
- b. New buildings that are not dwelling units or used as places of employment or public assembly and do not pose a significant threat to dwelling unit(s) or places of employment or public assembly.

14.70.060 Wetlands. Wetlands are areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds, and landscape amenities, or those wetlands created after July 1, 1990, that were unintentionally created as a result of the construction of a road, street, or highway. Wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands.

- A. All areas within the City of College Place meeting the wetland designation criteria in the approved federal wetland delineation manual and applicable regional supplements, as amended, regardless of any formal identification, are hereby designated critical areas and are subject to the provisions of this Chapter.
 - 1. Wetlands shall be rated according to the Washington Department of Ecology Wetland Rating System, as set forth in the Washington State Wetland Rating System for Western Washington: 2014 Update (Ecology Publication #14-06007), or as revised. Wetland delineations are valid for five (5) years; after such date the City shall determine whether a revision or additional assessment is necessary.
 - 2. A buffer area shall be established for all designated wetlands to protect the function and values of the wetland.
- B. No development activities or new uses may be permitted on sites that meet the criteria for designation as a wetland or an associated buffer without a Critical Areas Authorization or Critical Areas Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020.
 - 1. The following uses and activities may be permitted by the City in wetlands through a Critical Areas Authorization:
 - a. Conservation or preservation of soil, water, vegetation, fish, and other wildlife that does not entail changing the structure, or functions of the existing wetland.

- b. The harvesting of wild crops in a manner that is not injurious to natural reproduction of such crops and provided the harvesting does not require tilling of soil, planting of crops, or alteration of the wetland by changing existing topography, water conditions or water sources.
- c. Recreational and educational activities.
- d. Research.
- e. Drilling for utilities under a wetland provided that the drilling does not interrupt the ground water connection to the wetland or percolation of surface water down through the soil column. The City may require the Project Sponsor to submit a special study prepared by a Qualified Professional to determine whether the ground water connection to the wetland or percolation of surface water down through the soil column is disturbed prior to any drilling or drilling associated activities.
- f. Enhancement of a wetland through the removal of non-native invasive species. Weeding shall be restricted to hand removal and weed material shall be removed from the site. Bare areas that remain after weed removal shall be re-vegetated with native shrubs and trees at natural densities. Some hand seeding may also be done over the bare areas with native plants.

14.70.070 Fish and Wildlife Habitat Conservation Areas.

- A. All areas within the city meeting one or more of the following criteria, regardless of any formal designation, are hereby designated Fish and Wildlife Habitat Conservation Areas and are subject to the critical area provisions of this Chapter:
 - 1. Areas where state or federal designated endangered, threatened, and sensitive species have a primary association.
 - a. Federal designated endangered and threatened species are those fish, wildlife, and plant species identified by the U.S. Fish and Wildlife Service and the National Marine Fisheries Service that are in danger of extinction or threatened to become endangered.
 - b. State designated endangered, threatened, and sensitive species are those fish, wildlife, and plant species native to the State of Washington identified by the state Department of Fish and Wildlife, that are in danger of extinction, threatened to become endangered, vulnerable, or declining and are likely to become endangered or threatened in a significant portion of their range within the state without

cooperative management or removal of threats. State designated endangered, threatened, and sensitive species are periodically recorded in WAC 232-12-014 (state endangered species), and WAC 232-12-011 (state threatened and sensitive species).

2. Priority habitats and species identified by the state Department of Fish and Wildlife. Priority species require protective measures for their perpetuation due to their population status, sensitivity to habitat alteration, and/or recreational, commercial, or tribal importance. Priority habitats are those habitat types or elements with unique or significant value to a diverse assemblage of species. A priority habitat may consist of a unique vegetation type or dominant plant species, a described successional stage, or a specific structural element.
3. Habitats and species of local importance as identified by the City, including those that possess unusual or unique habitat warranting protection because of qualitative species diversity or habitat system health indicators.
4. Naturally occurring ponds are those ponds under 20 acres and their submerged aquatic beds that provide native fish or wildlife habitat, including those artificial ponds intentionally created from dry areas in order to mitigate impacts to ponds. Naturally occurring ponds do not include ponds deliberately designed and created from dry sites, such as canals, detention facilities, wastewater treatment facilities, farm ponds, temporary construction ponds, and landscape amenities, unless such artificial ponds were intentionally created for mitigation.
5. Waters of the state includes lakes, rivers, ponds, streams, inland waters, underground waters, and all other surface waters and watercourses within the jurisdiction of the State of Washington, as classified in WAC 222-16-031.
6. Lakes, ponds, streams, and rivers planted with game fish by a governmental or tribal entity.
7. Natural area preserves, and natural resource conservation areas are defined, established, and managed by the Washington State Department of Natural Resources.
8. Streams shall be designated in accordance with the Washington State Department of Natural Resources (DNR) stream type as provided in WAC 222-16-030. Streams are further categorized according to Ecosystem Diagnosis and Treatment (EDT)/Snake River Salmon Recovery Plan priority protection reaches.

9. Areas of rare plant species and high-quality ecosystems that are identified by the Washington State Department of Natural Resources through the Natural Heritage Program.
- B. No development activities or new or modified uses may be permitted on sites that meet the criteria for designation as a Fish and Wildlife Habitat Conservation Area or an associated buffer without a Critical Areas Authorization or Permit in accordance with the provisions of this Chapter, including but not limited to, Section 14.70.020.

14.70.080 Enforcement.

- A. When a critical area or its buffer has been altered in violation of this Chapter, the City shall have the authority to issue a stop work order to cease all development activities, and order restoration, rehabilitation, replacement, or where determined appropriate, mitigation measures at the owner's or other responsible party's expense to compensate for violation of provisions of this Chapter and other applicable City codes.
 1. All development work shall remain stopped until a restoration and/or mitigation plan is prepared at the Project Sponsor's expense and approved by the City. The plan must be prepared by a Qualified Professional and shall describe how the actions proposed meet the minimum requirements of this Section.
 2. The City may, at the violator's expense, seek expert advice in determining the adequacy of the plan.
 3. Inadequate plans shall be returned to the violator for revision and resubmittal, with a written explanation regarding any deficiencies and/or additional information that may need to be submitted.
 4. Any work recommenced shall be done in accordance with the approved restoration/mitigation plan.
 5. For alterations to frequently flooded areas, wetlands, and habitat conservation areas the following minimum performance standards shall be met for the restoration of a critical area to the condition and state pre-existing the violation provided that if the violator can demonstrate in a restoration/mitigation plan that greater functional and habitat values can be obtained, these standards may be modified by the City:
 - a. The function and values of the affected area shall be restored, including water volumes, quality, and wildlife habitat.
 - b. The soil types and configuration shall be replicated; and

- c. The critical area and buffers shall be replanted with native vegetation that replicates the vegetation typically found on the site in species types, sizes, and densities.
- 6. For alterations to flood and geological hazards, the following minimum performance standards shall be met for the restoration of a critical area, provided that, if the violator can demonstrate that greater safety can be obtained, these standards may be modified:
 - a. The hazard shall be reduced to a level equal to, or less than, the pre-development hazard.
 - b. Any risk of personal injury resulting from the alteration shall be eliminated or minimized; and
 - c. The hazard area and any buffers shall be replanted with native vegetation sufficient to minimize the hazard.
- B. Representatives of the City are authorized to make site inspections and take such actions as are necessary to enforce this Chapter. The authorized representatives shall present proper credentials and make a reasonable effort to contact any property owner before entering onto private property.
- C. Any violation of this Chapter shall be enforced in accordance with the provisions of the College Place Municipal Code. Any person, party, firm, corporation, or other legal entity convicted of violating any of the provisions of this Chapter shall be subject to civil or criminal penalties. Each day or portion of a day during which a violation of this Chapter is committed or continued shall constitute a separate offense. Any development carried out contrary to the provisions of this Chapter shall constitute a public nuisance in accordance with the provisions of the College Place Municipal Code Chapter 8.24 and may be enjoined as provided by the statutes of the State of Washington.

Chapter 14.80 Shoreline Master Program

The City of College Place does not have any shoreline areas under the jurisdiction of the Washington State Shoreline Management Act, and as a result, the City has not adopted a Shoreline Master Program. If the City annexes an area with jurisdictional shoreline areas, the provisions of the Walla Walla County Shoreline Master Program shall continue to apply until the City adopts a Shoreline Master Program.

Chapter 14.90 Subdivisions

Sections:

- 14.90.010 Introduction.**
- 14.90.020 Applicability.**
- 14.90.030 General Requirements.**
- 14.90.040 Required Improvements.**
- 14.90.050 General Application Requirements.**
- 14.90.060 Alterations or Vacations.**
- 14.90.070 Lot Line Adjustments.**

14.90.010 Introduction. The purpose of this Chapter is to establish uniform standards and procedures to guide the division of land in accordance with the provisions of RCW 58.17 and the College Place Comprehensive Plan.

14.90.020 Applicability.

- A. The regulations contained in this Chapter shall apply to the division or redivision of land, or the alteration of lots within the city for the purpose of sale, lease, or transfer of ownership, whether immediate or future, unless otherwise clearly provided. This shall include the following unless the proposed action is specifically exempted in RCW 58.17.040, as determined by the City:
 - 1. Subdivisions of 10 or more lots.
 - 2. Short plats of 9 or fewer lots.
 - 3. Binding site plans; and
 - 4. Lot line adjustments.
- B. No person or entity shall sell, lease, or transfer the ownership of or offer for sale, lease, or transfer of ownership any real property that is subject to this Chapter without prior approval and recording of the final plat and full compliance with this Chapter.
 - 1. Any person, or entity who violates any provision of this Title relating to the sale, offer for sale, lease, or transfer of any lot, tract or parcel of land shall be guilty of a civil infraction and subject to a fine as established by the City Council, and each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of this Chapter shall be deemed a separate and distinct infraction.

2. The City may elect to take any or all actions available at law and in equity to enforce this Title, and to try to any violation of these regulations.
- C. No parcel may be divided into two or more short plats in order to avoid the requirements of a subdivision.

14.90.030 General Requirements.

- A. All proposed subdivisions, short plats, binding site plans, and lot line adjustments shall comply with the following general requirements, unless otherwise provided in this Title:
 1. The College Place Comprehensive Plan and all plans, documents, policies, and maps that have been adopted by reference to be used in support of the implementation of the College Place Comprehensive Plan.
 2. The applicable provisions of the College Place or Walla Walla County Shoreline Master Program, if any.
 3. The City of College Place Engineering Design Standards.
 4. The applicable provisions of RCW 58.17, as determined by the City; and
 5. Other applicable local, state, or federal laws and regulations.
- B. Applications for subdivisions, short plats, binding site plans, and lot line adjustments shall include a survey prepared by a by a licensed professional land surveyor, in accordance with the provisions of the Laws of Washington State, including but not limited to Title 58 RCW, RCW 18.43.020, and WAC 332.130, and such administrative provisions as may be adopted by the City.
- C. All subdivisions, short plats, and binding site plans shall be designed in accordance with the following principles:
 1. The subsequent use and development of all newly created or altered lots can be accomplished in substantial compliance, as determined in the sole discretion of the City, with the provisions of this Title, particularly the regulations governing the protection of critical areas, and a reasonable use exception will not be required.
 2. Natural features and resources, including natural topology, watercourses, marshes, scenic points, large or heritage trees, natural groves, rock formations and critical areas should be preserved, protected, and enhanced and the lot layout shall reflect natural limitations inherent in the property.

3. In subdivisions, the layout of blocks and lots should be designed to:
 - a. Promote traffic safety and ease of traffic control and circulation.
 - b. Be wide enough to allow for two tiers of lots unless the topography or other factors dictate the use of one tier of double frontage lots. Double frontage lots shall be designed with an easement at least ten feet wide to be dedicated along the lot lines abutting the principal or minor arterial or other disadvantageous use, across which there shall be no right of access for the general public or adjoining property owners.
 - c. Be consistent with the topography and the needs for convenient access, circulation, control and safety of street traffic, emergency vehicle access, and type of land use proposed, but ordinarily, block lengths should not exceed 600 feet. Blocks may be up to 1000' feet in length if there is a mid-block sidewalk, path, or trail built to City standards and dedicated to public use that connects to nearby streets.
4. All lots shall be designed to comply with the following provisions, unless otherwise provided in this Title:
 - a. The density requirements of the zoning district in which the property is located.
 - b. The minimum lot size and lot width requirements of the zoning district in which they are located.
 - (1) No critical areas or buffers may be included in the calculation to determine compliance with the minimum lot size requirement.
 - (2) In subdivisions, the minimum lot size and lot width may be reduced by up to 10% in up to 10% of the lots.
 - (3) In short plats, the minimum lot size and lot width requirements may be waived by the Community Development Director, provided that the density, ~~lot~~ **coverage** and setback requirements can reasonably be met.
 - c. All building setbacks shall be measured from the boundaries of critical area buffers when present.
 - d. Provide access by means of a public street in accordance with the City of College Place Engineering Design Standards, provided that in subdivisions, new residential lots should not have direct driveway access to a principal or minor arterial.

5. All dedications of land shall be clearly and precisely indicated on the face of the plat or binding site plan and reflect that the City is a beneficiary to any and all public uses and required maintenance thereof including, but not limited to open spaces, emergency services access, and stormwater utilities.
- D. All required improvements should be installed prior to final plat, final short plat, or binding site plan approval.
1. All required improvements shall be subject to inspection and acceptance or rejection by the City.
 2. Required improvements may be waived only when specifically authorized in this Title.
 3. Required improvements may be deferred only through City approval of a phasing plan or the acceptance of a financial guarantee as provided in this Title.

14.90.040 Required Improvements. The following improvements are required in all subdivisions, short plats, binding site plans, and lot line adjustments unless otherwise provided in this Title. All improvements must be designed and constructed by the Project Sponsor, at no cost to the City, in accordance with the provisions of the City of College Place Engineering Design Standards, as determined by the City, other applicable local, state, and federal laws, and the following provisions:

- A. Water Supply. All lots must be served by an adequate supply of water, as determined by the City, in accordance with local, state, and federal standards, provided that:
1. The City may require a Certificate of Water Availability for lots not served by the City water system.
 2. All required water system improvements shall be designed and constructed in conformance with City standards and shall address:
 - a. Potable water from a public water supply source.
 - b. Adequate water supply and facilities for fire protection purposes.
 - c. Water main looping; and
 - d. Water necessary to maintain required landscaping.
- B. Sanitary Sewer. All lots must be served by City sewers, in accordance with the provisions of the Laws of Washington State, provided that the City may make a written finding that

sewer service is not reasonably available and may authorize the use of a septic system(s) designed to the standards of the Walla Walla County Health Department, provided that:

1. The location of the septic tank, system drain field, and reserve drain field are depicted on a recorded legal document, as specified by the City; and
 2. The City may require the execution of a No Protest LID Agreement, or other instrument to ensure that a connection is made when City sewer service is available.
- C. Streets. All subdivisions, short plats, and binding site plans shall be served by one or more public streets providing ingress and egress at not less than two points, unless otherwise approved by the City.
1. All streets shall comply with all City transportation plans, including but not limited to:
 - a. Comprehensive Plan Transportation Map.
 - b. Arterial Street Plan; and
 - c. City 6-Year Transportation Plan.
 2. All street networks and improvements shall provide ready access for fire and other emergency vehicles and equipment and route of escape for inhabitants, in accordance with the provisions of the International Fire Code, as adopted by the City.
 3. All streets shall be designed and constructed in accordance with the City of College Place Engineering Design Standards. This shall include, but is not limited to street lighting, street signs, sidewalks, landscaping strips, curbs, gutters, stormwater facilities, and bike lanes, as required by the City.
 - a. Private streets are discouraged, and all streets shall be dedicated to the City, unless a private street is approved by the City. Private streets may be permitted in the sole discretion of the City only in:
 - (1) Binding site plans.
 - (2) Mobile home/manufactured home parks.
 - (3) Situations involving parcels that are isolated by topography or the configuration of existing lots and that connection with other streets is unachievable; or

- (4) Unusual situations based on a written finding by the City that it is in the public interest.
- b. Private streets, when permitted, must be designed and constructed in accordance with the City of College Place Engineering Design Standards, provided that:
 - (1) Pedestrian access must be provided to existing and future streets or pathways.
 - (2) Provisions must be made for privately owned and maintained water and sewer improvements, designed and constructed to City standards, as no public utilities shall be located under a private street.
 - (3) Traffic circulation shall not be obstructed or cut off future development from public access or utilities.
 - (4) The transition to a public street shall not occur in mid-block, unless a mid-block transition is unavoidable, a public turn-around designed in compliance with the College Place Engineering Design Standards and the International Fire Codes, as adopted by the City, shall be provided.
 - (5) Private streets shall be owned in common by the owners of the property served by the private street or by a homeowners' association. The tract shall be designated on the plat as a special purpose tract. Private access may be designated by a recorded easement. A maintenance agreement shall be recorded with the Walla Walla County Auditor that commits the owner(s) to maintain all elements of the private street. Accessibility shall be maintained at all times for emergency vehicles.
- c. In residential short plats, each lot shall be accessible from a City street, driveway, joint use driveway, or in the limited circumstances provided in this Title, a private street, in accordance with City standards and the needs of emergency service and utility providers.
 - (1) The requirement for access at two or more points may be waived by the City based on a finding that the proposed access complies with the provisions of:
 - (a) The City of College Place Engineering Design Standards.
 - (b) The International Fire Code, as adopted by the City; and
 - (c) Is in the public interest.

- d. Frontage improvements may be deferred by the City in a short plat, if:
 - (1) There are no frontage improvements on either side of the proposed short plat; and
 - (2) A no protest LID agreement is executed; or
 - (3) A financial guarantee is executed to ensure that the improvements are installed by a certain date or event.
- e. The City may accept a voluntary payment in lieu of the installation of required frontage improvements, to be used later, and/or for similar improvements at another location.
 - (1) There shall be no time limitation on the use of voluntary payments.
- f. The provision of alleys in residential subdivisions may be the basis for the City to approve a reduction in the width of required streets.
- g. In residential subdivisions, the width of driveways at the curb on lots with at least 60' of street frontage shall not exceed 20' in width at the curb and back of the right-of-way, as specified in the City of College Place Engineering Design Standards, provided that:
 - (1) On lots with street frontage greater than 60', the width of the driveway at the curb may be increased by 1' over the standard 20' maximum for every 3' of frontage over 60', up to a maximum width at the curb and back of the right-of-way of 30'.
 - (2) On lots with less than 60' of street frontage, the driveway width at the curb may not exceed 12'.
 - (3) The width of a driveway at its widest point shall not exceed the width of the driveway at the curb plus 4'; and
 - (4) Driveway approach wings and pedestrian approach wings shall be separated by a minimum of four feet between the end of the wings.
- h. In residential short plats, the width of driveways shall not exceed 20' at the curb and back of the right-of-way or 24' at its widest point.

- i. Alleys should be provided in commercial and industrial areas, except that the City may waive this requirement based on a finding that adequate provisions have been made for deliveries, loading, unloading, and parking.
 - j. On corner lots, the placement of driveways should be placed as far away from the intersection as possible, as determined by the City.
- D. Sidewalks shall be provided in every residential, industrial, or commercial subdivision, and business park, and shall conform to the City sidewalk standards. Sidewalks shall be properly located and sufficient to meet the circulation needs of the subdivision. The width of sidewalks in residential areas shall not be less than six feet, not including curb or features that diminish mobility, as determined by the City. The sidewalk must not be obstructed with poles, fire hydrants, and the like. Sidewalks shall not be less than ten feet where deemed essential for pedestrian traffic in commercial and industrial areas, schools, playgrounds, shopping centers, etc., unless otherwise approved by the City.
- E. A minimum 5' wide landscape strip(s) designed in accordance with City standards shall be required on every side of a lot that abuts an arterial, collector, or local street in a residential subdivision, provided that:
 - 1. The front yard setback may be reduced by 5' in the Single-Family Residential district on lots with an approved landscaping strip.
 - 2. Every planter strip shall be:
 - a. Irrigated and planted with grass.
 - b. Include at least one street tree every 60' selected from a list provided by the City.
 - c. Be the continuing maintenance responsibility of the abutting property owner unless alternative arrangements have been approved by the City, such as maintenance by a professional landscaping firm hired by a homeowner's association; and
- F. Stormwater improvements shall be designed and constructed in accordance with the provisions of the City of College Place Engineering Design Standards and the most recent version of the Stormwater Management Manual for Eastern Washington, as adopted by the City of College Place.
- G. Bike lanes, designed and constructed in accordance with City standards, are required in residential subdivisions on all collectors and arterial streets.
- H. Public Utilities.

1. Easements for fiber, cable, electric, telephone, television, water, gas, stormwater, sewer, and similar public utilities shall be a minimum width of ten feet, unless otherwise determined by the City to be of adequate width to maintain.
 2. The City may permit, in consultation with utility providers, the shared use of selected easements by compatible utilities, subject to certain conditions.
 3. The installation of utilities facilities should be underground.
 4. Public utility easements should be located along the front or rear property lines. If a side yard easement is needed, it shall be located adjacent to the lot line on one side of the lot line. Easements shall not be located on the lot lines.
- I. Parks and Open Space. All new subdivisions of ten or more lots shall set aside and improve, and/or make such payments and off-site improvements as may be necessary to mitigate the impacts of the proposed development and to implement the City's level of service standards for parks and open space, and trails.
1. All proposed new subdivisions (ten or more lots) shall include provisions for at least 1,000 square feet of designated park and open space area per dwelling unit.
 - a. A determination of the suitability of the land designated for park and open space purposes in accordance with the provisions of the City's Parks, Recreation, and Open Space Plan shall be made by Community Development Director or his/her/their designee in consultation with the City Parks, Arbor, and Recreation Board.
 - b. Designated park and open space areas should be contiguous and shall be placed in a park and/or open space tract(s).
 - c. Critical areas and their buffers shall not be considered as park or open space, unless specifically authorized in this Chapter.
 - d. Streets and associated median or planter strips, sidewalks, bike lanes, stormwater facilities, or areas required for the provision of utilities shall not be considered as park or open space, unless specifically authorized in this Chapter.
 - e. The Project Sponsor may propose to install and/or improve a trail(s) to City standards as a part of the required park and open space. Trails may be located in a critical area buffer in accordance with the provisions of the City's regulations to protect critical areas and the Washington State Environmental Policy Act, as well as all applicable local, state, and federal laws and regulations.

- f. All required improvements shall be installed by the Project Sponsor and inspected and approved by the City prior to final subdivision approval, provided that the City Council may approve a financial guarantee provided by the Project Sponsor, in a format prescribed by the City Attorney, to make the required improvements in accordance with an approved plan and specified timeline.
2. Park and open space areas less than three acres in size shall be the ongoing maintenance responsibility of the homeowners in the subdivision, and:
 - a. These park and open space areas shall be landscaped with grass, shade trees, shrubs, and an automated sprinkler system, as specified in a landscaping plan submitted for City review and approval.
 - b. These park and open space areas should also include a children's playground and exercise equipment, benches, walking paths, picnic areas, a drinking fountain, garbage cans, and a pet waste station, as appropriate, or comparable improvements in accordance with the standards for neighborhood parks in the City's Parks, Open Space, and Recreation Plan.
 - c. The documents creating a homeowners' or property owners association, as regulated by State law, and/or any other documents establishing the maintenance responsibilities for the required park and open space areas shall be subject to City review and approval by the Community Development Director or his/her their designee in consultation with the City Attorney.
3. Park and open space areas greater than three acres in size may be proposed for dedication to the City, provided that:
 - a. Priority consideration shall be given by the City to tracts three or more acres in size.
 - b. These open space areas shall be landscaped by the Project Sponsor with grass, shade trees, shrubs, and an automated sprinkler system, as specified in a landscaping plan approved by the City.
 - c. The Project Sponsor shall provide for the following improvements in accordance with the standards for neighborhood parks in the City's Parks, Open Space, and Recreation Plan:
 - (1) Picnic area.
 - (2) Benches.

- (3) Walking paths.
 - (4) Children's playground and exercise equipment.
 - (5) Drinking fountain.
 - (6) Garbage cans and pet waste stations.
 - (7) Restrooms; and
 - (8) Parking.
- d. Nothing in these regulations, shall preclude the Project Sponsor, or a homeowners' or property owners' association from proposing a dedication after final plat approval, in accordance with the provisions and standards of this Chapter and the City's Parks, Open Space, and Recreation Plan.
 - e. The City's Parks, Arbor, and Recreation Board shall review proposed dedications and improvements and shall make a recommendation to the City Council to accept, accept with modifications, or not accept a proposed dedication.
 - f. If a proposed dedication is accepted by the City, the dedicated park and open space areas and improvements shall be owned and maintained by the City.
 - g. Required park/open space areas not dedicated to the City shall be the ongoing maintenance responsibility of the homeowners in the subdivision. The documents creating a homeowners' or property owners' association, as regulated by State law, and any other documents establishing the maintenance responsibilities for the required park and open space area shall be subject to City review and approval by the Community Development Director or his/her/their designee in consultation with the City Attorney.
- 4. As an alternative to the preceding regulations, the City may establish a Park Impact Fee to mitigate the direct impacts associated with proposed subdivisions, provided that such fees shall be established by ordinance and shall comply with the provisions of RCW 82.02.060.
 - 5. Pending the adoption of a Park Impact Fee by the City, a Project Sponsor may propose, subject to City Council review and approval, a voluntary payment and/or a dedication of additional land, in lieu of providing some, or all, of the required parks and open space land and improvements.

- a. The voluntary payment or dedication shall be based on the assessed/appraised value of the land to be subdivided, and the estimated cost of the required improvements, as approved by the City.
- b. The value of the voluntary payment or dedication should meet or exceed the value of the required dedication or improvements.
- c. Voluntary payments shall be used by the City for the acquisition or improvement of land for park and open space purposes in accordance with the provisions of the City's Parks, Open Space, and Recreation Plan within a one-half mile radius of the subdivision, unless otherwise agreed to by the parties.
- d. The following examples of voluntary payments or dedications are provided as a potential resource to Project Sponsors:
 - (1) A new 43-lot single-family residential subdivision would be required to place in a park and open space tract and improve at least 43,000 square feet of land, in accordance with City standards. If the parcel to be subdivided had an assessed/appraised value of \$1/square foot, the Project Sponsor could propose a voluntary payment to the City of \$43,000 plus the estimated cost of the improvements in lieu of setting aside and improving the required park and open space area.
 - (2) A new 87- lot single-family residential subdivision would be required to place in a park and open space tract and improve just over two acres of land, in accordance with City standards. If the parcel to be subdivided had an assessed value of \$1/square foot, and the approved estimate of the cost of improvements to the two-acre park was approximately \$130,000, the Project Sponsor could propose, in lieu of making the required improvements, to set aside three additional acres of park and open space and dedicate a total of five acres to the City. In this instance, the value of the additional three acres of land proposed for dedication to the City (three acres/130,680 square feet valued at \$1/square foot equals \$130,000) would offset the estimated cost of the required improvement. If accepted, the City would then be responsible for the ownership, development, and maintenance of the park.
 - (a) In the preceding example, the Project Sponsor could propose a combination of an additional set aside of land and payment in lieu of the required improvements. In this instance, the Project Sponsor could propose, in lieu of making the required improvements, to set aside two additional acres of land for parks and open space and dedicate a total of four acres to the City

along with a voluntary payment of \$43,000 to be used by the City for improvements to the park.

- (3) A new 15-lot residential subdivision with duplexes, would be required to place in a park and open space tract and improve 30,000 square feet of land, in accordance with City standards. If the parcel to be subdivided had an assessed/appraised value of \$1/square foot, the Project Sponsor could propose, in lieu of setting aside and improving the required park and open space area, a voluntary payment to the City of \$30,000 plus the estimated cost of the improvements to be used to make improvements to a nearby City-owned neighborhood park.
 - (4) A new 10-lot single-family residential subdivision would be required to place in a park and open space tract and improve 10,000 square feet of land, in accordance with City standards. In lieu of setting aside and improving the required park and open space area, the Project Sponsor could propose to spend at least an equivalent amount to construct a trail, built to City standards, to connect the subdivision with a nearby City-owned park.
6. The City's Parks, Arbor, and Recreation Board shall review all proposed voluntary payments and/or dedications in lieu of setting aside or making required improvements and shall make a recommendation to the Mayor and City Council to accept, accept with modifications, or not accept the proposed voluntary payment.
 7. Nothing in these regulations is intended to interfere with:
 - a. The completion of the required environmental review process and conditions of approval that may be required to avoid, minimize, or mitigate potential adverse impacts, or the use of the City's authority to deny an application that could create probable, significant adverse impacts that cannot be reasonably mitigated.
 - b. The City and the Project Sponsor executing a Development Agreement, in accordance with the provisions of state law, that meets or exceeds the provisions of this Chapter, based on a finding that it is in the public interest.

14.90.050 General Application Requirements.

- A. All subdivisions, short plats, and binding site plans are subject to a four-step review and approval process in accordance with the provisions of this Chapter and Chapter 14.30 Permit Processing Procedures. The steps include:
 1. Pre-application consultation and preparation of application materials.

2. Preliminary review and approval.
 3. Civil plan review and approval, construction, inspection, acceptance of improvements, and the execution of access and maintenance agreements; and
 4. Final review and approval, including the establishment of monitoring protocols, as appropriate.
- B. Preliminary subdivision, short plat, and binding site plan applications shall include such forms, maps, plat maps, narrative, special studies, environmental assessments, drawings, and documentation as may be required by the City. This may include, but is not limited to the following:
1. Required City application forms.
 2. A title report prepared no more than 30 days before the date the application is submitted.
 3. SEPA Checklist and proposed mitigation measures.
 4. Required critical area reports.
 5. Required geo-technical reports and liquefaction assessment.
 6. Required cultural resources report or tribal documentation that a report is not required.
 7. Required traffic impact analysis.
 8. Utility plan.
 9. Preliminary stormwater design report.
 10. Proposed landscaping and screening plan.
 11. A description of proposed phasing plans.
 12. Proposed restrictive covenants to be imposed upon land within the subdivision.
 13. Survey.
 14. Proposed preliminary plat map that includes, but is not limited to:

- a. Name of subdivision, short plat, or binding site plan. This name must not duplicate the name of another subdivision in Walla Walla County (please check with Walla Walla County Assessor).
- b. Date, north arrow, and scale of drawing.
- c. Vicinity map with the location of the proposed development.
- d. Proposed development boundaries, a legal description of the site, and location by section, township, and range.
- e. Names, addresses, and telephone numbers of the owners, contact person, designer or engineer, and surveyor, and the date of the survey with surveyor's certificate.
- f. Existing and proposed public and private streets, tracts, driveways, open space, parks, trails, etc. with location, names, right-of-way dimensions, and approximate radius of street curves. Tracts shall also have approximate dimensions, area calculation in square feet, and identification numbers or letters.
- g. Lot and block dimensions, area calculation in square feet, and building setbacks for all lots.
- h. The location, width, and purpose of all existing and proposed easements.
- i. Monuments.
- j. Proposed uses of the property, including all areas proposed to be dedicated to the public, or preserved as open space, for the purpose of surface water management, recreation, or other use.
- k. Ground elevations shown by contour lines at 5-foot vertical intervals for ground slopes exceeding 10 percent and at 2-foot intervals for ground slopes of less than 10 percent. Such ground elevations shall be related to some established benchmark or other datum approved by the City Engineer.
- l. Existing structures that will remain on site including abandoned underground infrastructure, such as septic tanks.
- m. Conditions of adjacent property, platted or unplatted, and if platted, giving the subdivision name and showing the streets.
- n. Existing and proposed utilities.

- o. The proposed number and location of public or shared parking places.
 - p. The location and proposed buffers of critical areas.
 - q. Proposed phases of development, if applicable.
 - r. Data table, as applicable:
 - (1) Future Land Use Map designations.
 - (2) Existing and proposed zoning.
 - (3) Existing and proposed land uses.
 - (4) Proposed number of lots.
 - (5) Residential density calculations.
 - (6) Parks and open space calculations; and
 - (7) Parking calculations.
 - s. A place for required signatures, in a format prescribed by the City. This may include, but is not limited to:
 - (1) Property Owners of Record.
 - (2) Licensed Surveyor.
 - (3) Walla Walla County Auditor.
 - (4) Walla Walla County Treasurer.
 - (5) City Community Development Director; and
 - (6) City Engineer.
- C. The City may approve, approve subject to conditions, or deny an application for a proposed subdivision, short plat, or binding site plan.
1. Approval shall be based on a finding that the proposal:

- a. Conforms to the comprehensive plan and meets the requirements of this Chapter.
 - b. Makes adequate provisions for, water supply, sewage disposal, storm water management, fire protection, and other necessary services.
 - c. Is accessible by City streets and provides means of ingress and egress in accordance with the provisions of the College Place Engineering Design Standards; and
 - d. Protects the public health, safety, and welfare and serves the public's interests.
2. Conditions of approval may include measures necessary to assure compliance with applicable codes and ordinances of the City; to protect the health, safety, and welfare of the public; or as mitigated by compliance with the State Environmental Policy Act; or as required by RCW 58.17.
- D. During the preliminary review of the application, the City shall determine whether appropriate provisions are made for, but not limited to the public health, safety, and general welfare; open spaces, parks, and playgrounds; school grounds; streets, alleys, sidewalks, and other public ways; water supplies; sanitary sewers; stormwater facilities; and sanitary and solid waste disposal. The burden of proof shall lie with the Applicant. If the City finds that such appropriate provisions are not made, the proposal will not be approved. As provided in RCW 58.17.110, the City may require dedication of land to any public body as a condition of approval.
- 1. The City shall consider the physical characteristics of the proposal and may request that modifications be made or disapprove the application because of any identified or suspected natural limitations, including but not limited to slope, soil stability, flood hazard, inundation, swamp conditions, drainage conditions and location in or proximity to critical areas as described in Chapter 14.70. The burden of proving that disruption of areas identified or suspected of being critical will not endanger the public health, safety welfare, or the environment shall lie with the Applicant.
 - 2. The City will consider the effects, if any, of a proposal on adjacent properties and on off-site or city-wide public facilities and services, such as existing parks, recreation facilities, schools, streets, transit facilities, and stormwater facilities. The City may require construction, repair, expansion, improvement, or other provision of off-site improvements by the Project Sponsor. Such requirements may include but shall not be limited to dedication of land for right-of-way, resurfacing a street that provides access to a subdivision or replacement of inadequately sized off-site utilities whose capacity will be affected by the development.

3. The City may condition the approval of a preliminary application in order to promote the public interest, safety, health, and welfare. Conditions of approval shall be listed on the face of the plat, including that the City is a beneficiary of such conditions.
- E. Preliminary approval shall constitute authorization for the Project Sponsor to prepare detailed construction plans, profiles, and specifications for the required improvements in accordance with the provisions of this Title, the City of College Place Engineering Design Standards, and applicable conditions of approval. Upon approval by the City, and the issuance of any permits that may be required, the Project Sponsor shall construct the required facilities and improvements.
1. The Project Sponsor shall have five years from the date of preliminary approval to submit to the City a final application meeting all requirements of this Title, or as otherwise provided in RCW 58.17. Failure to submit a final application within the five-year period shall result in expiration of preliminary approval; however, a Project Sponsor who files a written request with the City at least thirty days before the expiration of the five-year period may be granted up to a one-year extension upon a showing that the Project Sponsor has attempted in good faith to submit the final application within the five-year period. Good faith shall be interpreted as having made substantial progress in making improvements required under preliminary approval. Disapproval of a request for extension shall mean expiration of preliminary approval.
 2. The City may permit the proposal to be developed in two or more phases and may impose such conditions upon the filing of phases as it may deem necessary to assure the orderly development. Prior to the final approval of individual phases, the City may require additional conditions such as interim improvements, and/or a financial guarantee of the construction of required improvements in subsequent phases if it finds that such improvements are necessary to ensure that the phase being approved meets all conditions of the preliminary approval even though all phases have not been completed.
 3. The application for final approval of the first phase of a phased development shall be submitted to the City not later than five years from the date of the preliminary approval, and the applications for final approval of the subsequent phases shall be submitted in accordance with a timetable approved by the City.
- F. The Project Sponsor must inform the City if the phasing timetable cannot be complied with, or construction of the development is to cease.
1. The City reserves the right to require certain improvements to assure the health, safety, and welfare of the public and residents will be satisfied.

2. The City may accept financial guarantees for improvements not completed or voluntary payments in lieu of improvements in accordance with the provisions of Section 14.10.070 Financial Protections.
- G. Final Plat. Upon construction of all required improvements and the satisfaction of all conditions of approval, the Project Sponsor may prepare and submit in a format prescribed by the City, the final documents for City review and approval.
1. The City may approve the final documents based on a finding that:
 - a. All conditions of the preliminary approval have been met.
 - b. All required improvements have been installed, inspected, and accepted by the City.
 - c. Financial protections have been provided in accordance with this Title to assure completion of the improvements.
 - d. The requirements of local, state, and federal law and this Title have been, or will be satisfied by the Project Sponsor; and
 - e. Approval is in the public's interest.
 2. If any of the above criteria have not been met the City may return the application for final approval to the Applicant for full compliance.
 3. Upon approval by the City, and all signatures have been made to the final documents, the Project Sponsor shall be responsible for transmitting all approved documents to the Walla Walla County Assessor and Auditor for recording. Failure to do so shall void the approval.
 4. After recording with the County Auditor, the Project Sponsor shall provide such digital and hard copies as may be required by the City.
 5. No person shall transfer, sell, lease, or offer for transfer, sale or lease any land subject to the requirements of the subdivision, short plat, or binding site plan approval, until all required documents have been approved and properly recorded.

14.90.060 Alterations and Vacations.

- A. Any person may submit for City review and approval an application to vacate a subdivision, short plat, or binding site plan, or portion thereof, or any area designated for

public use, in accordance with the provisions of this Section and RCW 58.17.212, provided that:

1. The Application shall state the reasons for the proposed vacation and shall contain the signatures of all parties that have an ownership interest in the portion of the subdivision to be vacated.
 2. If the proposed vacation would affect any covenants or would alter the terms and conditions of plat approval, an agreement signed by all parties shall be submitted documenting agreement to the proposed termination or alteration of the covenants and conditions of approval.
 3. The City finds that the proposed alteration or vacation will not adversely affect the public health or safety and is in the public interest.
 4. The proposed vacation streets and roads must comply with the provisions of state law, including but not limited to RCW 35.79.030, 35.79.035, and 36.87.130; and
 5. The proposed alteration will be processed by the City in the same manner as a new application for a subdivision, short plat, binding site plan.
- B. When the vacation application is specifically for a City street, the procedures for street vacation in RCW 35.79 will be used. When the application is for the vacation of the plat together with streets, the procedure for vacation in this Chapter will be used, but vacations of streets may not be made that are prohibited under RCW 35.79.030.
- C. Proposed alterations to an approved subdivision, short plat, or binding site plan shall be classified as a major or a minor alteration and shall be processed in accordance with the provisions of Chapter 14.30 Permit Processing Procedures.
1. Proposed alterations shall be considered major, based on a finding by the City that one or more of the following provisions is met:
 - (a) A change in the approved land use(s).
 - (b) An increase in the number of dwelling units.
 - (c) A change in the location or design of approved streets, driveways, or parking areas that affects traffic flows.
 - (d) A reduction in the approved parks or open space.

- (e) Changes that require a new or supplemental environmental assessment; and/or
- (f) Substantive changes to required mitigation measures or proposed improvements.
- 2. Proposed alterations that meet or exceed the approved plans or that that do not meet the criteria for major alterations, may be considered by the City as a minor alteration.
- D. The City may approve an alteration or vacation of an approved subdivision, short plat, or binding site plan based on a finding that the proposal:
 - 1. Complies with the provisions of this Title.
 - 2. Is in the public interest; and
 - 3. Does not adversely affect the public health, safety, and welfare.

14.90.70 Boundary Line Adjustments.

- A. A boundary line adjustment is a mechanism by which the City may approve the alteration of a boundary line between legally created lots, provided that:
 - 1. Such an adjustment shall not create any additional lot, tract, parcel, site, or division, nor create lots which are nonconforming or more nonconforming than exists; and
 - 2. A boundary line adjustment may consolidate lots under common ownership.
- B. Applications for a boundary line adjustment shall be submitted in a format prescribed by the City and may include, but is not limited to:
 - 1. A preliminary survey map identifying:
 - a. All existing and proposed lot lines and lot dimensions.
 - b. Before and after legal descriptions.
 - c. Footprints and dimensions of existing structures (including accessory structures) and setbacks from existing and proposed lot lines.
 - d. The location and dimensions of driveways and public and private streets within or abutting the subject lots.
 - e. Existing fences and walls.

- f. The location of critical areas, shoreline areas, and required buffers; and
 - g. Any other information deemed necessary by the City to ensure compliance with the provisions of the College Place Municipal Code and the College Place Engineering Design Standards.
- 2. Such forms as may be required by the Walla Walla County Assessor or Auditor.
- C. The City may approve an application for a boundary line adjustment based on a finding that:
 - 1. The boundary line adjustment does not result in the creation of any additional tract, lot, parcel, site, or division.
 - 2. The lots, tracts, or parcels resulting after the boundary line adjustment meet all dimensional requirements specified for the applicable zone as outlined in this Title, or do not increase an existing legal nonconformity.
 - 3. All lots modified by the boundary line adjustment have legal access meeting the standards of the City of College Place; and
 - 4. The boundary line adjustment does not violate an applicable requirement or condition of a previous land use action, subdivision, short subdivision, or binding site plan.
- D. An approved boundary line adjustment must be recorded by the Applicant with Walla Walla County within 90 days of approval, along with the submission of any forms that may be required by the County, provided that:
 - 1. The Applicant shall provide the City with a copy of the recorded documents and submitted forms; and
 - 2. The failure to record the boundary line adjustment as approved, or to provide the City with documentation of the recorded documents and required forms, within the required timeframes, will result in the nullification of the boundary line adjustment.

Chapter 14.100 Master Planned Developments

14.100.010 Purpose.

14.100.020 General.

14.100.030 Preapplication Requirements.

14.100.040 Application Requirements.

14.100.050 Approval Criteria.

14.100.060 Development Agreements.

14.100.070 Modification to Approved Master Planned Developments.

14.100.010 Purpose.

The purposes of a Master Planned Development are:

- A. To accommodate and facilitate creative and innovative larger-scale development utilizing diverse uses and flexible planning to promote well-designed, orderly, efficient, and functional development consistent with the goals and policies of the College Place Comprehensive Plan.
- B. To promote urban infill, consistent and efficient infrastructure development, varying use, economic development, job creation, private investment, public amenities, and increased and varied housing opportunities.
- C. To provide for development cost recovery or cost sharing when appropriate.

14.100.020 General.

- A. Applicability. This Chapter shall apply to all zoning districts except those designated “University”. If a land use designation or zoning change is proposed as part of the project, a comprehensive plan land use and zoning map amendment is necessary.
- B. Supplemental. This Chapter is in addition to and not in limitation of any other authority provided by law.
- C. A Master Planned Development must be a minimum of 100 contiguous acres, or less than 100 contiguous acres if the City determines the project serves the purposes of this Chapter due to the characteristics of the project, including but not limited to, the variety of uses, density of use, infrastructure development, or location.
- D. No duty or benefit created. This Chapter does not confer a benefit or create a duty to any one person, entity, or group of people or entities, and confers only benefit or duty to the

public as a whole. No individual administering or interpreting this Chapter is liable for any damages for acts or omissions in administration or enforcement.

- E. All references to College Place Municipal Code (CPMC) include any future amendments or recodifications.

14.100.030 Preapplication Requirements.

Prior to the submission of a Master Planned Development, the following applies:

- A. The Applicant shall participate in a pre-application meeting in accordance with the provisions of Section 14.30.030.
- B. The City shall, at its sole discretion, determine whether the proposed Master Planned Development serves the purposes of this Chapter.
 - 1. The City may request additional information in order to make this determination and shall provide a date when the additional information is due.
 - 2. The City shall provide the Applicant of a written copy of its determination.
- C. At the direction of the City, the Applicant shall hold a public meeting as directed by the Community Development Director to present the proposed development, answer questions, identify concerns, and to identify potential project impacts.
- D. The Applicant must agree to in writing to pay for any and all costs designated by the City to process the Application.

14.100.040 Application Requirements.

The Applicant shall, in the form required by the City, provide the following:

- A. Master site plan and supporting drawings and narratives including:
 - 1. Designation of the project boundaries.
 - 2. Designation of all existing parcels within the project boundaries.
 - 3. For land within 500' of the project boundaries, identification of zoning districts, existing uses, and any comprehensive plan future land use designations, including any such land located outside the city limits.

4. Aerial image and designation of existing conditions and features such as topography, natural features, existing roads and access, public and private utilities, public and private easements/right of ways, structures, and improvements.
 5. Designation of areas proposed for development or redevelopment and a description of the type of development proposed for each area.
 6. Identification and description of any areas not suitable for development or which may be subject to any special restrictions such as critical areas.
 7. Identification of location of proposed open or common spaces, or public spaces such as parks.
 8. Identification of proposed road corridors, sidewalks, parking areas, and pedestrian facilities.
 9. Identification of proposed utilities and description of projected utility needs.
- B. Designation of existing City development or building standards, including zoning districts, from which the project may deviate, proposed deviations and explanation of need for deviations.
 - C. Comprehensive description of design standards and requirements to meet the purpose of this Chapter to promote creative and innovative larger-scale development utilizing diverse uses and flexible planning to provide well-designed, orderly, efficient, and functional development.
 - D. Proposed development schedule, including proposed phases identifying proposed uses and residential densities.
 - E. Completed SEPA checklist.
 - F. Title report prepared no more than 30 days before application submission date.
 - G. Identify potential public or quasi-public funding and cost-sharing and cost-recovery agreements.
 - H. Additional information required by the City which may include, but is not limited to traffic impact analysis, stormwater analysis, geotechnical studies, cultural resources report, historical preservation analysis, and critical area report.

14.100.050 Approval Criteria.

- A. Applications for a Master Planned Development shall be processed in accordance with Section 14.30.080, Type 3 Permit, (or equivalent should the classifications change after enactment of this Chapter), except that, in addition to any requirements in Section 14.30.080, the hearings examiner shall issue a decision to approve, deny, or approve subject to conditions, the application based on findings that:
1. The proposal meets or does not meet the need for deviation from existing City development or building requirements and standards, including zoning requirements.
 2. The proposal meets or does not meet the geographical size and/or density requirement of this Chapter.
 3. The proposal meets or does not meet the innovative, creative, unique mixed, or varying use requirement of this Chapter.
 4. The proposal does or does not promote consistent or compatible urban infill if applicable.
 5. The proposal does or does not provide for or promote consistent, efficient, and sufficient infrastructure development within and without the project site.
 6. The proposal does or does not promote economic development, job creation, private investment, public amenities and/or increased and varied housing opportunities.
 7. The proposal is or is not sufficiently well-designed, calling for consistent, orderly, and efficient land use.
 8. The proposal does or does not provide for cost recovery or cost sharing if applicable.
 9. The proposal does or does not promote development consistent with the College Place Comprehensive Plan; and
 10. The proposal does or does not meet additional requirements designated by the City, if any, such as mitigation of impact on neighboring properties.

14.100.060 Development Agreements.

The City and the Project Sponsor may execute one or more development agreements to implement the provisions of the approved Master Planned Development as provided for in Section 14.10.080 (and as amended), except that, mandatory Development Agreement requirements may be waived or modified to serve the purpose of this Chapter and any Development Agreement pursuant to this chapter is binding on all property owners within the Master Planned Development and their heirs,

successors and assigns and is not subject to time limitation. Development Agreements may be modified with approval by the City when such modification serves the purpose of this Chapter.

14.100.070 Modification to Approved Master Planned Development.

- A. Minor modification. Upon written request the Project Sponsor, the City may approve minor modifications to an approved Master Planned Development, provided that the requested modification does not substantially change the nature or level of uses and does not require a new environmental review. Applications for minor amendments shall be processed Type 1 reviews in substantial compliance with Section 14.30.060, Type 1 review, (or equivalent should the classifications change after enactment of this Chapter).
- B. Major modification. All other requests for modifications shall be considered a major modification and shall be subject to review and approval in the same manner as the original Master Planned Development was considered.

Chapter 14.110 Historic Preservation

Sections:

- 14.110.010 Purpose.**
- 14.110.020 Historic Preservation Commission.**
- 14.110.030 College Place Register of Historic Places.**
- 14.110.040 Special Valuation for Historic Properties.**
- 14.110.050 Demolition of Historic Structures.**

14.110.010 Purpose.

- A. The purpose of this Chapter is to provide for the identification, evaluation, and protection of historic resources within College Place and preserve and rehabilitate eligible historic properties within the city for future generations in order to:
 - 1. Safeguard the heritage of College Place as represented by those buildings, districts, objects, sites, and structures which reflect significant elements of the city's history.
 - 2. Foster civic and neighborhood pride in the beauty and accomplishments of the past, and a sense of identity based on the city's history.
 - 3. Stabilize or improve the aesthetic and economic vitality and values of those buildings, districts, objects, sites, and structures which reflect significant elements of the city's history.
 - 4. Assist, encourage and provide incentives to private owners for preservation, restoration, redevelopment and use of outstanding historic buildings, districts, objects, sites, and structures.
 - 5. Promote and facilitate the early identification and resolution of conflicts between preservation of historic resources and alternative land uses; and
 - 6. Conserve valuable material and energy resources by encouraging the ongoing use and maintenance of the built environment.

14.110.020 Historic Preservation Commission.

- A. There is established the College Place Historic Preservation Commission, consisting of five members. Members of the Historic Preservation Commission shall be appointed by

the Mayor and approved by the City Council and shall be residents of the city, except as provided in this Chapter.

1. All members of the Commission must have a demonstrated interest and competence in historic preservation and possess qualities of impartiality and receptiveness, be willing and able to work in groups and with others, and be familiar with the city comprehensive plan, zoning code, and strategic plan.
2. The Commission shall always include at least two professionals who have experience in identifying, evaluating, and protecting historic resources and are selected from among the disciplines of history, architecture, architectural history, historic preservation, planning, cultural anthropology, landscape architecture, archivist, archaeology, cultural geography, American studies, law, and real estate. The Commission action that would otherwise be valid shall not be rendered invalid by the temporary vacancy of one or all of the professional positions, unless the Commission action is related to meeting certified local government (CLG) responsibilities cited in the certification agreement between the City and the State Historic Preservation Officer. Furthermore, exception to the residency requirement of Commission members may be granted by the Mayor and City Council in order to obtain representatives from these disciplines.
3. Appointments shall be made for a three-year term. Vacancies shall be filled by the Mayor for the unexpired term in the same manner as the original appointment.
4. All members shall serve without compensation.
5. Professional staff assistance shall be provided to the Commission by the Community Development Director or his/her/their designee and by such qualified professionals, as may be required to support the performance of the duties of the Commission.
6. The Commission may, in consultation with City staff and the City Attorney, adopt administrative rules and rules of procedures to implement its powers and duties.
7. All commission meetings shall be conducted in compliance with Chapter 42.30 RCW, Open Public Meetings Act.

B. As requested by the City, the Historic Preservation Commission may:

1. Promote awareness and preservation of the city's history.
2. Maintain a comprehensive inventory of historic resources within the city.

3. Officially recognize excellence in the rehabilitation of historic buildings and structures.
4. Maintain the College Place Register of Historic Places. This official register shall include buildings, structures, sites, objects, and districts identified by the Commission as having historic significance worthy of recognition and protection by the City and encouragement of efforts by owners to maintain, rehabilitate and preserve properties.
5. Review and make recommendations to the City Council on nominations to the College Place Register of Historic Places according to criteria in this Chapter and Chapter 84.26 RCW.
6. Review and comment on applications for approvals, permits, environmental assessments or impact statements, and other similar documents pertaining to properties on the Register.
7. Maintain standards to be used to guide the review and the issuance of a Certificate of Appropriateness or waiver.
8. Review proposals to construct, change, alter, modify, remodel, move, demolish, and significantly affect properties or districts on the College Place Register of Historic Places.
 - a. Approve or deny requests for Certificates of Appropriateness or waivers.
9. Serve as the local review board for special valuation in accordance with the provisions of Chapter 84.26 RCW, and:
 - a. Make determination concerning the eligibility of historic properties for special valuation.
 - b. Verify that the improvements are consistent with the Washington State Advisory Council's Standards for Rehabilitation and Maintenance.
 - c. Enter into agreements with property owners for the duration of the special valuation period as required under WAC 254-20-070(2).
 - d. Approve or deny applications for special valuation; and
 - e. Monitor the property for continued compliance with the agreement and statutory eligibility requirements during the ten-year special valuation period.
10. Perform tasks assigned by the City Council or the Mayor.

14.110.030 College Place Register of Historic Places.

- A. Any building, structure, site, object, or district may be designated for inclusion in the College Place Register of Historic Places if it is significantly associated with the history, architecture, archaeology, engineering, or cultural heritage of the community; if it has integrity; is at least fifty years old, or is of lesser age and has exceptional importance; and if it falls in at least one of the following categories:
1. Is associated with events that have made a significant contribution to the broad patterns of national, state, or local history.
 2. Embodies the distinctive architectural characteristics of a type, period, style or method of design or construction.
 3. Is an outstanding work of a designer, builder, or architect in national, state, or local history.
 4. Exemplifies or reflects special elements of the city's cultural, special, economic, political, aesthetic, engineering, or architectural history.
 5. Is associated with the lives of persons significant in national, state, or local history.
 6. Has yielded or may be likely to yield important archaeological information related to history or prehistory.
 7. Is a building or structure removed from its original location, but which is significant primarily for architectural value, or which is the only surviving structure significantly associated with an historic person or event.
 8. Is a birthplace or grave, tomb, crypt, or the like of an historical figure of outstanding importance and is the only surviving structure or site associated with that person; or
 9. Is a cemetery or burial ground which derives its primary significance from age, from distinctive design features, or from association with historic events or cultural patterns; and
 10. Is a reconstructed building that has been executed in an historically accurate manner on the original site.
- B. Any person may nominate a building, structure, site, object, or district for inclusion in the College Place Register of Historic Places. All nominations shall include the written consent or approval of the property owner(s) or his/her/their agent.

1. The nomination shall include all features, interior and exterior, and outbuildings that contribute to its designation.
 2. The nomination shall include a legal description of the property wherein a building or structure is located, or of the site in the case of a site. In the case of an object, the location shall be described with sufficient detail to identify the object's physical location.
 3. In the case of districts, the designation shall include description of the boundaries of the district; the characteristics of the district which justifies its designation; and a list of all properties including features, structures, sites, and objects which contribute to the designation of the district.
- C. The Historic Preservation Commission shall consider the merits of the nomination in accordance with the criteria set forth in this Chapter.
1. Consideration of the merits of the application and the Commission's recommendation shall occur at a public meeting or meetings. The application and documentary materials should be provided to the Commission members and available to the public in advance of the meeting.
 2. Notice that the Commission will be considering a nomination application shall be provided as required by the Open Public Meetings Act. Written notice shall be mailed via USPS to the nominee owner(s) of record and the nominator (if different) prior to all public meetings unless requested otherwise. Notice shall include posting at the property, when reasonably feasible.
 3. If the Commission finds that the nominated property is eligible for inclusion in the College Place Register of Historic Places, the Commission shall make a recommendation to the City Council that the property be listed in the register. In the case of historic districts, the Commission shall consider a simple majority of property owners (50 percent plus one vote) to be adequate for owner consent. Owner consent and notification procedures in the case of districts shall be further defined in rules. The property owner(s) of record shall be notified of the listing. Notice of the listing to the property owner(s) of record shall be by mail.
- D. The Commission may consider removal of a property from the College Place Register of Historic Places by the same procedure as provided for in establishing the designation and may remove the property upon a finding that it no longer qualifies with the listing criteria. A property may be removed from the register of historic places without the owner's consent.

- E. Listing on the College Place Register of Historic Places is an honorary designation denoting significant association with the historic, archaeological, engineering, or cultural heritage of the community. Properties may be listed individually or as contributing to an historic district.
 - 1. Prior to the commencement of any work on a register property, excluding ordinary repair and maintenance and emergency measures as defined in this Chapter, the owner must request and receive a Certificate of Appropriateness from the Commission for the proposed work. Violation of this rule may be grounds for the Commission to review the property for removal from the register, to recommend to the City Council removal of the property from the register, or any other action available to the City.
 - 2. As a certified local government (CLG), all properties listed on the College Place Register of Historic Places may be eligible for a special tax valuation on their rehabilitation.
- F. Properties designated on the College Place Register of Historic Places shall be subject to the provisions set forth in this Chapter, as well as the bulk, use, setback, and other controls of the zoning district in which they are located. Nothing contained herein shall be construed to be repealing, modifying, or waiving any zoning provisions or other local, state, or federal laws or regulations.
- G. No change of use, construction any new building or structure, or reconstruction, alteration, restoration, remodel, repair, removal, or moving any property on the College Place Register of Historic Places shall occur without review by the Historic Preservation Commission and issuance of a Certificate of Appropriateness.
 - 1. The owner or his/her/their agent shall apply to the City for a review of proposed changes on a College Place Register property or within a College Place Register historic district and request a Certificate of Appropriateness or, in the case of demolition, a waiver. Each application for review of proposed changes shall be accompanied by such information as is required by the City for the proper review of the proposed project. The Commission's decisions shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision.
 - 2. The Commission shall attempt to meet with the Applicant and review the proposed work according to the design review criteria established in rules. Commission members of the commission as a whole may visit the property or site for the purpose of inspection and information gathering, but no deliberation shall occur by the Commission or its members outside of the public meeting. The Commission shall complete its review and make its recommendations within 30 calendar days of the date of receipt of the application. If the Commission is unable to process the request, the Commission may ask for an extension of time. If the Commission is unable to process the request due to

the applicant failing to meet with the Commission, failing to submit required information, failing to permit site visit to the Commission or any of its members, or failing to comply with any other reasonable request of the Commission or any Commission rule, regulation, or guidelines, or this Chapter, the Commission may deny the application.

3. The Commission's recommendations shall be in writing and shall state the findings of fact and reasons relied upon in reaching its decision. Any conditions agreed to by the applicant in this review process shall become conditions of approval of any permits granted. If the owner agrees to the Commission's recommendations, a Certificate of Appropriateness shall be awarded by the Commission according to standards established in the Commission's rules.
4. The Commission's recommendations and, if awarded, the Certificate of Appropriateness shall be transmitted to the building or zoning official for consideration in making a decision on the building permit application.

14.110.040 Special Valuation for Historic Properties. The purpose of this Section is to implement special tax valuation for rehabilitation of historic properties under which the assessed value of eligible historic property is determined at a rate that excludes, for up to ten years, the actual cost of the rehabilitation, in accordance with the provisions of RCW 84.26.

- A. Property owners seeking special tax valuation shall submit applications for special tax valuation to the County Assessor's office.
 1. Applications shall be forwarded to the City by the Assessor, typically within ten calendar days of filing.
 2. The Commission shall review the application(s), consistent with its rules of procedure, and determines if the application(s) is complete and if the properties meet the criteria set forth in WAC 254-20-070(1) and this Chapter.
 - a. If the Commission finds the property meets all the criteria, then, on behalf of the City, it shall seek to execute an historic preservation special valuation agreement (set forth in WAC 254-20-120) with the property owner. No application shall be approved without an historic preservation special valuation agreement duly executed by the Commission and the property owner(s).
 - b. If the Commission determines the application incomplete, lacks required supporting documentation or information, or the property does not meet all applicable criteria, then it shall deny the application.

3. The Commission certifies its decisions in writing and states the facts upon which the approvals or denials are based and the City files copies of the certifications with the County Assessor, typically within ten calendar days.
4. For approved applications the City shall:
 - a. Forward copies of the agreements, applications, and supporting documentation (as required by WAC 254-20-090 (4)) to the County Assessor; and
 - b. Notify the State Review Board that the properties have been approved for special valuation.
5. For approved applications the owner shall:
 - a. Monitor the property for continued compliance with the agreements throughout and continued qualification for the special valuation for the ten-year special valuation period.
 - b. Immediately report to the City any actual or suspected agreement non-compliance or special tax disqualification.
 - c. Make the historic aspects of the property accessible to public view at least one day a year if the property is not substantially visible from public rights-of way; and
 - d. Comply with any other provisions in the agreement.
6. The Commission may determine, in a manner consistent with its rules of procedure, whether a property should be disqualified from special valuation, based on a finding that:
 - a. The owner failed to comply with the terms of the agreement; or
 - b. There was a loss of historic value resulting from physical changes to the building or site; or
 - c. The disqualification is necessary and appropriate to fulfill the purposes of this Chapter.
7. In the event that the Commission finds that a property is no longer qualified for special valuation, the City shall notify the owner, the County Assessor, and State Review Board in writing and state the facts supporting its findings.

B. Applications for special tax valuation shall be subject to review as follows:

1. Properties listed on the College Place Register of Historic Places or that have been certified as contributing to a historic district on the College Place Register of Historic Places which have been substantially rehabilitated at a cost and within a time period which meets the requirements set forth in Chapter 84.26 RCW are eligible to apply.
2. Complete applications shall consist of the following documentation:
 - a. A legal description of the historic property.
 - b. Comprehensive exterior and interior photographs of the historic property before and after rehabilitation.
 - c. Architectural plans or other legible drawings depicting the completed rehabilitation work.
 - d. A notarized affidavit attesting to the actual cost of the rehabilitation work completed prior to the date of application and the period of time during which the work was performed and documentation of both to be made available to the Commission upon request; and
 - e. For properties located within historic districts, in addition to the standard application documentation, a statement from the Secretary of the Interior or appropriate local official, as specified in local administrative rules or by the local government, indicating the property is a certified historic structure is required.
3. In its review of complete applications, the Commission shall determine if the properties meet all the following criteria:
 - a. The property is historic property.
 - b. The property is eligible for special valuation by the City.
 - c. The property has been rehabilitated at a cost which meets the definition set forth in RCW 84.26.020(2) within 24 months prior to the date of application; and
 - d. The property has not been altered in any way which adversely affects those elements which qualify it as historically significant as determined by applying the Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties (WAC 254-20-100(1)).

5. Rehabilitation and Maintenance Criteria. The Washington State Advisory Council's Standards for the Rehabilitation and Maintenance of Historic Properties in WAC 254-20-100 shall be used by the Commission as minimum requirements for determining whether or not an historic property is eligible for special valuation and whether or not the property continues to be eligible for special valuation once it has been so classified.
5. The historic preservation special valuation agreement in WAC 254-20-120 shall be used by the Commission as the minimum agreement necessary to comply with the requirements of RCW 84.26.050(2).
6. Any decision of the Commission acting on any application for classification as historic property, eligible for special valuation, may be appealed in accordance with the provisions of Chapter 14.30.
 - a. The appeal must be filed in the timeframe and format prescribed by the City and must state the grounds upon which the appeal is based.
 - b. The appeal shall be reviewed on the records of the Commission (closed record appeal).

14.110.050 Demolition of Historic Structures. The purpose of this Section is to establish a means by which the beauty and authenticity of College Place's historic structures may be conserved as reminders of the community's heritage.

- A. A thirty (30) day holding period shall be observed, following notification to the local newspaper, prior to issuance of a Development Authorization for demolition of structures over fifty (50) years old, or places of historic value, during which time staff will invite comments from the Washington State Office of Archaeology and Historic Preservation and local interest groups having on file a request for notification of such applications, on the possible historic or architectural significance of the structure or place to the community.
- B. If, based on comments received from the Office of Archaeology and Historic Preservation or local interest groups notified as per Subsection A, staff determines that the subject structure or place possesses sufficient community-wide historic or architectural significance that further public input is warranted, the proposal will be subject to the following:
 1. A sixty (60) day staff level stay during which the Director may consult with local and/or state organizations concerned with historic or architectural values. If the structure or place is found to be significant, staff or the concerned group(s) or agency(s) may petition the Historic Preservation Commission for a public hearing to consider

- significance of the structure or place and options available to preserve the public interest.
2. Based on input received at the public hearing, the Historic Preservation Commission may:
 - a. Authorize issuance of a Development Authorization by Staff; or
 - b. Issue a continuance of the stay for no longer than one (1) year to provide opportunity for acquisition, easement, or other preservation mechanism to be negotiated; or
 - c. Take other action as required by State statutes or administrative code as advised by authorized representatives of the Archaeology and Historic Preservation Division of the State Department of Community Development.

Chapter 14.120 Building and Construction

Sections:

14.120.010	Introduction.
14.120.020	Applicability.
14.120.030	General Design Requirements.
14.120.040	International Codes Adopted.
14.120.050	Moving Buildings.
14.120.060	Swimming Pools.
14.120.070	Playground Equipment for Public Use.

14.120.010 Introduction. The purpose of this Chapter is to identify the provisions of the International Codes and amendments that have been adopted by the City as well as to establish local regulations necessary to govern building and construction.

14.120.020 Applicability. It shall be a violation of this Chapter for any individual or entity to erect, construct, alter, extend, repair, move, remove, demolish, or occupy in whole or in part 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 Chapter or to fail to comply with any stop work order or other order of the City's Building Official.

- A. No building or other structure shall be erected, moved, added to, or structurally altered without a Building Permit issued by the City, provided that building permits are not required for the following improvements, as determined by the City:
 - 1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet.
 - 2. Sidewalks, decks, and driveways not more than 30 inches above adjacent grade, and not over any basement or story below, and are not part of an accessible route.
- B. No building or structure may be demolished without a Demolition Permit issued by the City in accordance with the provisions of the International Codes as adopted by the City.
- C. Proposed modifications or the demolition of buildings, structures, sites, and properties on the City of College Place, State of Washington, or National Historic Register must comply with the provisions of Chapter 14.110.

- D. Building permit applications shall be submitted in a format prescribed by the City and shall be of sufficient detail, as determined by the City, to show the entire project with emphasis on the following:
1. Structural integrity.
 2. Life safety.
 3. Architectural barriers (ADA handicap compliance).
 4. Compliance with all codes having jurisdiction.
 5. Scope of work.
 6. Special inspection requirements and protocols; and
 7. Deferred submittal schedule.
- E. A qualified professional, as determined by the City, must prepare or oversee the preparation of plans for any building or structure containing three or more residential dwelling units and all commercial or industrial buildings or structures.
- F. Building permits shall become invalid if the work authorized by such permit is not commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Permittees that do not request and pass a City inspection within 180 days of permit issuance or within 180 days since the previous City approved inspection, shall automatically expire and become invalid. The City may grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons, as determined by the City. Permittees must submit to the City a written extension request prior to the date of permit expiration and shall demonstrate good cause. Extensions are at the sole discretion of the City.
- G. Upon notice from the City that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such stop work order notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the City official shall not be required to give a written notice prior to stopping the work. Any person or entity who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

14.120.030 Design Requirements.

- A. The following general design requirements apply to all construction in the City of College Place. In the event of a conflict between these provisions and the provisions of Section 14.120.040, these requirements shall apply.
1. Roof snow load: 30 pounds per square foot.
 2. Wind speed: 110 miles per hour and a three second gust of 85 miles per hour.
 3. Seismic design category: D₀.
 4. Weathering: Severe.
 5. Frost line depth: 24 inches below grade.
 6. Termites: Slight to moderate.
 7. Decay: None to slight.
 8. Winter design temperature: 10 degrees Fahrenheit.
 9. Ice shield underlay: Yes.
 10. Flood Hazards:
 - a. Map Index Community-Panel Number 530195INDO effective September 7, 2001.
 - b. FIRM Community-Panel Number 5301950440B, effective September 7, 2001.
 - c. FIRM Community-Panel Number 5301940445B, effective December 1, 1983, Revised; and
 - d. Letter of Map Revision (LOMR) IA-RA-RS-530194, April 13, 1988.
 11. Annual freeze index: 1,000; and
 12. Mean annual temperature: 53.4 degrees Fahrenheit.
- B. Except as may be otherwise provided herein, the following apply to new structures and existing buildings when the occupancy classification changes or when they are being used as mixed occupancies.

1. All occupancy classifications referenced in this Section are as defined in the International Fire Code as adopted by the City of College Place.
2. The College Place Fire Chief must approve all automatic sprinklers, fire extinguishing systems, and other fire or smoke suppression and/or retardant apparatus mentioned in this Section.
3. An automatic fire sprinkler system shall be installed in:
 - a. Drinking or dining establishments when the total floor area exceeds 3,000 square feet.
 - b. All multi-theater complexes.
 - c. In basements larger than 1,500 square feet in floor area except Group R, Division 3 occupancies.
 - d. When a structure has over 4,000 square feet of floor area, is more than two stories, or is more than 30 feet in height.
 - e. In all amusement buildings.
 - f. All theatrical stages and contiguous accessory spaces such as dressing rooms, workshops, and storerooms where the combined area is more than 1,000 square feet.
 - g. All Group E occupancies over 3,000 square feet or more than two stories in height.
 - h. All Group F occupancies over 4,000 square feet or more than 30 feet in height.
 - i. All Group H, Division 1, 2, 3 and 5 occupancies.
 - j. All Group H, Division 4 occupancies having a floor area of more than 3,000 square feet or more than 30 feet in height.
 - k. All Group I Occupancies. In addition, quick response or residential sprinklers shall be installed throughout patient/inmate sleeping areas.
 - l. Group M occupancies with floor areas over 4,000 square feet or more than 30 feet in height.

- m. Group S occupancies with floor areas over 4,000 square feet or more than 30 feet in height.
 - n. Group U occupancies with floor areas over 4,000 square feet or more than 40 feet in height.
4. As noted in the International Building Code, area separation walls are not considered to separate a building to enable deletion of the required fire alarm/detection and fire sprinkler systems required by this Section.
 5. The Fire Chief may exempt the following rooms or areas from the requirement to install sprinkler systems:
 - a. Where sprinklers are considered undesirable because of the nature of the contents of the rooms or in rooms or areas which are of noncombustible construction with wholly noncombustible contents, and which are not exposed by other areas. Sprinklers shall not be omitted from any room merely because it is damp or of fire resistive construction.
 - b. Where the application of water or flame and water to the contents may constitute a serious fire or life hazard, as in the case of the manufacture or storage of quantities of aluminum powder, calcium carbide, calcium phosphide, metallic sodium and potassium, quick lime, magnesium powder, or sodium peroxide; and
 - c. Safe deposit and other vaults of fire-resistive construction, when used for storage of records, files, and other documents, when stored in metal cabinets.
 6. Alternative approved automatic fire extinguishing systems may be installed to protect against special hazards or occupancies in lieu of automatic sprinklers when approved by the Fire Chief, or his/her/their designee.
 7. The installation of an automatic fire sprinkler system does not eliminate the need for alarm and fire detection systems required by the International Building or Fire Code.
 8. In the event there is a conflict between any of the provisions of this Section and the provisions of the most current edition of International Building or Fire Code as published by the International Code Council and adopted by the City, then the provisions of the more restrictive code, as determined by the City, shall apply.
 9. A qualified service technician, as determined by the City, shall service all automatic fire sprinkler systems annually only. A copy of the annual service report, certified by

the signature of the technician who performed the inspection, shall be forwarded to the Fire Department within five working days of such inspection.

10. If, at any time, any automatic fire sprinkler system becomes inoperative, the property owner shall immediately notify the College Place Fire Chief. "Inoperability" shall be defined as any condition that prevents any sprinkler from operating as designed or any alarm from sounding at its designated location.
11. All automatic fire sprinkler systems shall be equipped with an alarm, which shall give an audible signal on the building exterior. This shall be a bell or horn strobe of sufficient volume to alert passersby in a location approved by the Fire Chief.
12. Automatic fire sprinkler systems shall be designed, installed, tested, and maintained per the National Fire Sprinkler Code as published in the National Fire Protection Association Chapter 13.
13. The violation of any of the provisions of this notice shall constitute the suffering of nuisance on the affected premises and such nuisance may be abated as in the case of any other nuisance per the provisions of the College Place Municipal Code or those provisions of the Revised Code of Washington respecting nuisance abatement.

C. **Damaged Buildings.** If the Building Official finds that the value of proposed work equals or exceeds 50 percent of the assessed valuation of the building or structure before the damage has occurred or the improvement is started, then existing portions of the entire building or structure shall be improved to meet the requirements of the International Codes as adopted.

14.120.040 International Codes Adopted. The following Codes are hereby adopted by the City of College Place:

- A. The ~~2018-2021~~ of the International Building Code, as adopted and hereafter amended by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-50 is hereby adopted along with Appendix E and ICC/ANSI A117.1-~~2017-2009~~, the ~~2021~~ ~~2018~~ International Existing Building Code, and the International Swimming Pool and Spa Code.

These codes are amended as follows:

Section 101.1. Insert: City of College Place.

Section 113 Substitute: Hearing Examiner, in lieu of Board of Appeals.

Section 113.1 General. The Hearing Examiner for the City of College Place shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

Section 113.2 Limitations of 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 Hearing Examiner shall have no authority to waive requirements of this code.

Section 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 guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in jail for a period not to exceed ninety days or by both such fine and imprisonment.

Section 1612.3. Insert: City of College Place.

- B. The ~~2018-2021~~ Edition of the International Residential Code (IRC), as adopted and hereafter amended by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-51, as published by the International Code Council, including Appendices F, Q, and U, but excluding Chapter 11, "Energy Efficiency," and Chapters 25 through 43.

These codes are amended as follows:

Section R101.1. Insert: City of College Place.

Section R112. Hearing Examiner, in lieu of Board of Appeals.

Section R112.1 General. The Hearing Examiner for the City of College Place shall hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

Section R112.2 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 Hearing Examiner shall have no authority to waive requirements of this code.

~~R112.2.1 Determination of substantial improvement in flood hazard areas. When the building official provides a finding required in Section R105.3.1.1, the Hearing Examiner shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:~~

~~1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official, and which are the minimum necessary to assure safe living conditions; or~~

~~2. Any alteration of an historic building or structure, provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:~~

~~2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.~~

~~2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district, or a district preliminarily determined to qualify as an historic district; or~~

~~2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.~~

~~R112.2.2 Criteria for issuance of a variance for flood hazard areas. A variance shall be issued only upon:~~

~~1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R322 inappropriate.~~

~~2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.~~

~~3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~

~~4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.~~

~~Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.~~

R112.4 Administration. The Building Official shall take immediate action in accordance with the decision of the Hearing Examiner.

Section R113.4. 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 guilty of a misdemeanor and shall be punished by a fine not to exceed one thousand dollars, or by imprisonment in jail for a period not to exceed ninety days or by both such fine and imprisonment.

~~Section R403.1.3 Is modified to include the following: Due to the code's assumed minimum soil bearing of 1500 PSF and local soil conditions Foundation Stem Walls will incorporate a minimum of two Horizontal runs of #4 reinforcing steel. One shall be placed 3 inches above the bottom of the wall and one within 5 inches of the top of the wall (grade 60) prescriptively, or in lieu an engineered foundation design (WA ST stamp) at submittal.~~

Table R301.2 (1) Insert: See Section 14.120.030 Design Requirements A.

- C. The ~~2018-2021~~ Edition of the International Mechanical Code, as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-52, as published by the International Code Council, including the ~~2018-2021~~ International Fuel Gas Code, ~~2018-2020~~ NFPA 58 and the ~~2017-2021~~ NFPA 54, is hereby adopted.

These codes are amended as follows:

Section 101.1. Insert: The City of College Place.

Section ~~109~~ ~~106.5.2~~. Fees shall be in accordance with the current City Fee Schedule.

Section ~~109.6~~. ~~106.5.3~~ Insert: The City may refund a fee, or a part of a fee as follows:

- a. 100 percent of any fee erroneously paid or collected.
- b. Up to 80 percent of the applicable permit fee paid when no work has been done under a permit issued in accordance with this code.
- c. Up to 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The Building Official shall not authorize the refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Section ~~115-108.4~~. Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section ~~115-108.5~~. Stop work orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than two times the value of the permit.

Section ~~114-109~~-Means of Appeal. Hearings Examiner, in lieu of Board of Appeals.

Section ~~114.2109.1~~ Limitations on authority Application for Appeal. A person shall have the right to appeal a decision of the code official to the Hearing Examiner. 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 Hearing Examiner shall have no authority to waive requirements of this code.

~~109.1.1 Limitation of authority. The Hearing Examiner shall have no authority to waive requirements of this code.~~

~~109.2 Membership of board. Delete entire subsection.~~

~~109.3 Notice of meeting. Delete entire subsection.~~

~~109.4 Open hearing. All hearings before the Hearing Examiner shall be open to the public. The Appellant, the Appellant's representative, City staff and representatives of the City, and any person whose interests are affected shall be given an opportunity to be heard.~~

~~109.5 Postponed hearing. Delete entire subsection.~~

~~109.6 Board decision. Delete entire subsection.~~

~~109.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law in accordance with the provisions of this Title.~~

- D. The 2021 ~~2018~~ Edition of the International Fire Code, as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapter 51-54, as published by the International Code Council, including Section 503, Section 507, and Appendix Chapters B, C and D (see International Fire Code Section 101.2.1, 2021 ~~2018~~ edition)

These codes are amended as follows:

Section 101.1 Insert: City of College Place.

Section 108. Hearing Examiner.

Section 108.1. Appeals. All appeals of orders, decisions or determinations made by the City Fire Marshal relative to the application and interpretation of this code shall be heard and decided by the Hearing Examiner.

Section 108.2 Limitations on authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Hearing Examiner shall have no authority to waive requirements of this code.

Section 109.4 Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.A. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than three hundred dollars or more than one thousand dollars.

That the geographic limits referred to in certain sections of the ~~2021~~ ~~2021~~-International Fire Code are hereby established as follows:

Section 5704.2.9.6.1. In all zones established in Title 14 of the College Place Municipal Code except ~~Light heavy-i~~Industrial.

Section 5706.2.4.4. In all zones established in Title 14 of the College Place Municipal Code except ~~L~~ight ~~and heavy-i~~Industrial, provided that up to one hundred ten gallons may be stored for domestic purposes.

Section 5806.2. In all zones as established in Title 14 of the College Place Municipal Code except ~~Light heavy-i~~Industrial.

Section 6104.2 the storage of liquefied petroleum gases in excess of 500 gallons is prohibited in all zones established in Title 14 of the College Place Municipal Code except ~~H~~light ~~and Heavy-i~~Industrial. Bulk storage of liquefied petroleum gas is prohibited in all zones as established in Title 14 of the College Place Municipal Code except ~~Light heavy-i~~Industrial.

- E. The ~~2021~~ ~~2018~~- Edition of the Uniform Plumbing Code (UPC), as adopted by the State Building Code Council in Washington Administrative Code (WAC) Chapters 51-56, as published by the International Association of Plumbing and Mechanical Officials (IAPMO), is hereby adopted, including Appendices A, B, ~~I~~ and M. Any provisions of such code affecting sewers or fuel gas piping are not adopted and are specifically rejected. Also, Chapters 12 and 14 of this Code are not adopted. Additionally, those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.

These codes are amended as follows:

104.5 Fees. Applicable plumbing fees shall be in accordance with the current City Fee Schedule.

~~102.4~~ 106.1 Violations. It shall be unlawful for a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain plumbing or permit the same to be done in violation of this code.

~~102.5~~ 106.3 Penalties. A person, firm, or corporation violating a provision of this code shall be deemed guilty of a misdemeanor punishable by a fine of not more than one thousand dollars or by imprisonment not exceeding ninety days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 107.0 Hearing Examiner, in lieu of Board of Appeals.

~~107.1 102.3 Hearing Examiner. The Hearing Examiner shall hear and decide all appeals of orders, decisions, or determinations made by the Authority Having Jurisdiction relative to the application and interpretations of this code.~~

~~102.3.1 107.2 Limitations of Authority. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Hearing Examiner be empowered to waive requirements of this code.~~

~~Any provisions of such code affecting sewers or fuel gas piping are not adopted and are specifically rejected. Also, Chapters 12 and 14 of this Code are not adopted. Additionally, those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted.~~

- F. The ~~2018 2021~~ Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11C and 51-11R WAC, is hereby adopted, including Commercial appendices A, B, C and D.

This code is amended as follows:

R110.1 and C110.1 ~~R-109.1 and C-109.1~~ Hearing Examiner. The Hearing Examiner shall hear and decide all appeals of orders, decisions, or determinations relative to the application and interpretations of this code.

R110.2 and C110.2 ~~R_109.2 and C_109.2~~ Limitations of Authority. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Hearing Examiner be empowered to waive requirements of this code.

R111 and C111 ~~R110 and C110~~. Violations. It shall be unlawful for a person, firm, or corporation to erect, construct, any building, or remodel or rehabilitate any existing building or structure in the state, or allow the same to be done, contrary to or in violation of any of the provisions of this code.

- G. Standards for Accessibility of Buildings and Facilities to Elderly and Handicapped, RCW 70.92.100 through 70.92.160, are hereby adopted by reference.
- H. The National Fuel Gas Code (NFPA 54), as adopted by the State Building Code Council in Chapter 51-52 WAC, and as published by NFPA, is hereby adopted.
- I. The Liquefied Petroleum Gas Code (NFPA 58), as adopted by the State Building Code Council in Chapter 51-52 WAC, and as published by NFPA, is hereby adopted.

14.120.050 Moving Buildings.

- A. No individual or entity shall move any building over, upon or along any street or alley in the city without a City-issued permit, provided that:
 - 1. The City shall, in the permit(s) issued under this Section, prescribe the mode of moving of such building or buildings and the street or alleys over which the removal may be made, and the move shall at all times be subject to the control and direction of the City.
 - 2. The route and timing of the move may be limited through a right-of-way use or another permit issued by the City.
 - 3. The City may require the mover to obtain the necessary permission, including but not limited to permits, from any other individual or entity who owns or has an interest in the property over which the building is being moved and provide proof thereof to the City; and
 - 4. The property owner or designated Project Sponsor shall be responsible for all costs and claims of any nature associated with the moving of a building.

14.120.070 Swimming Pools. No individual or entity shall construct a public or semipublic swimming pool nor make changes in any public or semipublic swimming pool already built, or any appurtenances thereof, until the plans and specifications thereof shall first have been submitted to and received the approval of the Washington State Department of Health and a copy of said

approval provided to the City. Failure to comply with this section may result in owner being required to remove said swimming pool or appurtenances thereof, or changes thereto or result in the City removing or causing the removal said swimming pool or appurtenances thereof or changes thereto. In the event that the City must act to rectify a non-compliance with this Section, the owner shall be responsible for any and all costs associated therewith. The owner shall be responsible, in addition to the cost of correction, any and all costs of collection of such amount, including but not limited to attorneys' fees and costs and any and all amounts due and owing the City shall become a lien on the real property.

14.120.080 Playground Equipment for Public Use. All play equipment installed on City owned property, or property to be dedicated to the City, shall meet or exceed:

- B. *ASTM F1487 – 17 Standard Consumer Safety Performance Specification for Playground Equipment for Public Use*, and;
- C. Section 424 – Children's Play Structures of the International Building Code.

Chapter 14.130 Nonconforming Buildings, Structures, Uses, and Lots

Sections:

- 14.130.010 Introduction.**
- 14.130.020 Illegal Buildings, Structures, Lots, and Uses Not Permitted.**
- 14.130.030 Nonconforming Buildings and Structures.**
- 14.130.040 Nonconforming Uses.**
- 14.130.050 Nonconforming Lots.**
- 14.130.060 Sale of a Nonconforming Building, Structure, Lot, or Use.**

14.130.010 Introduction. This Chapter provides for the regulation of buildings, structures, lots, and uses that do not comply with the provisions of this Title and specifies the circumstances, conditions, and/or procedures under which these nonconformities may be permitted to continue and/or to expand.

14.130.020 Illegal Buildings, Structures, Lots, and Uses Not Permitted. Structures, lots, site improvements, uses, and/or development activities which were not legally established or conducted, as determined by the City, must fully conform and comply with the provisions this Title or be abated, provided, that:

- A. The burden of documenting and showing that any nonconformity is a legal nonconformity shall, in all cases, be upon the owner of such nonconformity and not upon the City.
- B. If the Community Development Director or his/her/their designee cannot conclusively determine that the nonconformity was lawfully established and in continuous use or operation, then the matter may be referred to the Hearing Examiner for review. The Hearing Examiner shall be authorized to render a decision as to whether the nonconforming building, structure, lot, or use or structure was lawfully established and/or in continuous operation or not and determine the measures necessary for compliance with this Title, and/or to order abatement.

14.130.030 Nonconforming Buildings and Structures. Buildings and structures that were legally established, but do not comply with current regulations, may be used subject to the following provisions:

- A. Nothing in this Chapter shall be construed to restrict normal structural repair and maintenance of a nonconforming structure, including the replacement of walls, fixtures, and plumbing, provided that the degree of nonconformity is not increased.
- B. Legal nonconforming structures may be remodeled, improved, and/or expanded; provided, that the proposed activities do not increase the degree of nonconformity.

- C. Nonconforming buildings or structures shall not be relocated on the same site unless the move results in bringing the building or structure into closer conformance with the provisions of this Title.
- D. Should the structure be destroyed by any means to an extent equal to or more than 50 percent as determined by the City, it shall not be reconstructed except in conformity with the provisions of this Title.

14.130.040 Nonconforming Uses.

- A. A nonconforming use of a building, structure, or land shall not be extended or enlarged, unless otherwise provided in this Title.
- B. A nonconforming use shall be discontinued and may not be reinstated if use has been vacated or discontinued and not reestablished within 12 months as determined by the City.
 - 1. When a nonconforming use becomes discontinued or succeeded by a conforming use, it shall be deemed that such prior non-conforming use has ceased to exist and thus loses its status as a legal nonconforming use.
 - 2. Any subsequent use shall conform to the provisions of this Title.
 - 3. The City shall have the discretion to extend the time limitation due to special circumstances beyond the control of the owner or occupant of the nonconforming use or nonconforming structure. Examples of special circumstances include but are not limited to disputes over insurance settlements in the case of fire or other casualty, delay in transferring title due to probate proceedings, litigation that impacts continuation of a nonconforming use or nonconforming structure, labor strikes, war, and acts of God. If the delay is due to the actions or inactions of the individual or entity that desires to continue the nonconforming use, as determined at the sole discretion of the City, the City may deny any requested extension of time limitation.

14.130.050 Nonconforming Lots.

- A. A legal nonconforming lot may be developed, provided, that:
 - 1. It meets all other requirements of this Title and/or has obtained a variance pursuant to this Title; or
 - 2. A reasonable use exception has been obtained in accordance with the provisions of this Title.

14.130.060 Sale of a Nonconforming Building, Structure, Lot, or Use. Property classified as nonconforming may be transferred or sold without that fact alone affecting the right to continue the nonconforming use or use of a nonconforming structure.



College Avenue

**Downtown College Place (4th to 13th Streets)
Walla Walla University Campus (4th to Whitman)
North College Ave Business District (Whitman Drive to Rose Street)**

College Avenue serves as the Main Street of the community. The corridor recently underwent a \$15 million reconstruction which includes pedestrian lighting, sidewalks and traffic signals. The corridor consists of a mix of small businesses, offices, and residential. Walla Walla University is at the center of the corridor. It has Bachelor and Graduate Degree Programs and has a student population of 2,000. The long term vision of this corridor is spelled out in the recently adopted College Avenue Design Standards. Community goals for the corridor is to create “small town” atmosphere, be a setting for a “slow pace of life,” and make sure that buildings and storefront are the dominant features. Various properties are available for sale or lease.

Data Points

Statistic	10 Minute Drive Time	30 Minute Drive Time	45 Minute Drive Time
2023 Population	37,871	69,383	76,754
2028 Population	38,316	69,775	77,098
2023 Daytime Population	42,321	68,659	74,974
2023 Median Household Income	\$56,632	\$62,282	\$63,104
2028 Median Household Income	\$66,288	\$74,309	\$75,260
2023 Median Home Value	\$297,328	\$308,547	\$304,667
2028 Median Home Value	\$436,975	\$430,269	\$417,337
2023 Median Age	38.6	38.8	39.5
2028 Median Age	39.9	39.7	40.4

Consumer Spending (45 Minute Drive Time)

Type	2023 Spending
Apparel and Services	\$53,057,656
Electronics	\$6,160,588
Entertainment	\$95,742,851
Food At Home/Groceries	\$169,293,396
Restaurants	\$90,386,418
Furniture	\$20,408,771
Appliances	\$13,360,843
Lawn & Garden	\$17,416,762
Personal Care Products	\$13,548,673
Housekeeping Supplies	\$23,508,030
Gasoline & Convenience Centers	\$64,336,188

Source: ESRI Business Analyst Online, Retail Demand Outlook Reports Jan 2024.



Meadowbrook/Stone Creek Business District



The Meadowbrook Business District comprises land zoned General Commercial near the intersection of State Route 125 & Meadowbrook Drive. Commercial businesses in the area include Super Walmart, HopThief Tap House, Maurice's, Del Taco, Chipotle, Burger King, Panda Express, GameStop, Subway, Papa Murphy's Pizza, and more. The new College Place Library is in Meadowbrook Plaza. College Place High School and John Sager Middle School are nearby. Commercially-zoned land is available for sale behind Meadowbrook Plaza and across the street from College Place High School on College Avenue.



Data Points

Statistic	10 Minute Drive Time	30 Minute Drive Time	45 Minute Drive Time
2023 Population	39,448	68,385	77,701
2028 Population	39,872	68,779	78,017
2023 Daytime Population	41,972	67,745	76,292
2023 Median Household Income	\$58,983	\$62,139	\$62,720
2028 Median Household Income	\$68,944	\$74,093	\$74,968
2023 Median Home Value	\$309,490	\$308,346	\$304,156
2028 Median Home Value	\$440,914	\$431,184	\$415,960
2023 Median Age	39.4	38.8	39.5
2028 Median Age	40.5	39.7	40.3

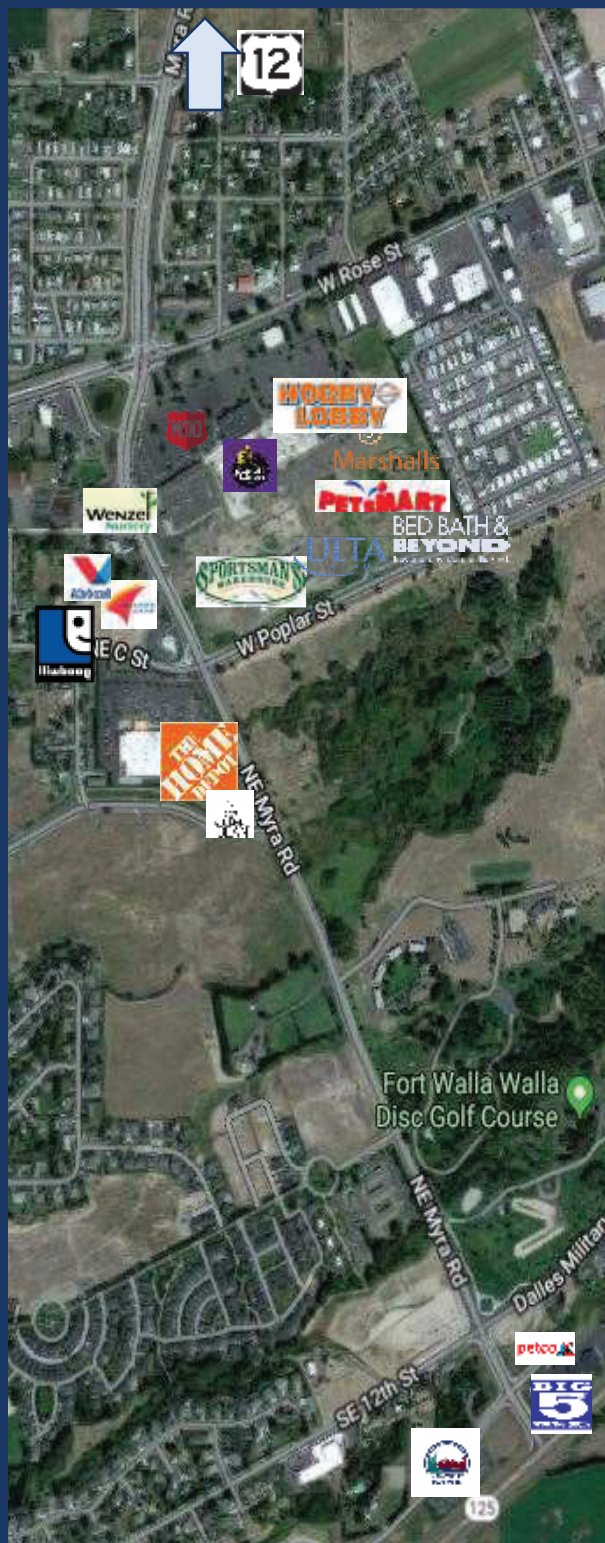
Consumer Spending (45 Minute Drive Time)

Type	2023 Spending
Apparel and Services	\$53,341,534
Computers & Electronics	\$6,197,042
Entertainment	\$96,206,821
Food/Groceries	\$170,167,698
Restaurants	\$90,876,278
Furniture	\$20,514,849
Appliances	\$13,424,497
Lawn & Garden	\$17,482,820
Housekeeping Supplies	\$23,625,318
Personal Care Products	\$13,622,344
Gasoline & Convenience Stores	\$64,649,696

Source: ESRI Business Analyst Online, Retail Demand Outlook Profile Reports – January 2024.



Myra Rd Commercial Corridor



Myra Rd is a two mile long Commercial Corridor that connects US Highway 12 with State Route 125. It also acts as the boundary between City of College Place to the west and the City of Walla Walla to the east. Several commercial establishments already call the Myra Rd Corridor home ranging from Home Depot, Banner Bank, and the new Walla Walla Town Center which comprises several retailers such as Hobby Lobby, Marshalls, Ulta, Famous Footwear, and more. Fort Walla Walla Park and Museum is also located along this corridor. Several pieces of land zoned Commercial ranging from one to over thirty acres is available for lease or purchase in the City of College Place along this corridor. Ideal uses for this corridor include big box retail, restaurants, and office space.

Data Points

Statistic	10 Minute Drive Time	30 Minute Drive Time	45 Minute Drive Time
2023 Population	45,664	69,742	75,816
2028 Population	46,120	70,134	76,181
2023 Daytime Population	48,927	68,888	74,176
2023 Median Household Income	\$59,154	\$62,376	\$63,132
2028 Median Household Income	\$70,310	\$74,474	\$75,283
2023 Median Home Value	\$303,917	\$308,632	\$305,336
2028 Median Home Value	\$448,201	\$430,466	\$419,253
2023 Median Age	38.5	38.9	39.5
2028 Median Age	39.6	39.8	40.4

Consumer Spending (45 Minute Drive Time)

Type	2023 Spending
Apparel and Services	\$52,477,818
Computers & Electronics	\$6,092,371
Entertainment	\$94,650,140
Food At Home / Groceries	\$167,433,728
Restaurants	\$89,389,057
Furniture	\$20,181,762
Appliances	\$13,204,930
Lawn & Garden	\$17,214,653
Personal Care	\$13,399,225
Housekeeping Supplies	\$23,246,653
Gasoline & Convenience Stores	\$63,635,723

Source: ESRI Business Analyst Online, Retail Demand Outlook Profile Reports Jan 2024.



We are OPEN for business!!!!

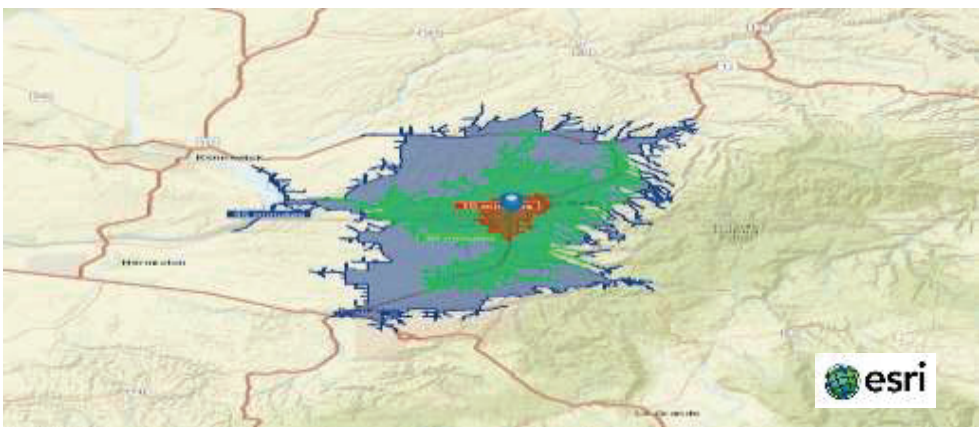
And ready for yours.

Nestled in the picturesque Walla Walla Valley, our stunning blue skies offer more than an ideal climate; they represent the boundless investment opportunities of College Place. College Place offers residents and business direct access to three superb higher education institutions, a quality public and private secondary education system, reliable infrastructure, extensive labor market, efficient transportation systems, and a forward-thinking government that thrives on innovation. College Place offers investors, businesses, and employees the perfect place to live, work, and play. We build upon the foundation of small town character to enhance the quality of life, while providing reliable, innovative, efficient, and courteous service that is second to none.

Demographic Overview

	10 Minute Drive		30 Minute Drive		45 Minute Drive	
	2023	2028	2023	2028	2023	2028
Population	45,664	46,120	69,742	70,134	75,816	76,181
Households	17,961	18,310	26,467	26,851	29,004	29,395
Median Income	\$59,154	\$70,310	\$62,376	\$74,474	\$63,132	\$75,283
Per Capita Income	\$33,846	\$40,177	\$33,763	\$39,943	\$34,502	\$40,719
Median Age	38.5	39.6	38.9	39.8	39.5	40.4

Drive Time Trade Area Map



- ✓ Pro-business attitude
- ✓ Prime location
- ✓ Inexpensive business license and permitting costs
- ✓ Efficient development review process
- ✓ Access to highway, rail, and airports
- ✓ Great quality of life
- ✓ Outstanding public and private K thru 12th grade school systems
- ✓ Three superb higher education institutions
- ✓ Over 85 acres of Infill and greenfield development sites
- ✓ Competitively priced utilities



City of College Place Economic Development

Mike Rizzitiello, City Administrator
 625 S. College Ave, College Place, WA, 99324
 Phone: (509)-394-8506
 Email: mrizzitiello@cpwa.us

Website: www.cpwa.us
www.portwallawalla.com/





We are OPEN for business!!!!

These retailers are
Beautifully positioned
in College Place, Washington!



Based on an analysis of lifestyle characteristics of our households, College Place's consumers match the core customers of concepts such as:



2023 Consumer Spending 45 Minute Drive Time

- Apparel and Services: \$52,477,818
- Electronics: \$6,092,371
- Entertainment & Recreation: \$94,650,140
- Food at Home/Groceries: \$167,433,728
- Restaurants: \$89,389,057
- Furniture: \$20,181,762
- Appliances: \$13,204,930
- Gasoline & Convenience: \$63,635,723



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Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Population Summary

2010 Total Population	9,266
2020 Total Population	9,946
2020 Group Quarters	1,238
2023 Total Population	9,810
2023 Group Quarters	1,067
2028 Total Population	9,878
2023-2028 Annual Rate	0.14%
2023 Total Daytime Population	8,038
Workers	2,728
Residents	5,310

Household Summary

2010 Households	3,662
2010 Average Household Size	2.32
2020 Total Households	3,756
2020 Average Household Size	2.32
2023 Households	3,816
2023 Average Household Size	2.29
2028 Households	3,879
2028 Average Household Size	2.27
2023-2028 Annual Rate	0.33%
2010 Families	2,242
2010 Average Family Size	2.89
2023 Families	2,315
2023 Average Family Size	2.86
2028 Families	2,363
2028 Average Family Size	2.82
2023-2028 Annual Rate	0.41%

Housing Unit Summary

2000 Housing Units	3,208
Owner Occupied Housing Units	55.5%
Renter Occupied Housing Units	37.7%
Vacant Housing Units	6.8%
2010 Housing Units	3,913
Owner Occupied Housing Units	51.7%
Renter Occupied Housing Units	41.9%
Vacant Housing Units	6.4%
2020 Housing Units	4,188
Owner Occupied Housing Units	51.7%
Renter Occupied Housing Units	37.9%
Vacant Housing Units	10.4%
2023 Housing Units	4,239
Owner Occupied Housing Units	57.8%
Renter Occupied Housing Units	32.2%
Vacant Housing Units	10.0%
2028 Housing Units	4,286
Owner Occupied Housing Units	60.1%
Renter Occupied Housing Units	30.4%
Vacant Housing Units	9.5%

Data Note: Household population includes persons not residing in group quarters. Average Household Size is the household population divided by total households. Persons in families include the householder and persons related to the householder by birth, marriage, or adoption. Per Capita Income represents the income received by all persons aged 15 years and over divided by the total population.

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023



Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

2023 Households by Income

Household Income Base	3,816
<\$15,000	8.5%
\$15,000 - \$24,999	6.9%
\$25,000 - \$34,999	12.1%
\$35,000 - \$49,999	16.4%
\$50,000 - \$74,999	11.7%
\$75,000 - \$99,999	14.2%
\$100,000 - \$149,999	19.0%
\$150,000 - \$199,999	5.7%
\$200,000+	5.5%
Average Household Income	\$87,377

2028 Households by Income

Household Income Base	3,879
<\$15,000	7.6%
\$15,000 - \$24,999	6.0%
\$25,000 - \$34,999	10.0%
\$35,000 - \$49,999	12.4%
\$50,000 - \$74,999	10.9%
\$75,000 - \$99,999	15.3%
\$100,000 - \$149,999	22.7%
\$150,000 - \$199,999	8.0%
\$200,000+	7.1%
Average Household Income	\$103,643

2023 Owner Occupied Housing Units by Value

Total	2,452
<\$50,000	1.8%
\$50,000 - \$99,999	4.7%
\$100,000 - \$149,999	3.3%
\$150,000 - \$199,999	9.7%
\$200,000 - \$249,999	15.8%
\$250,000 - \$299,999	12.0%
\$300,000 - \$399,999	23.5%
\$400,000 - \$499,999	12.1%
\$500,000 - \$749,999	15.7%
\$750,000 - \$999,999	1.4%
\$1,000,000 - \$1,499,999	0.0%
\$1,500,000 - \$1,999,999	0.0%
\$2,000,000 +	0.0%
Average Home Value	\$340,950

2028 Owner Occupied Housing Units by Value

Total	2,574
<\$50,000	0.0%
\$50,000 - \$99,999	0.1%
\$100,000 - \$149,999	0.0%
\$150,000 - \$199,999	0.1%
\$200,000 - \$249,999	1.2%
\$250,000 - \$299,999	4.1%
\$300,000 - \$399,999	27.4%
\$400,000 - \$499,999	23.6%
\$500,000 - \$749,999	37.6%
\$750,000 - \$999,999	5.1%
\$1,000,000 - \$1,499,999	0.6%
\$1,500,000 - \$1,999,999	0.3%
\$2,000,000 +	0.1%
Average Home Value	\$509,336

Data Note: Income represents the preceding year, expressed in current dollars. Household income includes wage and salary earnings, interest dividends, net rents, pensions, SSI and welfare payments, child support, and alimony.

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023



Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Median Household Income

2023	\$60,902
2028	\$78,966

Median Home Value

2023	\$311,372
2028	\$472,982

Per Capita Income

2023	\$33,958
2028	\$40,634

Median Age

2010	33.0
2020	35.4
2023	36.3
2028	38.2

2020 Population by Age

Total	9,946
0 - 4	5.0%
5 - 9	5.8%
10 - 14	5.1%
15 - 24	21.9%
25 - 34	11.7%
35 - 44	10.5%
45 - 54	9.1%
55 - 64	10.8%
65 - 74	10.2%
75 - 84	6.3%
85 +	3.6%
18 +	81.2%

2023 Population by Age

Total	9,810
0 - 4	4.9%
5 - 9	4.9%
10 - 14	4.9%
15 - 24	20.7%
25 - 34	13.3%
35 - 44	9.8%
45 - 54	8.5%
55 - 64	10.7%
65 - 74	10.9%
75 - 84	7.6%
85 +	3.9%
18 +	81.9%

2028 Population by Age

Total	9,878
0 - 4	4.9%
5 - 9	4.7%
10 - 14	4.8%
15 - 24	20.7%
25 - 34	11.1%
35 - 44	10.7%
45 - 54	8.8%
55 - 64	9.5%
65 - 74	11.2%
75 - 84	9.2%
85 +	4.3%
18 +	82.2%

2020 Population by Sex

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023



Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Males	4,819
Females	5,127
2023 Population by Sex	
Males	4,741
Females	5,069
2028 Population by Sex	
Males	4,767
Females	5,111
2010 Population by Race/Ethnicity	
Total	9,266
White Alone	85.1%
Black Alone	1.5%
American Indian Alone	0.7%
Asian Alone	1.8%
Pacific Islander Alone	0.2%
Some Other Race Alone	7.7%
Two or More Races	3.0%
Hispanic Origin	20.1%
Diversity Index	50.4
2020 Population by Race/Ethnicity	
Total	9,946
White Alone	71.9%
Black Alone	1.6%
American Indian Alone	0.8%
Asian Alone	1.7%
Pacific Islander Alone	0.5%
Some Other Race Alone	11.6%
Two or More Races	11.8%
Hispanic Origin	22.7%
Diversity Index	64.6
2023 Population by Race/Ethnicity	
Total	9,810
White Alone	70.4%
Black Alone	1.8%
American Indian Alone	0.8%
Asian Alone	1.9%
Pacific Islander Alone	0.5%
Some Other Race Alone	12.2%
Two or More Races	12.4%
Hispanic Origin	24.0%
Diversity Index	66.6
2028 Population by Race/Ethnicity	
Total	9,877
White Alone	67.2%
Black Alone	2.0%
American Indian Alone	0.9%
Asian Alone	2.2%
Pacific Islander Alone	0.5%
Some Other Race Alone	13.6%
Two or More Races	13.7%
Hispanic Origin	26.0%
Diversity Index	69.9

Data Note: Persons of Hispanic Origin may be of any race. The Diversity Index measures the probability that two people from the same area will be from different race/ethnic groups.

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023



Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

2020 Population by Relationship and Household Type

Total	9,946
In Households	87.6%
Householder	37.6%
Opposite-Sex Spouse	16.4%
Same-Sex Spouse	0.1%
Opposite-Sex Unmarried Partner	2.2%
Same-Sex Unmarried Partner	0.0%
Biological Child	21.6%
Adopted Child	0.7%
Stepchild	1.0%
Grandchild	1.8%
Brother or Sister	0.8%
Parent	0.8%
Parent-in-law	0.1%
Son-in-law or Daughter-in-law	0.4%
Other Relatives	0.9%
Foster Child	0.1%
Other Nonrelatives	3.1%
In Group Quarters	12.4%
Institutionalized	1.5%
Noninstitutionalized	10.9%

2023 Population 25+ by Educational Attainment

Total	6,335
Less than 9th Grade	4.4%
9th - 12th Grade, No Diploma	7.3%
High School Graduate	11.9%
GED/Alternative Credential	0.4%
Some College, No Degree	21.5%
Associate Degree	12.5%
Bachelor's Degree	23.8%
Graduate/Professional Degree	18.3%

2023 Population 15+ by Marital Status

Total	8,369
Never Married	39.5%
Married	49.8%
Widowed	3.3%
Divorced	7.3%

2023 Civilian Population 16+ in Labor Force

Civilian Population 16+	4,887
Population 16+ Employed	93.9%
Population 16+ Unemployment rate	6.1%
Population 16-24 Employed	26.5%
Population 16-24 Unemployment rate	11.6%
Population 25-54 Employed	53.6%
Population 25-54 Unemployment rate	3.6%
Population 55-64 Employed	14.6%
Population 55-64 Unemployment rate	4.0%
Population 65+ Employed	5.4%
Population 65+ Unemployment rate	7.2%

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023



Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

2023 Employed Population 16+ by Industry

Total	4,589
Agriculture/Mining	2.0%
Construction	3.4%
Manufacturing	5.1%
Wholesale Trade	2.2%
Retail Trade	10.5%
Transportation/Utilities	4.2%
Information	2.3%
Finance/Insurance/Real Estate	2.7%
Services	59.5%
Public Administration	8.0%

2023 Employed Population 16+ by Occupation

Total	4,587
White Collar	63.8%
Management/Business/Financial	11.8%
Professional	30.4%
Sales	9.8%
Administrative Support	11.8%
Services	22.6%
Blue Collar	13.5%
Farming/Forestry/Fishing	1.3%
Construction/Extraction	3.3%
Installation/Maintenance/Repair	1.9%
Production	3.1%
Transportation/Material Moving	3.8%

2020 Households by Type

Total	3,756
Married Couple Households	43.9%
With Own Children <18	14.9%
Without Own Children <18	29.0%
Cohabiting Couple Households	6.0%
With Own Children <18	2.3%
Without Own Children <18	3.7%
Male Householder, No Spouse/Partner	18.7%
Living Alone	12.7%
65 Years and over	4.4%
With Own Children <18	1.4%
Without Own Children <18, With	2.4%
No Relatives Present	2.2%
Female Householder, No Spouse/Partner	31.4%
Living Alone	19.7%
65 Years and over	11.2%
With Own Children <18	4.6%
Without Own Children <18, With	5.9%
No Relatives Present	1.2%

2020 Households by Size

Total	3,756
1 Person Household	32.4%
2 Person Household	34.5%
3 Person Household	13.0%
4 Person Household	10.6%
5 Person Household	5.1%
6 Person Household	2.2%
7 + Person Household	2.1%

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023



Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

2020 Households by Tenure and Mortgage Status

Total	3,756
Owner Occupied	57.7%
Owned with a Mortgage/Loan	34.9%
Owned Free and Clear	22.8%
Renter Occupied	42.3%

2023 Affordability, Mortgage and Wealth

Housing Affordability Index	77
Percent of Income for Mortgage	30.7%
Wealth Index	82

2020 Housing Units By Urban/ Rural Status

Total	4,188
Urban Housing Units	97.6%
Rural Housing Units	2.4%

2020 Population By Urban/ Rural Status

Total	9,946
Urban Population	97.5%
Rural Population	2.5%

Data Note: Households with children include any households with people under age 18, related or not. Multigenerational households are families with 3 or more parent-child relationships. Unmarried partner households are usually classified as nonfamily households unless there is another member of the household related to the householder. Multigenerational and unmarried partner households are reported only to the tract level. Esri estimated block group data, which is used to estimate polygons or non-standard geography.

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023



Community Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Top 3 Tapestry Segments

1. Midlife Constants (5E)
2. Old and Newcomers (8F)
3. Set to Impress (11D)

2023 Consumer Spending

Apparel & Services: Total \$	\$6,943,890
Average Spent	\$1,819.68
Spending Potential Index	83
Education: Total \$	\$5,391,755
Average Spent	\$1,412.93
Spending Potential Index	79
Entertainment/Recreation: Total \$	\$12,010,543
Average Spent	\$3,147.42
Spending Potential Index	83
Food at Home: Total \$	\$21,677,800
Average Spent	\$5,680.77
Spending Potential Index	84
Food Away from Home: Total \$	\$11,698,919
Average Spent	\$3,065.75
Spending Potential Index	82
Health Care: Total \$	\$24,143,205
Average Spent	\$6,326.84
Spending Potential Index	86
HH Furnishings & Equipment: Total \$	\$9,311,722
Average Spent	\$2,440.18
Spending Potential Index	83
Personal Care Products & Services: Total \$	\$3,042,803
Average Spent	\$797.38
Spending Potential Index	83
Shelter: Total \$	\$77,362,784
Average Spent	\$20,273.27
Spending Potential Index	82
Support Payments/Cash Contributions/Gifts in Kind: Total	\$10,052,169
Average Spent	\$2,634.22
Spending Potential Index	84
Travel: Total \$	\$6,932,127
Average Spent	\$1,816.60
Spending Potential Index	81
Vehicle Maintenance & Repairs: Total \$	\$4,286,175
Average Spent	\$1,123.21
Spending Potential Index	86

Expenditures are shown by broad budget categories that are not mutually exclusive. Consumer spending does not equal business revenue. Total and Average Amount Spent Per Household represent annual figures. The Spending Potential Index represents the amount spent in the area relative to a national average of 100.

Source: Consumer Spending data are derived from the 2019 and 2020 Consumer Expenditure Surveys, Bureau of Labor Statistics. Esri.

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2000 and 2010 decennial Census data converted by Esri into 2020 geography.

December 22, 2023

Housing Market Characteristics

CITY OF COLLEGE PLACE
Area: 3.43 square miles



\$311,372 ↓
Median Home Value

65% lower than **Washington** which is **\$512,499**



77

Housing Affordability Index



30.7%

Percent of Income for Mortgage

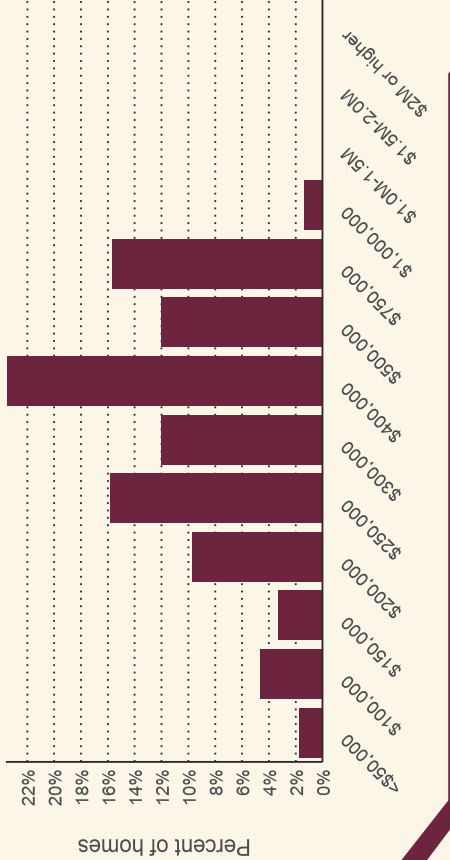


120

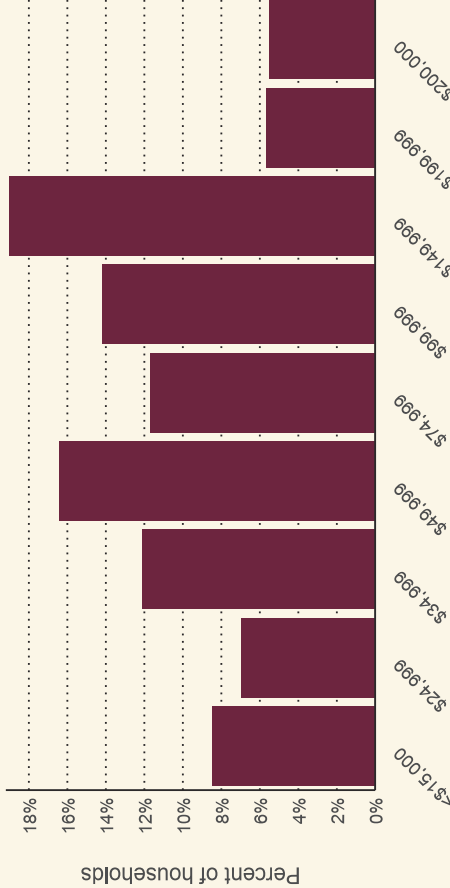
Percent of Income for Mortgage (Index)

Age <18	1,772	Age 18-64	5,849	Age 65+	2,189	Total Pop	9,810	Pop Growth	-0.42%	Average HH Size	2.29	Median Net Worth	\$143,201
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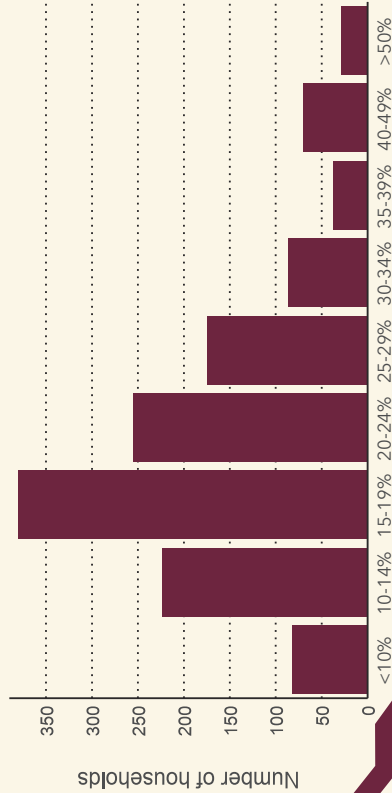
Home Value



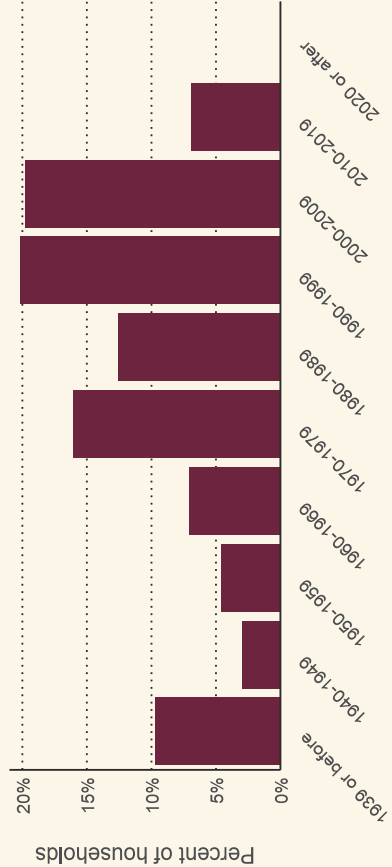
Household Income



Mortgage as % Salary



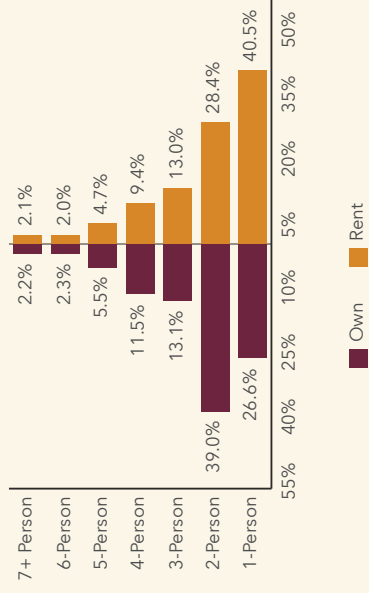
Year Property Built



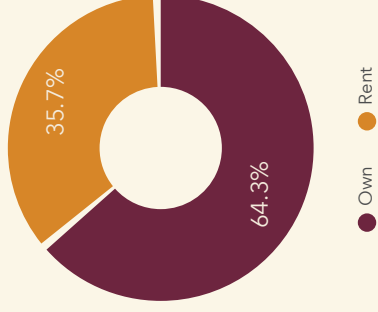
Source: This infographic contains data provided by Esri (2023), ACS (2017-2021), U.S. Census (2020). © 2023 Esri

Source: This infographic contains data provided by Esri (2023), ACS (2017-2021), U.S. Census (2020).

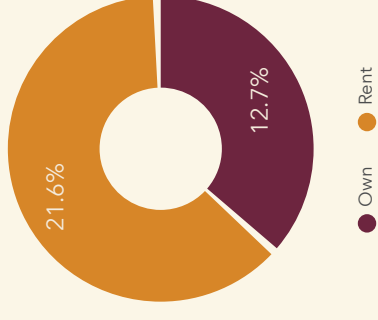
Census Housing by Size



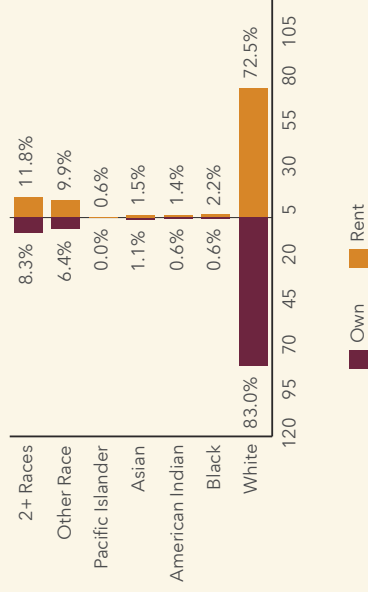
Home Ownership



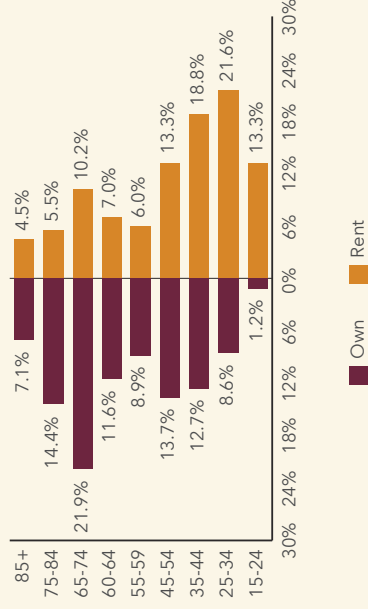
Hispanic Home Ownership



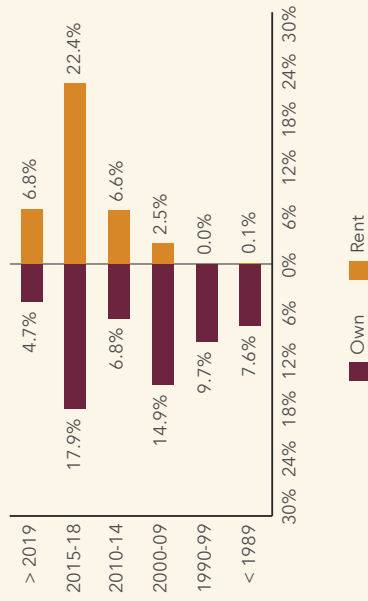
Housing by Race of Householder



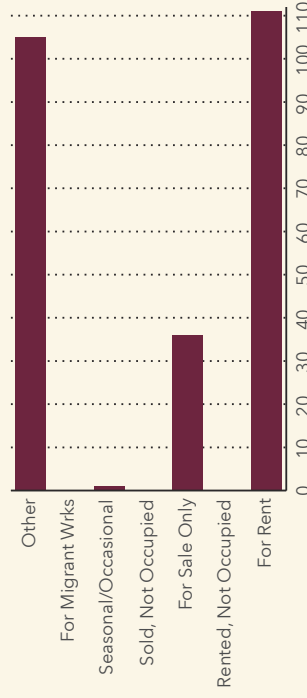
Housing by Age of Householder



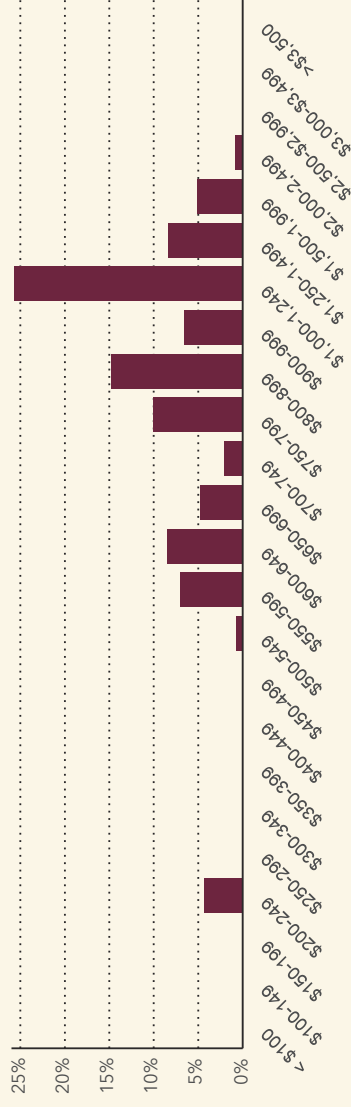
Year Householder Moved In



Vacant Housing Units (Total 253)



Gross Rent





Restaurant Market Potential

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Demographic Summary		2023	2028
Population		9,810	9,878
Population 18+		8,038	8,115
Households		3,816	3,879
Median Household Income		\$60,902	\$78,966
Product/Consumer Behavior	Expected Number		
	Adults	Percent	MPI
Went to Family Restaurant/Steak House/6 Mo	5,409	67.3%	102
Went to Family Restaurant/Steak House 4+ Times/30 Days	1,668	20.8%	101
Spent \$1-30 at Family Restaurant/Steak House/30 Days	718	8.9%	134
Spent \$31-50 at Family Restaurant/Steak House/30 Days	737	9.2%	107
Spent \$51-100 at Family Restaurant/Steak House/30 Days	1,228	15.3%	103
Spent \$101-200 at Family Restaurant/Steak House/30 Days	754	9.4%	96
Spent \$201+ at Family Restaurant/Steak House/30 Days	308	3.8%	78
Spent \$1-100 at Fine Dining Restaurants/30 Days	244	3.0%	101
Spent \$101-200 at Fine Dining Restaurants/30 Days	137	1.7%	73
Spent \$201+ at Fine Dining Restaurants/30 Days	116	1.4%	72
Went for Breakfast at Family Restaurant/Steak House/6 Mo	854	10.6%	104
Went for Lunch at Family Restaurant/Steak House/6 Mo	1,321	16.4%	101
Went for Dinner at Family Restaurant/Steak House/6 Mo	3,608	44.9%	103
Went for Snacks at Family Restaurant/Steak House/6 Mo	109	1.4%	96
Went on Workday to Family Restaurant/Steak House/6 Mo	2,566	31.9%	107
Went on Weekend to Family Restaurant/Steak House/6 Mo	2,899	36.1%	98
Went to Applebee's/6 Mo	1,230	15.3%	115
Went to Bob Evans/6 Mo	284	3.5%	157
Went to Buffalo Wild Wings/6 Mo	637	7.9%	98
Went to California Pizza Kitchen/6 Mo	58	0.7%	52
Went to Carrabba's/6 Mo	156	1.9%	99
Went to The Cheesecake Factory/6 Mo	362	4.5%	73
Went to Chili's Grill & Bar/6 Mo	629	7.8%	87
Went to Cracker Barrel/6 Mo	979	12.2%	124
Went to Denny's/6 Mo	435	5.4%	95
Went to Golden Corral/6 Mo	210	2.6%	89
Went to IHOP/6 Mo	519	6.5%	90
Went to Logan's Roadhouse/6 Mo	122	1.5%	88
Went to Longhorn Steakhouse/6 Mo	531	6.6%	120
Went to Olive Garden/6 Mo	1,176	14.6%	108
Went to Outback Steakhouse/6 Mo	538	6.7%	95
Went to Red Lobster/6 Mo	510	6.3%	102
Went to Red Robin/6 Mo	449	5.6%	111
Went to Ruby Tuesday/6 Mo	142	1.8%	107
Went to Texas Roadhouse/6 Mo	993	12.4%	116
Went to T.G.I. Friday's/6 Mo	163	2.0%	93
Went to Waffle House/6 Mo	318	4.0%	90
Went to Fast Food/Drive-In Restaurant/6 Mo	7,358	91.5%	101
Went to Fast Food/Drive-In Rest 9+ Times/30 Days	3,076	38.3%	98
Spent \$1-10 at Fast Food Restaurant/30 Days	393	4.9%	119
Spent \$11-20 at Fast Food Restaurant/30 Days	743	9.2%	110
Spent \$21-40 at Fast Food Restaurant/30 Days	1,513	18.8%	113
Spent \$41-50 at Fast Food Restaurant/30 Days	767	9.5%	103
Spent \$51-100 at Fast Food Restaurant/30 Days	1,685	21.0%	102
Spent \$101-200 at Fast Food Restaurant/30 Days	860	10.7%	87
Spent \$201+ at Fast Food Restaurant/30 Days	357	4.4%	85
Ordered Eat-In Fast Food/6 Mo	1,658	20.6%	101

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average.

Source: These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2023 and 2028.

December 22, 2023



Restaurant Market Potential

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Product/Consumer Behavior	Expected Number of		MPI
	Adults	Percent	
Ordered Home Delivery Fast Food/6 Mo	998	12.4%	93
Take-Out/Drive-Thru/Curbside Fast Food/6 Mo	5,012	62.4%	107
Ordered Take-Out/Walk-In Fast Food/6 Mo	1,600	19.9%	89
Bought Breakfast at Fast Food Restaurant/6 Mo	2,899	36.1%	103
Bought Lunch at Fast Food Restaurant/6 Mo	4,425	55.1%	103
Bought Dinner at Fast Food Restaurant/6 Mo	4,537	56.4%	104
Bought Snack at Fast Food Restaurant/6 Mo	1,050	13.1%	98
Bought from Fast Food Restaurant on Weekday/6 Mo	5,606	69.7%	106
Bought from Fast Food Restaurant on Weekend/6 Mo	4,207	52.3%	100
Bought A&W/6 Mo	239	3.0%	144
Bought Arby's/6 Mo	1,894	23.6%	132
Bought Baskin-Robbins/6 Mo	167	2.1%	67
Bought Boston Market/6 Mo	95	1.2%	61
Bought Burger King/6 Mo	2,336	29.1%	104
Bought Captain D's/6 Mo	238	3.0%	106
Bought Carl's Jr./6 Mo	322	4.0%	85
Bought Checkers/6 Mo	149	1.9%	75
Bought Chick-Fil-A/6 Mo	2,536	31.6%	96
Bought Chipotle Mexican Grill/6 Mo	1,184	14.7%	92
Bought Chuck E. Cheese's/6 Mo	59	0.7%	70
Bought Church's Fried Chicken/6 Mo	191	2.4%	73
Bought Cold Stone Creamery/6 Mo	238	3.0%	105
Bought Dairy Queen/6 Mo	1,490	18.5%	122
Bought Del Taco/6 Mo	174	2.2%	66
Bought Domino's Pizza/6 Mo	1,336	16.6%	103
Bought Dunkin' Donuts/6 Mo	1,112	13.8%	93
Bought Five Guys/6 Mo	773	9.6%	99
Bought Hardee's/6 Mo	565	7.0%	137
Bought Jack in the Box/6 Mo	371	4.6%	68
Bought Jersey Mike's/6 Mo	540	6.7%	93
Bought Jimmy John's/6 Mo	563	7.0%	119
Bought KFC/6 Mo	1,444	18.0%	104
Bought Krispy Kreme Doughnuts/6 Mo	442	5.5%	80
Bought Little Caesars/6 Mo	949	11.8%	101
Bought Long John Silver's/6 Mo	224	2.8%	118
Bought McDonald's/6 Mo	4,218	52.5%	104
Bought Panda Express/6 Mo	825	10.3%	85
Bought Panera Bread/6 Mo	1,126	14.0%	109
Bought Papa John's/6 Mo	633	7.9%	97
Bought Papa Murphy's/6 Mo	345	4.3%	120
Bought Pizza Hut/6 Mo	1,063	13.2%	107
Bought Popeyes Chicken/6 Mo	882	11.0%	79
Bought Sonic Drive-In/6 Mo	1,026	12.8%	108
Bought Starbucks/6 Mo	1,506	18.7%	91
Bought Steak 'N Shake/6 Mo	248	3.1%	105
Bought Subway/6 Mo	1,843	22.9%	106
Bought Taco Bell/6 Mo	2,374	29.5%	108
Bought Wendy's/6 Mo	2,354	29.3%	112
Bought Whataburger/6 Mo	368	4.6%	77
Bought White Castle/6 Mo	155	1.9%	78
Bought Wing-Stop/6 Mo	190	2.4%	70

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average.

Source: These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2023 and 2028.

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Restaurant Market Potential

CITY OF COLLEGE PLACE
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Went to Fine Dining Restaurant/6 Mo	862	10.7%	88
Went to Fine Dining Restaurant/30 Days	634	7.9%	87
Went to Fine Dining Restaurant 2+ Times/30 Days	256	3.2%	77
Used DoorDash Site/App for Take-Out/Del/30 Days	882	11.0%	95
Used Grubhub Site/App for Take-Out/Del/30 Days	382	4.8%	87
Used Postmates Site/App for Take-Out/Del/30 Days	87	1.1%	64
Used Restrnt Site/App for Take-Out/Del/30 Days	1,748	21.7%	98
Used Uber Eats Site/App for Take-Out/Del/30 Days	332	4.1%	64
Used Yelp Site/App for Take-Out/Del/30 Days	96	1.2%	72

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average.

Source: These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2023 and 2028.

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Retail Demand by Industry

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

NAICS Code	Industry Summary	Spending Potential Index	Average Amount Spent	Total
44-45, 722	Retail Trade, Food Services & Drinking Places	84	\$23,036.37	\$87,906,779
44-45	Retail Trade	84	\$19,758.04	\$75,396,699
722	Food Services & Drinking Places	82	\$3,278.32	\$12,510,080
NAICS Code	Industry Subsector & Group			
441	Motor Vehicle & Parts Dealers	85	\$2,440.84	\$9,314,260
4411	Automobile Dealers	85	\$2,082.13	\$7,945,421
4412	Other Motor Vehicle Dealers	85	\$161.48	\$616,191
4413	Auto Parts, Accessories & Tire Stores	87	\$197.23	\$752,648
442	Furniture and Home Furnishings Stores	83	\$804.08	\$3,068,360
4421	Furniture Stores	84	\$513.85	\$1,960,853
4422	Home Furnishings Stores	81	\$290.23	\$1,107,507
443, 4431	Electronics and Appliance Stores	83	\$249.89	\$953,569
444	Bldg Material & Garden Equipment & Supplies Dealers	84	\$1,206.14	\$4,602,620
4441	Building Material and Supplies Dealers	84	\$1,091.68	\$4,165,852
4442	Lawn and Garden Equipment and Supplies Stores	86	\$114.46	\$436,768
445	Food and Beverage Stores	84	\$4,481.39	\$17,100,986
4451	Grocery Stores	84	\$4,173.94	\$15,927,749
4452	Specialty Food Stores	83	\$138.59	\$528,847
4453	Beer, Wine, and Liquor Stores	82	\$168.87	\$644,390
446, 4461	Health and Personal Care Stores	88	\$648.26	\$2,473,751
447, 4471	Gasoline Stations	86	\$2,462.94	\$9,398,560
448	Clothing and Clothing Accessories Stores	82	\$945.00	\$3,606,119
4481	Clothing Stores	83	\$748.16	\$2,854,966
4482	Shoe Stores	82	\$184.42	\$703,756
4483	Jewelry, Luggage, and Leather Goods Stores	84	\$12.42	\$47,397
451	Sporting Goods, Hobby, Musical Instrument, and Book	83	\$343.35	\$1,310,226
4511	Sporting Goods, Hobby, and Musical Instrument	82	\$281.39	\$1,073,768
4512	Book Stores and News Dealers	84	\$61.96	\$236,458
452	General Merchandise Stores	84	\$3,495.20	\$13,337,699
4522	Department Stores	82	\$297.38	\$1,134,804
4523	Gen. Merch. Stores, incl. Warehouse Clubs,	84	\$3,197.82	\$12,202,895
453	Miscellaneous Store Retailers	86	\$492.69	\$1,880,093
4531	Florists	86	\$24.99	\$95,364
4532	Office Supplies, Stationery, and Gift Stores	83	\$75.84	\$289,424
4533	Used Merchandise Stores	85	\$66.69	\$254,494
4539	Other Miscellaneous Store Retailers	87	\$325.16	\$1,240,812
454	Nonstore Retailers	85	\$2,188.27	\$8,350,456
4541	Electronic Shopping and Mail-Order Houses	84	\$1,897.55	\$7,241,046
4542	Vending Machine Operators	85	\$30.39	\$115,983
4543	Direct Selling Establishments	86	\$260.33	\$993,428
722	Food Services & Drinking Places	82	\$3,278.32	\$12,510,080
7223	Special Food Services	82	\$11.70	\$44,660
7224	Drinking Places (Alcoholic Beverages)	81	\$76.01	\$290,046
7225	Restaurants and Other Eating Places	82	\$3,190.61	\$12,175,374

Data Note: The Spending Potential Index (SPI) is household based, and represents the amount spent for a product or service relative to a national average of 100.

Source: Esri 2023/2028 Consumer Spending databases are derived from the 2019, 2020 and 2021 Consumer Expenditure Surveys, Bureau of Labor Statistics and industry estimates derived from 2017 Economic Census, U.S. Census Bureau.

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Retail Demand Outlook

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Top Tapestry Segments	Percen	Demographic Summary	2023	2028
Midlife Constants (5E)	39.3%	Population	9,810	9,878
Old and Newcomers (8F)	23.9%	Households	3,816	3,879
Set to Impress (11D)	15.4%	Families	2,315	2,363
College Towns (14B)	9.9%	Median Age	36.3	38.2
Salt of the Earth (6B)	8.3%	Median Household	\$60,902	\$78,966
		2023	2028	Projected
		Consumer Spending	Forecasted Demand	Spending Growth
Apparel and Services				
Men's		\$6,943,890	\$8,372,883	\$1,428,993
Women's		\$1,299,298	\$1,566,633	\$267,335
Children's		\$2,384,061	\$2,874,869	\$490,808
Footwear		\$1,026,058	\$1,237,249	\$211,191
Watches & Jewelry		\$1,570,757	\$1,893,829	\$323,072
Apparel Products and Services (1)		\$520,735	\$627,887	\$107,152
		\$142,981	\$172,416	\$29,435
Computer				
Computers and Hardware for Home Use		\$808,808	\$975,138	\$166,330
Portable Memory		\$14,880	\$17,946	\$3,066
Computer Software		\$47,203	\$56,903	\$9,700
Computer Accessories		\$81,030	\$97,714	\$16,684
Entertainment & Recreation				
Fees and Admissions		\$12,010,543	\$14,486,574	\$2,476,031
Membership Fees for Clubs (2)		\$2,123,281	\$2,560,935	\$437,654
Fees for Participant Sports, excl. Trips		\$848,546	\$1,023,407	\$174,861
Tickets to Theatre/Operas/Concerts		\$357,300	\$431,028	\$73,728
Tickets to Movies		\$171,274	\$206,569	\$35,295
Tickets to Parks or Museums		\$85,123	\$102,626	\$17,503
Admission to Sporting Events, excl. Trips		\$87,652	\$105,706	\$18,054
Fees for Recreational Lessons		\$187,082	\$225,635	\$38,553
Dating Services		\$382,834	\$461,780	\$78,946
TV/Video/Audio		\$3,472	\$4,184	\$712
Cable and Satellite Television Services		\$4,460,013	\$5,378,927	\$918,914
Televisions		\$2,837,354	\$3,422,486	\$585,132
Satellite Dishes		\$476,263	\$574,276	\$98,013
VCRs, Video Cameras, and DVD Players		\$5,407	\$6,519	\$1,112
Miscellaneous Video Equipment		\$15,853	\$19,113	\$3,260
Video Cassettes and DVDs		\$39,556	\$47,694	\$8,138
Video Game Hardware/Accessories		\$22,118	\$26,668	\$4,550
Video Game Software		\$138,749	\$167,240	\$28,491
Rental/Streaming/Downloaded Video		\$67,848	\$81,770	\$13,922
Installation of Televisions		\$407,735	\$491,605	\$83,870
Audio (3)		\$4,607	\$5,557	\$950
Rental and Repair of TV/Radio/Sound Equipment		\$434,211	\$523,573	\$89,362
Pets		\$10,312	\$12,427	\$2,115
Toys/Games/Crafts/Hobbies (4)		\$2,925,958	\$3,529,842	\$603,884
Recreational Vehicles and Fees (5)		\$515,782	\$622,012	\$106,230
Sports/Recreation/Exercise Equipment (6)		\$464,851	\$560,943	\$96,092
Photo Equipment and Supplies (7)		\$872,175	\$1,051,865	\$179,690
Reading (8)		\$147,688	\$178,088	\$30,400
Catered Affairs (9)		\$410,178	\$494,714	\$84,536
		\$90,616	\$109,248	\$18,632
Food				
Food at Home		\$33,376,719	\$40,250,914	\$6,874,195
Bakery and Cereal Products		\$21,677,800	\$26,143,751	\$4,465,951
Meats, Poultry, Fish, and Eggs		\$2,819,559	\$3,400,451	\$580,892
Dairy Products		\$4,667,778	\$5,629,331	\$961,553
Fruits and Vegetables		\$2,091,721	\$2,522,792	\$431,071
Snacks and Other Food at Home (10)		\$4,232,668	\$5,104,644	\$871,976
Food Away from Home		\$7,866,074	\$9,486,534	\$1,620,460
Alcoholic Beverages		\$11,698,919	\$14,107,163	\$2,408,244
		\$2,105,192	\$2,538,993	\$433,801

Data Note: The Consumer Spending data is household-based and represents the amount spent for a product or service by all households in an area. Detail may not sum to totals due to rounding. This report is not a comprehensive list of all consumer spending variables therefore the variables in each section may not sum to totals.

Source: Esri forecasts for 2023 and 2028; Consumer Spending data are derived from the 2019 and 2020 Consumer Expenditure Surveys, Bureau of Labor Statistics.

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Retail Demand Outlook

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

	2023 Consumer Spending	2028 Forecasted Demand	Projected Spending Growth
Financial			
Value of Stocks/Bonds/Mutual Funds	\$120,179,908	\$144,983,424	\$24,803,516
Value of Retirement Plans	\$433,096,008	\$522,549,063	\$89,453,055
Value of Other Financial Assets	\$25,815,099	\$31,144,693	\$5,329,594
Vehicle Loan Amount excluding Interest	\$11,736,174	\$14,153,841	\$2,417,667
Value of Credit Card Debt	\$10,004,251	\$12,066,340	\$2,062,089
Health			
Nonprescription Drugs	\$575,284	\$693,944	\$118,660
Prescription Drugs	\$1,283,894	\$1,548,763	\$264,869
Eyeglasses and Contact Lenses	\$364,592	\$439,763	\$75,171
Home			
Mortgage Payment and Basics (11)	\$37,750,867	\$45,549,936	\$7,799,069
Maintenance and Remodeling Services	\$11,294,305	\$13,629,567	\$2,335,262
Maintenance and Remodeling Materials (12)	\$2,443,485	\$2,948,712	\$505,227
Utilities, Fuel, and Public Services	\$18,825,773	\$22,705,180	\$3,879,407
Household Furnishings and Equipment			
Household Textiles (13)	\$389,192	\$469,321	\$80,129
Furniture	\$2,633,018	\$3,175,278	\$542,260
Rugs	\$129,280	\$155,937	\$26,657
Major Appliances (14)	\$1,655,020	\$1,996,504	\$341,484
Housewares (15)	\$338,801	\$408,608	\$69,807
Small Appliances	\$235,091	\$283,466	\$48,375
Luggage	\$45,035	\$54,302	\$9,267
Telephones and Accessories	\$341,819	\$412,188	\$70,369
Household Operations			
Child Care	\$1,489,972	\$1,796,898	\$306,926
Lawn and Garden (16)	\$2,074,064	\$2,502,580	\$428,516
Moving/Storage/Freight Express	\$289,809	\$349,485	\$59,676
Housekeeping Supplies (17)	\$2,999,009	\$3,617,185	\$618,176
Insurance			
Owners and Renters Insurance	\$2,499,132	\$3,015,280	\$516,148
Vehicle Insurance	\$7,011,343	\$8,455,155	\$1,443,812
Life/Other Insurance	\$2,165,337	\$2,612,308	\$446,971
Health Insurance	\$16,155,749	\$19,488,432	\$3,332,683
Personal Care Products (18)	\$1,761,180	\$2,123,809	\$362,629
School Books and Supplies (19)	\$429,026	\$517,289	\$88,263
Smoking Products	\$1,553,833	\$1,873,502	\$319,669
Transportation			
Payments on Vehicles excluding Leases	\$9,780,799	\$11,796,341	\$2,015,542
Gasoline and Motor Oil	\$8,134,133	\$9,809,537	\$1,675,404
Vehicle Maintenance and Repairs	\$4,286,175	\$5,169,176	\$883,001
Travel			
Airline Fares	\$1,402,314	\$1,691,211	\$288,897
Lodging on Trips	\$2,208,568	\$2,663,963	\$455,395
Auto/Truck Rental on Trips	\$251,084	\$302,805	\$51,721
Food and Drink on Trips	\$1,738,840	\$2,097,180	\$358,340

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Retail Demand Outlook

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

- (1) Apparel Products and Services** includes shoe repair and other shoe services, apparel laundry and dry cleaning, alteration, repair and tailoring of apparel, clothing rental and storage, and watch and jewelry repair.
- (2) Membership Fees for Clubs** includes membership fees for social, recreational, and health clubs.
- (3) Audio** includes satellite radio service, radios, stereos, sound components, equipment and accessories, digital audio players, records, CDs, audio tapes, streaming/downloaded audio, musical instruments and accessories, and rental and repair of musical instruments.
- (4) Toys and Games** includes toys, games, arts and crafts, tricycles, playground equipment, arcade games, online entertainment and games, and stamp and coin collecting.
- (5) Recreational Vehicles & Fees** includes docking and landing fees for boats and planes, payments on boats, trailers, campers and RVs, rental of boats, trailers, campers and RVs, and camp fees.
- (6) Sports/Recreation/Exercise Equipment** includes exercise equipment and gear, game tables, bicycles, camping equipment, hunting and fishing equipment, winter sports equipment, water sports equipment, other sports equipment, and rental/repair of sports/recreation/exercise equipment.
- (7) Photo Equipment and Supplies** includes film, film processing, photographic equipment, rental and repair of photo equipment, and photographer fees.
- (8) Reading** includes digital book readers, books, magazine and newspaper subscriptions, and single copies of magazines and newspapers.
- (9) Catered Affairs** includes expenses associated with live entertainment and rental of party supplies.
- (10) Snacks and Other Food at Home** includes candy, chewing gum, sugar, artificial sweeteners, jam, jelly, preserves, margarine, fats and oils, salad dressing, nondairy cream and milk, peanut butter, frozen prepared food, potato chips and other snacks, nuts, salt, spices, seasonings, olives, pickles, relishes, sauces, gravy, other condiments, soup, prepared salad, prepared dessert, baby food, miscellaneous prepared food, and nonalcoholic beverages.
- (11) Mortgage Payment and Basics** includes mortgage interest, mortgage principal, property taxes, homeowners insurance, and ground rent on owned dwellings.
- (12) Maintenance and Remodeling Materials** includes supplies/tools/equipment for painting and wallpapering, plumbing supplies and equipment, electrical/heating/AC supplies, materials for roofing/gutters, materials for plaster/panel/siding, materials for patio/fence/brick work, landscaping materials, and insulation materials for owned homes.
- (13) Household Textiles** includes bathroom linens, bedroom linens, kitchen linens, dining room linens, other linens, curtains, draperies, slipcovers and decorative pillows.
- (14) Major Appliances** includes dishwashers, disposals, refrigerators, freezers, washers, dryers, stoves, ovens, microwaves, window air conditioners, electric floor cleaning equipment, sewing machines, and miscellaneous appliances.
- (15) Housewares** includes flatware, dishes, cups glasses, serving pieces, nonelectric cookware, and tableware.
- (16) Lawn and Garden** includes lawn and garden supplies, equipment and care service, indoor plants, fresh flowers, and repair/rental of lawn and garden equipment.
- (17) Housekeeping Supplies** includes soaps and laundry detergents, cleaning products, toilet tissue, paper towels, napkins, paper/plastic/foil products, stationery, giftwrap supplies, postage, and delivery services.
- (18) Personal Care Products** includes hair care products, nonelectric articles for hair, wigs, hairpieces, oral hygiene products, shaving needs, perfume, cosmetics, skincare, bath products, nail products, deodorant, feminine hygiene products, adult diapers, other miscellaneous care products and personal care appliances.
- (19) School Books and Supplies** includes school books and supplies for college, elementary school, high school, vocational/technical school, preschool and other schools.

Data Note: The Consumer Spending data is household-based and represents the amount spent for a product or service by all households in an area. Detail may not sum to totals due to rounding. This report is not a comprehensive list of all consumer spending variables therefore the variables in each section may not sum to totals.

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Retail Market Potential

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Demographic Summary		2023	2028	
Population		9,810	9,878	
Population 18+		8,038	8,115	
Households		3,816	3,879	
Median Household Income		\$60,902	\$78,966	
		Expected Number of Adults or HHs	Percent of Adults/HHs	MPI
Product/Consumer Behavior				
Apparel (Adults)				
Bought Men`s Clothing/12 Mo		4,976	61.9%	101
Bought Women`s Clothing/12 Mo		4,088	50.9%	98
Bought Shoes/12 Mo		5,930	73.8%	99
Bought Fine Jewelry/12 Mo		1,540	19.2%	94
Bought Watch/12 Mo		995	12.4%	89
Automobiles (Households)				
HH Owns or Leases Any Vehicle		3,530	92.5%	101
HH Bought or Leased New Vehicle/12 Mo		380	10.0%	99
Automotive Aftermarket (Adults)				
Bought Gasoline/6 Mo		7,378	91.8%	101
Bought or Changed Motor Oil/12 Mo		4,317	53.7%	105
Had Vehicle Tune-Up/12 Mo		1,907	23.7%	96
Beverages (Adults)				
Drank Non-Diet (Regular) Cola/6 Mo		2,956	36.8%	99
Drank Beer or Ale/6 Mo		3,128	38.9%	98
Cameras (Adults)				
Own Digital Point and Shoot Camera/Camcorder		998	12.4%	113
Own Digital SLR Camera or Camcorder		780	9.7%	90
Printed Digital Photos/12 Mo		2,208	27.5%	102
Cell Phones (Adults/Households)				
Bought Cell Phone/12 Mo		2,854	35.5%	102
Have a Smartphone		7,499	93.3%	100
Have Android Phone (Any Brand) Smartphone		3,224	40.1%	104
Have Apple iPhone Smartphone		4,327	53.8%	95
HH Owns 1 Cell Phone		1,419	37.2%	122
HH Owns 2 Cell Phones		1,506	39.5%	101
HH Owns 3+ Cell Phones		798	20.9%	73
HH Has Cell Phone Only (No Landline Telephone)		2,715	71.1%	104
Computers (Households)				
HH Owns Computer		3,245	85.0%	99
HH Owns Desktop Computer		1,543	40.4%	101
HH Owns Laptop or Notebook		2,660	69.7%	99
HH Owns Apple/Mac Brand Computer		816	21.4%	88
HH Owns PC/Non-Apple Brand Computer		2,761	72.4%	102
HH Purchased Most Recent Home Computer at Store		1,492	39.1%	100
HH Purchased Most Recent Home Computer Online		1,059	27.8%	101
HH Spent \$1-499 on Most Recent Home Computer		672	17.6%	111
HH Spent \$500-999 on Most Recent Home Computer		837	21.9%	108
HH Spent \$1K-1499 on Most Recent Home Computer		434	11.4%	94
HH Spent \$1500-1999 on Most Recent Home Computer		147	3.9%	84
HH Spent \$2K+ on Most Recent Home Computer		179	4.7%	87

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults or households in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average. **Source:** These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2023 and 2028.

December 22, 2023



Retail Market Potential

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Product/Consumer Behavior	Expected Number of Adults or HHs	Percent of Adults/HHs	MPI
Convenience Stores (Adults)			
Shopped at C-Store/6 Mo	5,371	66.8%	105
Bought Brewed Coffee at C-Store/30 Days	913	11.4%	94
Bought Cigarettes at C-Store/30 Days	524	6.5%	107
Bought Gas at C-Store/30 Days	3,449	42.9%	109
Spent \$1-19 at C-Store/30 Days	628	7.8%	106
Spent \$20-39 at C-Store/30 Days	810	10.1%	102
Spent \$40-50 at C-Store/30 Days	666	8.3%	107
Spent \$51-99 at C-Store/30 Days	582	7.2%	118
Spent \$100+ at C-Store/30 Days	1,758	21.9%	105
Entertainment (Adults)			
Attended Movie/6 Mo	2,849	35.4%	96
Went to Live Theater/12 Mo	549	6.8%	100
Went to Bar or Night Club/12 Mo	1,447	18.0%	111
Dined Out/12 Mo	4,362	54.3%	104
Gambled at Casino/12 Mo	818	10.2%	95
Visited Theme Park/12 Mo	783	9.7%	84
Viewed Movie (Video-on-Demand)/30 Days	718	8.9%	81
Viewed TV Show (Video-on-Demand)/30 Days	554	6.9%	91
Used Internet to Download Movie/30 Days	427	5.3%	88
Downloaded Individual Song/6 Mo	1,509	18.8%	93
Used Internet to Watch Movie/30 Days	2,747	34.2%	100
Used Internet to Watch TV Program/30 Days	1,763	21.9%	99
Played (Console) Video or Electronic Game/12 Mo	1,098	13.7%	106
Played (Portable) Video or Electronic Game/12 Mo	557	6.9%	104
Financial (Adults)			
Have 1st Home Mortgage	2,944	36.6%	96
Used ATM or Cash Machine/12 Mo	4,909	61.1%	97
Own Any Stock	1,199	14.9%	100
Own U.S. Savings Bonds	537	6.7%	94
Own Shares in Mutual Fund (Stocks)	1,118	13.9%	101
Own Shares in Mutual Fund (Bonds)	701	8.7%	102
Have Interest Checking Account	3,189	39.7%	101
Have Non-Interest Checking Account	3,245	40.4%	106
Have Savings Account	5,955	74.1%	100
Have 401(k) Retirement Savings Plan	1,885	23.5%	96
Own or Used Any Credit/Debit Card/12 Mo	7,455	92.7%	100
Avg \$1-110 Monthly Credit Card Expenditures	1,016	12.6%	110
Avg \$111-225 Monthly Credit Card Expenditures	598	7.4%	97
Avg \$226-450 Monthly Credit Card Expenditures	713	8.9%	96
Avg \$451-700 Monthly Credit Card Expenditures	778	9.7%	105
Avg \$701-1000 Monthly Credit Card Expenditures	706	8.8%	107
Avg \$1001-2000 Monthly Credit Card Expenditures	851	10.6%	90
Avg \$2001+ Monthly Credit Card Expenditures	732	9.1%	82
Did Banking Online/12 Mo	4,778	59.4%	101
Did Banking by Mobile Device/12 Mo	3,793	47.2%	98

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults or households in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average. **Source:** These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2023 and 2028.

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Retail Market Potential

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Product/Consumer Behavior	Expected Number Adults/HHs	Percent of Adults/HHs	MPI
Grocery (Adults)			
HH Used Bread/6 Mo	3,611	94.6%	100
HH Used Chicken (Fresh or Frozen)/6 Mo	2,621	68.7%	99
HH Used Turkey (Fresh or Frozen)/6 Mo	562	14.7%	100
HH Used Fish or Seafood (Fresh or Frozen)/6 Mo	2,256	59.1%	98
HH Used Fresh Fruit or Vegetables/6 Mo	3,330	87.3%	99
HH Used Fresh Milk/6 Mo	3,147	82.5%	100
HH Used Fish or Seafood (Fresh or Frozen)/6 Mo	2,256	59.1%	91
Health (Adults)			
Exercise at Home 2+ Times/Wk	4,014	49.9%	101
Exercise at Club 2+ Times/Wk	880	10.9%	93
Visited Doctor/12 Mo	6,514	81.0%	101
Used Vitamins or Dietary Supplements/6 Mo	5,188	64.5%	98
Home (Households)			
HH Did Home Improvement/12 Mo	1,566	41.0%	104
HH Used Maid/Prof Cln Svc (+ Furn/Carpet)/12 Mo	1,120	29.4%	96
HH Purchased Low Ticket HH Furnishing/12 Mo	946	24.8%	101
HH Purchased Big Ticket HH Furnishing/12 Mo	1,121	29.4%	103
HH Bought Small Kitchen Appliance/12 Mo	995	26.1%	100
HH Bought Large Kitchen Appliance/12 Mo	601	15.7%	97
Insurance (Adults/Households)			
Currently Carry Life Insurance	4,058	50.5%	99
Personally Carry Any Med/Hosp/Accident Insur	6,879	85.6%	100
Homeowner Carries Home/Personal Property Insurance	4,966	61.8%	100
Renter Carries Home/Pers Property Insurance	1,061	13.2%	111
HH Has 1 Vehicle Covered w/Auto Insurance	1,281	33.6%	110
HH Has 2 Vehicles Covered w/Auto Insurance	1,251	32.8%	100
HH Has 3+ Vehicles Covered w/Auto Insurance	963	25.2%	95
Pets (Households)			
HH Owns Cat	958	25.1%	109
HH Owns Dog	1,442	37.8%	96
Psychographics (Adults)			
Represents adults who "completely agree" with the statement:			
Am Interested in How to Help Env: 4-Agr Cmpl	1,454	18.1%	97
Buying American Is Important: 4-Agr Cmpl	2,747	34.2%	106
Buy Based on Quality Not Price: 4-Agr Cmpl	1,154	14.4%	95
Buy on Credit Rather Than Wait: 4-Agr Cmpl	918	11.4%	90
Only Use Coupons Brands Usually Buy: 4-Agr Cmpl	889	11.1%	100
Will Pay More for Env Safe Prods: 4-Agr Cmpl	998	12.4%	102
Buy Based on Price Not Brands: 4-Agr Cmpl	2,199	27.4%	101
Am Interested in How to Help Env: 4-Agr Cmpl	1,454	18.1%	97
Reading (Adults)			
Bought Digital Book/12 Mo	1,480	18.4%	98
Bought Hardcover Book/12 Mo	2,260	28.1%	104
Bought Paperback Book/12 Mo	2,798	34.8%	102
Read Daily Newspaper (Paper Version)	1,303	16.2%	106
Read Digital Newspaper/30 Days	4,056	50.5%	100
Read Magazine (Paper/Electronic Vers)/6 Mo	7,004	87.1%	100

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults or households in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average. **Source:** These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2023 and 2028.

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CITY OF COLLEGE PLACE
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Prepared by Esri

Product/Consumer Behavior	Expected Number of Adults or HHs	Percent of Adults/HHs	MPI
Restaurants (Adults)			
Went to Family Restrnt/SteakHse/6 Mo	5,409	67.3%	102
Went to Family Restrnt/SteakHse 4+ Times/30 Days	1,668	20.8%	101
Went to Fast Food/Drive-In Restaurant/6 Mo	7,358	91.5%	101
Went to Fast Food/Drive-In Rest 9+ Times/30 Days	3,076	38.3%	98
Ordered Eat-In Fast Food/6 Mo	1,658	20.6%	101
Ordered Home Delivery Fast Food/6 Mo	998	12.4%	93
Take-Out/Drive-Thru/Curbside Fast Food/6 Mo	5,012	62.4%	107
Ordered Take-Out/Walk-In Fast Food/6 Mo	1,600	19.9%	89
Television & Electronics (Adults/Households)			
Own Tablet	4,604	57.3%	97
Own E-Reader	1,111	13.8%	96
Own E-Reader/Tablet: Apple iPad	2,681	33.4%	89
HH Owns Internet Connectable TV	1,682	44.1%	102
Own Portable MP3 Player	903	11.2%	100
HH Owns 1 TV	782	20.5%	113
HH Owns 2 TVs	1,153	30.2%	107
HH Owns 3 TVs	846	22.2%	97
HH Owns 4+ TVs	746	19.5%	87
HH Subscribes to Cable TV	1,323	34.7%	102
HH Subscribes to Fiber Optic TV	136	3.6%	68
HH Owns Portable GPS Device	856	22.4%	108
HH Purchased Video Game System/12 Mo	211	5.5%	69
HH Owns Internet Video Device for TV	1,960	51.4%	98
Travel (Adults)			
Took Domestic Trip in Continental U.S./12 Mo	4,330	53.9%	100
Took 3+ Domestic Non-Business Trips/12 Mo	1,085	13.5%	97
Spent \$1-999 on Domestic Vacations/12 Mo	1,157	14.4%	105
Spent \$1K-1499 on Domestic Vacations/12 Mo	489	6.1%	95
Spent \$1500-1999 on Domestic Vacations/12 Mo	308	3.8%	100
Spent \$2K-2999 on Domestic Vacations/12 Mo	301	3.7%	94
Spent \$3K+ on Domestic Vacations/12 Mo	517	6.4%	97
Used Intrnt Travel Site for Domestic Trip/12 Mo	399	5.0%	89
Took Foreign Trip (Incl Alaska & Hawaii)/3 Yrs	2,244	27.9%	84
Took 3+ Foreign Trips by Plane/3 Yrs	398	5.0%	68
Spent \$1-999 on Foreign Vacations/12 Mo	540	6.7%	86
Index: Spent \$1K-2999 on Foreign Vacations/12 Mo	171	2.1%	69
Spent \$3K+ on Foreign Vacations/12 Mo	213	2.6%	62
Used General Travel Site: Foreign Trip/3 Yrs	374	4.7%	73
Spent Night at Hotel or Motel/12 Mo	3,640	45.3%	100
Took Cruise of More Than One Day/3 Yrs	685	8.5%	84
Member of Frequent Flyer Program	2,034	25.3%	92
Member of Hotel Rewards Program	2,180	27.1%	94

Data Note: An MPI (Market Potential Index) measures the relative likelihood of the adults or households in the specified trade area to exhibit certain consumer behavior or purchasing patterns compared to the U.S. An MPI of 100 represents the U.S. average. **Source:** These data are based upon national propensities to use various products and services, applied to local demographic composition. Usage data were collected by MRI-Simmons in a nationally representative survey of U.S. households. Esri forecasts for 2023 and 2028.

December 22, 2023



Tapestry Segmentation Area Profile

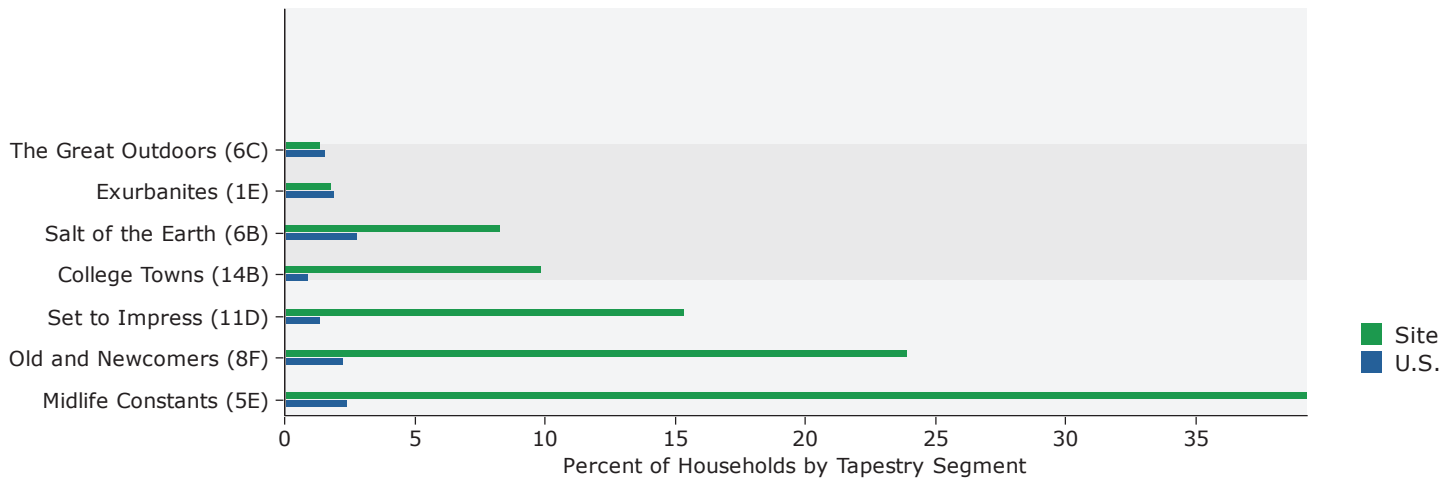
CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Top Twenty Tapestry Segments

Rank	Tapestry Segment	2023 Households		2023 U.S. Households		Index
		Percent	Cumulative Percent	Percent	Cumulative Percent	
1	Midlife Constants (5E)	39.3%	39.3%	2.4%	2.4%	1628
2	Old and Newcomers (8F)	23.9%	63.2%	2.3%	4.7%	1,048
3	Set to Impress (11D)	15.4%	78.6%	1.4%	6.1%	1,109
4	College Towns (14B)	9.9%	88.5%	0.9%	7.0%	1,061
5	Salt of the Earth (6B)	8.3%	96.8%	2.8%	9.8%	299
Subtotal		96.8%		9.8%		
6	Exurbanites (1E)	1.8%	98.6%	1.9%	11.7%	95
7	The Great Outdoors (6C)	1.4%	100.0%	1.6%	13.3%	88
Subtotal		3.2%		3.5%		
Total		100.0%		13.3%		754

Top Ten Tapestry Segments Site vs. U.S.



Data Note: This report identifies neighborhood segments in the area, and describes the socioeconomic quality of the immediate neighborhood. The index is a comparison of the percent of households or Total Population 18+ in the area, by Tapestry segment, to the percent of households or Total Population 18+ in the United States, by segment. An index of 100 is the US average.

Source: Esri

December 22, 2023

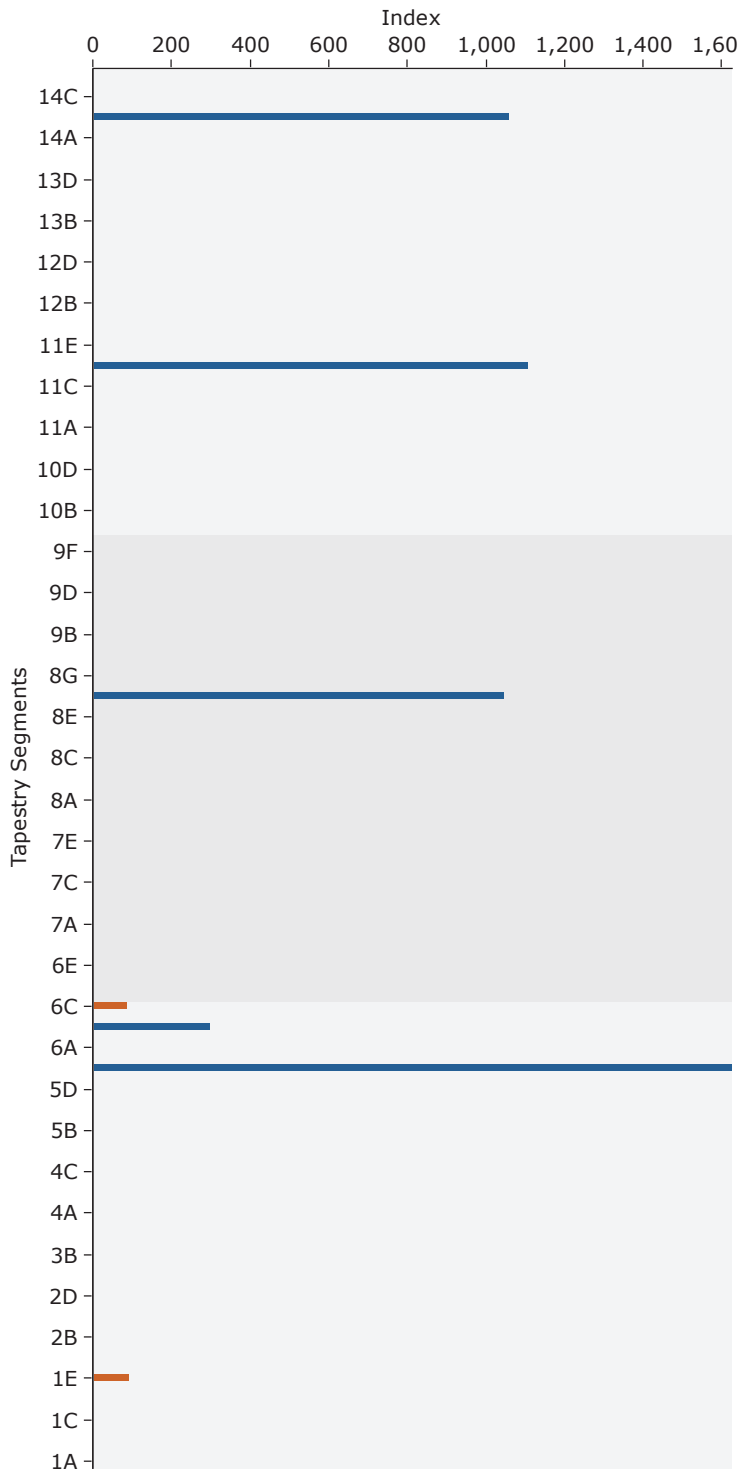


Tapestry Segmentation Area Profile

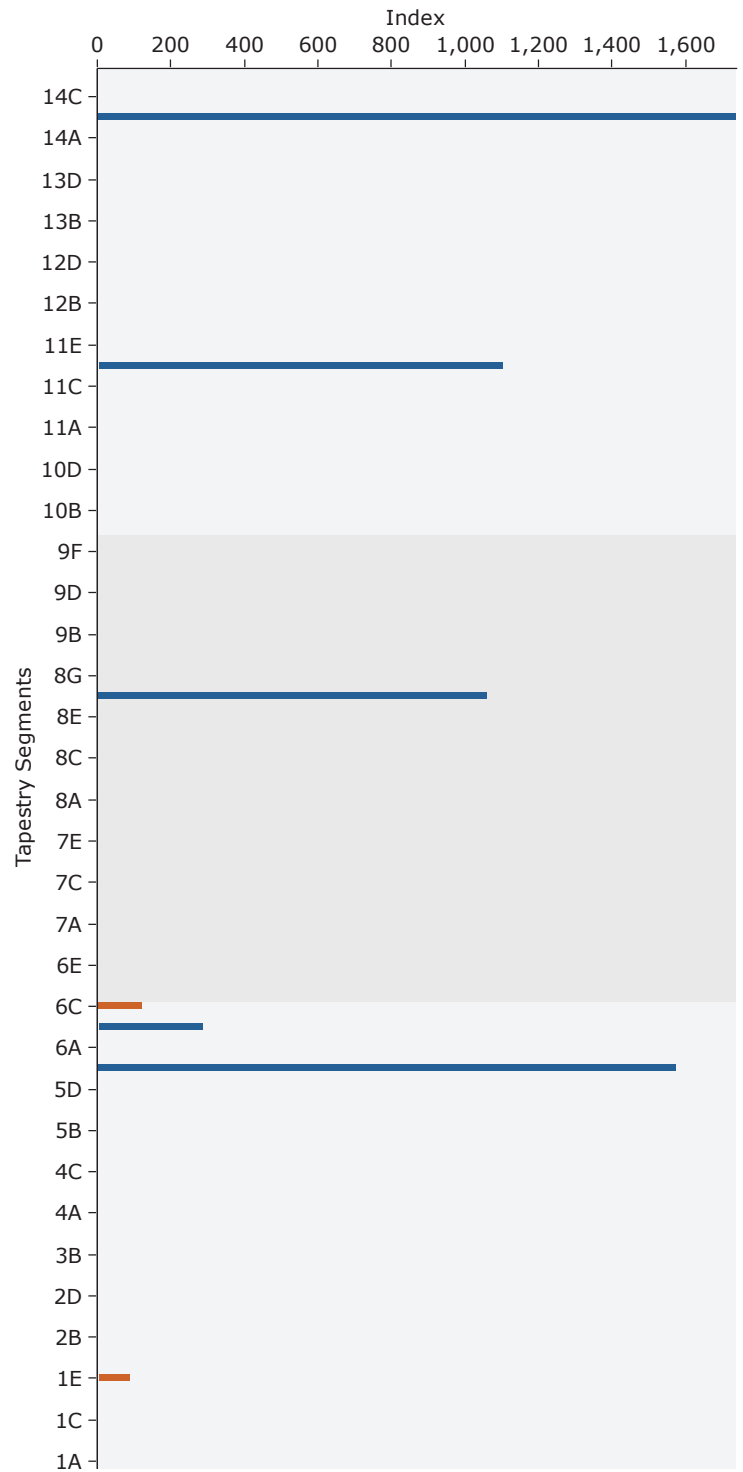
CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

2023 Tapestry Indexes by Households



2023 Tapestry Indexes by Total Population 18+



States, by segment. An index of 100 is the US average.

Source: Esri

December 22, 2023



Tapestry Segmentation Area Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Tapestry LifeMode Groups	2023 Households			2023 Adult Population		
	Number	Percent	Index	Number	Percent	Index
Total:	3,816	100.0%		8,037	100.0%	
1. Affluent Estates	70	1.8%	18	141	1.8%	16
Top Tier (1A)	0	0.0%	0	0	0.0%	0
Professional Pride (1B)	0	0.0%	0	0	0.0%	0
Boomburbs (1C)	0	0.0%	0	0	0.0%	0
Savvy Suburbanites (1D)	0	0.0%	0	0	0.0%	0
Exurbanites (1E)	70	1.8%	95	141	1.8%	89
2. Upscale Avenues	0	0.0%	0	0	0.0%	0
Urban Chic (2A)	0	0.0%	0	0	0.0%	0
Pleasantville (2B)	0	0.0%	0	0	0.0%	0
Pacific Heights (2C)	0	0.0%	0	0	0.0%	0
Enterprising Professionals	0	0.0%	0	0	0.0%	0
3. Uptown Individuals	0	0.0%	0	0	0.0%	0
Laptops and Lattes (3A)	0	0.0%	0	0	0.0%	0
Metro Renters (3B)	0	0.0%	0	0	0.0%	0
Trendsetters (3C)	0	0.0%	0	0	0.0%	0
4. Family Landscapes	0	0.0%	0	0	0.0%	0
Workday Drive (4A)	0	0.0%	0	0	0.0%	0
Home Improvement (4B)	0	0.0%	0	0	0.0%	0
Middleburg (4C)	0	0.0%	0	0	0.0%	0
5. GenXurban	1,499	39.3%	352	2,947	36.7%	339
Comfortable Empty Nesters	0	0.0%	0	0	0.0%	0
In Style (5B)	0	0.0%	0	0	0.0%	0
Parks and Rec (5C)	0	0.0%	0	0	0.0%	0
Rustbelt Traditions (5D)	0	0.0%	0	0	0.0%	0
Midlife Constants (5E)	1,499	39.3%	1,628	2,947	36.7%	1,576
6. Cozy Country Living	370	9.7%	82	804	10.0%	86
Green Acres (6A)	0	0.0%	0	0	0.0%	0
Salt of the Earth (6B)	318	8.3%	299	648	8.1%	289
The Great Outdoors (6C)	52	1.4%	88	156	1.9%	127
Prairie Living (6D)	0	0.0%	0	0	0.0%	0
Rural Resort Dwellers (6E)	0	0.0%	0	0	0.0%	0
Heartland Communities (6F)	0	0.0%	0	0	0.0%	0
7. Sprouting Explorers	0	0.0%	0	0	0.0%	0
Up and Coming Families (7A)	0	0.0%	0	0	0.0%	0
Urban Villages (7B)	0	0.0%	0	0	0.0%	0
Urban Edge Families (7C)	0	0.0%	0	0	0.0%	0
Forging Opportunity (7D)	0	0.0%	0	0	0.0%	0
Farm to Table (7E)	0	0.0%	0	0	0.0%	0
Southwestern Families (7F)	0	0.0%	0	0	0.0%	0

Data Note: This report identifies neighborhood segments in the area, and describes the socioeconomic quality of the immediate neighborhood. The index is a comparison of the percent of households or Total Population 18+ in the area, by Tapestry segment, to the percent of households or Total Population 18+ in the United States, by segment. An index of 100 is the US average.

Source: Esri

December 22, 2023



Tapestry Segmentation Area Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Tapestry LifeMode Groups	2023 Households			2023 Adult Population		
	Number	Percent	Index	Number	Percent	Index
Total:	3,816	100.0%		8,037	100.0%	
8. Middle Ground	913	23.9%	221	1,710	21.3%	210
City Lights (8A)	0	0.0%	0	0	0.0%	0
Emerald City (8B)	0	0.0%	0	0	0.0%	0
Bright Young Professionals	0	0.0%	0	0	0.0%	0
Downtown Melting Pot (8D)	0	0.0%	0	0	0.0%	0
Front Porches (8E)	0	0.0%	0	0	0.0%	0
Old and Newcomers (8F)	913	23.9%	1,048	1,710	21.3%	1,064
Hometown Heritage (8G)	0	0.0%	0	0	0.0%	0
9. Senior Styles	0	0.0%	0	0	0.0%	0
Silver & Gold (9A)	0	0.0%	0	0	0.0%	0
Golden Years (9B)	0	0.0%	0	0	0.0%	0
The Elders (9C)	0	0.0%	0	0	0.0%	0
Senior Escapes (9D)	0	0.0%	0	0	0.0%	0
Retirement Communities (9E)	0	0.0%	0	0	0.0%	0
Social Security Set (9F)	0	0.0%	0	0	0.0%	0
10. Rustic Outposts	0	0.0%	0	0	0.0%	0
Southern Satellites (10A)	0	0.0%	0	0	0.0%	0
Rooted Rural (10B)	0	0.0%	0	0	0.0%	0
Economic BedRock (10C)	0	0.0%	0	0	0.0%	0
Down the Road (10D)	0	0.0%	0	0	0.0%	0
Rural Bypasses (10E)	0	0.0%	0	0	0.0%	0
11. Midtown Singles	586	15.4%	245	1,035	12.9%	236
City Strivers (11A)	0	0.0%	0	0	0.0%	0
Young and Restless (11B)	0	0.0%	0	0	0.0%	0
Metro Fusion (11C)	0	0.0%	0	0	0.0%	0
Set to Impress (11D)	586	15.4%	1,109	1,035	12.9%	1,106
City Commons (11E)	0	0.0%	0	0	0.0%	0
12. Hometown	0	0.0%	0	0	0.0%	0
Family Foundations (12A)	0	0.0%	0	0	0.0%	0
Traditional Living (12B)	0	0.0%	0	0	0.0%	0
Small Town Sincerity (12C)	0	0.0%	0	0	0.0%	0
Modest Income Homes (12D)	0	0.0%	0	0	0.0%	0
13. Next Wave	0	0.0%	0	0	0.0%	0
Diverse Convergence (13A)	0	0.0%	0	0	0.0%	0
Family Extensions (13B)	0	0.0%	0	0	0.0%	0
NeWest Residents (13C)	0	0.0%	0	0	0.0%	0
Fresh Ambitions (13D)	0	0.0%	0	0	0.0%	0
High Rise Renters (13E)	0	0.0%	0	0	0.0%	0
14. Scholars and Patriots	378	9.9%	631	1,400	17.4%	776
Military Proximity (14A)	0	0.0%	0	0	0.0%	0
College Towns (14B)	378	9.9%	1,061	1,400	17.4%	1,741
Dorms to Diplomas (14C)	0	0.0%	0	0	0.0%	0
Unclassified (15)	0	0.0%	0	0	0.0%	0

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Source: Esri

December 22, 2023



Tapestry Segmentation Area Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Tapestry Urbanization	2023 Households			2023 Adult Population		
	Number	Percent	Index	Number	Percent	Index
Total:	3,816	100.0%		8,037	100.0%	
1. Principal Urban Center	0	0.0%	0	0	0.0%	0
Laptops and Lattes (3A)	0	0.0%	0	0	0.0%	0
Metro Renters (3B)	0	0.0%	0	0	0.0%	0
Trendsetters (3C)	0	0.0%	0	0	0.0%	0
Downtown Melting Pot (8D)	0	0.0%	0	0	0.0%	0
City Strivers (11A)	0	0.0%	0	0	0.0%	0
NeWest Residents (13C)	0	0.0%	0	0	0.0%	0
Fresh Ambitions (13D)	0	0.0%	0	0	0.0%	0
High Rise Renters (13E)	0	0.0%	0	0	0.0%	0
2. Urban Periphery	0	0.0%	0	0	0.0%	0
Pacific Heights (2C)	0	0.0%	0	0	0.0%	0
Rustbelt Traditions (5D)	0	0.0%	0	0	0.0%	0
Urban Villages (7B)	0	0.0%	0	0	0.0%	0
Urban Edge Families (7C)	0	0.0%	0	0	0.0%	0
Forging Opportunity (7D)	0	0.0%	0	0	0.0%	0
Southwestern Families (7F)	0	0.0%	0	0	0.0%	0
City Lights (8A)	0	0.0%	0	0	0.0%	0
Bright Young Professionals (8C)	0	0.0%	0	0	0.0%	0
Metro Fusion (11C)	0	0.0%	0	0	0.0%	0
Family Foundations (12A)	0	0.0%	0	0	0.0%	0
Modest Income Homes (12D)	0	0.0%	0	0	0.0%	0
Diverse Convergence (13A)	0	0.0%	0	0	0.0%	0
Family Extensions (13B)	0	0.0%	0	0	0.0%	0
3. Metro Cities	1,877	49.2%	273	4,145	51.6%	308
In Style (5B)	0	0.0%	0	0	0.0%	0
Emerald City (8B)	0	0.0%	0	0	0.0%	0
Front Porches (8E)	0	0.0%	0	0	0.0%	0
Old and Newcomers (8F)	913	23.9%	1,048	1,710	21.3%	1,064
Hometown Heritage (8G)	0	0.0%	0	0	0.0%	0
Retirement Communities (9E)	0	0.0%	0	0	0.0%	0
Social Security Set (9F)	0	0.0%	0	0	0.0%	0
Young and Restless (11B)	0	0.0%	0	0	0.0%	0
Set to Impress (11D)	586	15.4%	1,109	1,035	12.9%	1,106
City Commons (11E)	0	0.0%	0	0	0.0%	0
Traditional Living (12B)	0	0.0%	0	0	0.0%	0
College Towns (14B)	378	9.9%	1,061	1,400	17.4%	1,741
Dorms to Diplomas (14C)	0	0.0%	0	0	0.0%	0

Data Note: This report identifies neighborhood segments in the area, and describes the socioeconomic quality of the immediate neighborhood. The index is a comparison of the percent of households or Total Population 18+ in the area, by Tapestry segment, to the percent of households or Total Population 18+ in the United States, by segment. An index of 100 is the US average.

Source: Esri

December 22, 2023



Tapestry Segmentation Area Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Tapestry Urbanization	2023 Households			2023 Adult Population		
	Number	Percent	Index	Number	Percent	Index
Total:	3,816	100.0%		8,037	100.0%	
4. Suburban Periphery	1,569	41.1%	127	3,088	38.4%	115
Top Tier (1A)	0	0.0%	0	0	0.0%	0
Professional Pride (1B)	0	0.0%	0	0	0.0%	0
Boomburbs (1C)	0	0.0%	0	0	0.0%	0
Savvy Suburbanites (1D)	0	0.0%	0	0	0.0%	0
Exurbanites (1E)	70	1.8%	95	141	1.8%	89
Urban Chic (2A)	0	0.0%	0	0	0.0%	0
Pleasantville (2B)	0	0.0%	0	0	0.0%	0
Enterprising Professionals (2D)	0	0.0%	0	0	0.0%	0
Workday Drive (4A)	0	0.0%	0	0	0.0%	0
Home Improvement (4B)	0	0.0%	0	0	0.0%	0
Comfortable Empty Nesters	0	0.0%	0	0	0.0%	0
Parks and Rec (5C)	0	0.0%	0	0	0.0%	0
Midlife Constants (5E)	1,499	39.3%	1,628	2,947	36.7%	1,576
Up and Coming Families (7A)	0	0.0%	0	0	0.0%	0
Silver & Gold (9A)	0	0.0%	0	0	0.0%	0
Golden Years (9B)	0	0.0%	0	0	0.0%	0
The Elders (9C)	0	0.0%	0	0	0.0%	0
Military Proximity (14A)	0	0.0%	0	0	0.0%	0
5. Semirural	0	0.0%	0	0	0.0%	0
Middleburg (4C)	0	0.0%	0	0	0.0%	0
Heartland Communities (6F)	0	0.0%	0	0	0.0%	0
Farm to Table (7E)	0	0.0%	0	0	0.0%	0
Senior Escapes (9D)	0	0.0%	0	0	0.0%	0
Down the Road (10D)	0	0.0%	0	0	0.0%	0
Small Town Sincerity (12C)	0	0.0%	0	0	0.0%	0
6. Rural	370	9.7%	59	804	10.0%	61
Green Acres (6A)	0	0.0%	0	0	0.0%	0
Salt of the Earth (6B)	318	8.3%	299	648	8.1%	289
The Great Outdoors (6C)	52	1.4%	88	156	1.9%	127
Prairie Living (6D)	0	0.0%	0	0	0.0%	0
Rural Resort Dwellers (6E)	0	0.0%	0	0	0.0%	0
Southern Satellites (10A)	0	0.0%	0	0	0.0%	0
Rooted Rural (10B)	0	0.0%	0	0	0.0%	0
Economic BedRock (10C)	0	0.0%	0	0	0.0%	0
Rural Bypasses (10E)	0	0.0%	0	0	0.0%	0
Unclassified (15)	0	0.0%	0	0	0.0%	0

Data Note: This report identifies neighborhood segments in the area, and describes the socioeconomic quality of the immediate neighborhood. The index is a comparison of the percent of households or Total Population 18+ in the area, by Tapestry segment, to the percent of households or Total Population 18+ in the United States, by segment. An index of 100 is the US average.

Source: Esri

December 22, 2023



Housing Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Population		Households	
2020 Total Population	9,946	2023 Median Household Income	\$60,902
2023 Total Population	9,810	2028 Median Household Income	\$78,966
2028 Total Population	9,878	2023-2028 Annual Rate	5.33%
2023-2028 Annual Rate	0.14%		

Housing Units by Occupancy Status and Tenure	Census 2020		2023		2028	
	Number	Percent	Number	Percent	Number	Percent
Total Housing Units	4,188	100.0%	4,239	100.0%	4,286	100.0%
Occupied	3,756	89.7%	3,816	90.0%	3,879	90.5%
Owner	2,167	51.7%	2,452	57.8%	2,574	60.1%
Renter	1,589	37.9%	1,364	32.2%	1,305	30.4%
Vacant	434	10.4%	423	10.0%	407	9.5%

Owner Occupied Housing Units by Value	2023		2028	
	Number	Percent	Number	Percent
Total	2,453	100.0%	2,576	100.0%
<\$50,000	44	1.8%	0	0.0%
\$50,000-\$99,999	115	4.7%	2	0.1%
\$100,000-\$149,999	81	3.3%	0	0.0%
\$150,000-\$199,999	238	9.7%	2	0.1%
\$200,000-\$249,999	388	15.8%	30	1.2%
\$250,000-\$299,999	295	12.0%	106	4.1%
\$300,000-\$399,999	576	23.5%	705	27.4%
\$400,000-\$499,999	296	12.1%	607	23.6%
\$500,000-\$749,999	385	15.7%	969	37.6%
\$750,000-\$999,999	34	1.4%	131	5.1%
\$1,000,000-\$1,499,999	1	0.0%	15	0.6%
\$1,500,000-\$1,999,999	0	0.0%	7	0.3%
\$2,000,000+	0	0.0%	2	0.1%
Median Value	\$311,372		\$472,982	
Average Value	\$340,950		\$509,336	

Census 2020 Housing Units	Number	Percent
Total	4,188	100.0%
Housing Units In Urbanized Areas	4,086	97.6%
Rural Housing Units	102	2.4%

Census 2020 Owner Occupied Housing Units by Mortgage Status	Number	Percent
Total	2,166	100.0%
Owned with a Mortgage/Loan	1,311	60.5%
Owned Free and Clear	855	39.5%

Data Note: Persons of Hispanic Origin may be of any race.

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2020 decennial Census data.

December 22, 2023



Housing Profile

CITY OF COLLEGE PLACE
Area: 3.43 square miles

Prepared by Esri

Census 2020 Vacant Housing Units by Status

	Number	Percent
Total	434	100.0%
For Rent	151	34.8%
Rented- Not Occupied	23	5.3%
For Sale Only	52	12.0%
Sold - Not Occupied	8	1.8%
Seasonal/Recreational/Occasional Use	54	12.4%
For Migrant Workers	2	0.5%
Other Vacant	144	33.2%

Census 2020 Occupied Housing Units by Age of Householder and Home Ownership

	Occupied	Owner Occupied Units	
		Number	% of Occupied
Total	3,756	2,167	57.7%
15-24	237	26	11.0%
25-34	529	186	35.2%
35-44	574	275	47.9%
45-54	508	297	58.5%
55-59	288	193	67.0%
60-64	362	251	69.3%
65-74	636	474	74.5%
75-84	401	313	78.1%
85+	224	153	68.3%

Census 2020 Occupied Housing Units by Race/Ethnicity of Householder and Home Ownership

	Occupied	Owner Occupied Units	
		Number	% of Occupied
Total	3,756	2,167	57.7%
White Alone	2,951	1,799	61.0%
Black/African American	47	12	25.5%
American Indian/Alaska	35	12	34.3%
Asian Alone	48	24	50.0%
Pacific Islander Alone	9	0	0.0%
Other Race Alone	297	139	46.8%
Two or More Races	369	181	49.1%
Hispanic Origin	619	276	44.6%

Census 2020 Occupied Housing Units by Size and Home Ownership

	Occupied	Owner Occupied Units	
		Number	% of Occupied
Total	3,756	2,167	57.7%
1-Person	1,219	576	47.3%
2-Person	1,296	844	65.1%
3-Person	490	284	58.0%
4-Person	399	250	62.7%
5-Person	193	118	61.1%
6-Person	81	49	60.5%
7+ Person	80	47	58.8%

2023 Housing Affordability

Housing Affordability Index	77
Percent of Income for Mortgage	30.7%

Data Note: Persons of Hispanic Origin may be of any race.

Source: Esri forecasts for 2023 and 2028. U.S. Census Bureau 2020 decennial Census data.

December 22, 2023

City of College Place, Washington
RESOLUTION NO. 24-xxx

A RESOLUTION PERMITTING STAFF TO UTILIZE THE PREPARED ECONOMIC DEVELOPMENT FLIERS FOR RECRUITMENT OF COMMERCIAL/LIGHT INDUSTRIAL BUSINESSES AS WELL AS THE RESIDENTIAL, COMMERCIAL, AND LIGHT INDUSTRIAL DEVELOPMENT COMMUNITY.

WHEREAS, the City of College Place is a non-charter code city under Title 35A RCW; and

WHEREAS, the College Place Economic Development, Tourism, and Events Commission voted to recommend approval of the fliers to the College Place City Council during its February 5th, 2024 meeting.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE AS FOLLOWS:

1. Permitting staff to utilize the prepared economic development fliers for recruitment of commercial/light industrial businesses as well as the residential, commercial, and light industrial development community.

Clerical Corrections. The City Clerk is authorized to make necessary clerical corrections to this resolution including, but not limited to, the correction of scrivener's/clerical errors, references, resolution numbering, section/subsection numbers and any references thereto.

Effective Date. This resolution shall take effect and be in full force upon its passage as provided by law.

PASSED by the City Council of the City of College Place, Washington, this 13th day of February, 2024.

Attest:

Norma L. Hernández, Mayor

Sherri St. Clair
City Clerk