GOLDENDALE CITY COUNCIL
REGULAR MEETING
AUGUST 15, 2016
7:00 PM

A. Call to Order
   1. Pledge of Allegiance

B. Roll Call

C. Public Hearing
   1. Extended for Administration of Development Standards

D. Agenda
   1. Approval of Agenda
   2. Consent Agenda
      a. Approval of Minutes
      b. Claims
      c. Payroll
      d. Other

E. Presentations
   1. J&N Cable – Transfer Franchise Agreement

F. Department Reports

G. Council Business
   1. Library Board Appointment
   2. Illumination Control Task Force Members Appointments

H. Resolutions

I. Ordinances
   1. First Reading – Administration of Development Standards
   2. First Reading – Elimination of Conflict on Development Standards for Manufactured Homes

J. Report of Officers and City Administrator

K. Public Comment

L. Executive Session

M. Adjournment

NEXT REGULAR COUNCIL MEETING WILL BE ON SEPTEMBER 6, 2016 AT 7:00 PM.

AGENDA TITLE: **CONSENT AGENDA**

DATE: **AUGUST 15, 2016**

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____X____

RESOLUTION_____ OTHER_____

MOTION_____X_____

EXPLANATION:
The consent agenda includes the following:
Minutes of the August 1, 2016 regular council meeting, second pay period June checks #46907 – 46951, 900642 in the amount of $104,223.21, August 15, 2016 claims checks #46952 – 47000, 900643 - 900647 in the amount of $115,795.78.

FISCAL IMPACT:
Payroll checks in the amount of $104,223.21, claims checks in the amount of $115,795.78.

ALTERNATIVES:
Approve the consent agenda.
Remove certain items from the consent agenda for further discussion.

STAFF RECOMMENDATION:
Approve the consent agenda

MOTION:

I MOVE TO APPROVE THE CONSENT AGENDA.

GOLDENDALE CITY COUNCIL
REGULAR MEETING
AUGUST 1, 2016
7:00 PM

Mayor Michael A Canon called to order the regular meeting of the Goldendale City Council followed by the Pledge of Allegiance.

ROLL CALL

7:03:35 PM

PRESENT:	Mayor Michael A Canon Council Member Andy Halm Council Member Gary Hoctor Council Member Guy Theriault Council Member Carmen Knopes Council Member John Sullivan Council Member Lucille Bevis Council Member Shannon Middleton
STAFF:	City Administrator Larry Bellamy Clerk-Treasurer Connie Byers Public Works Director Karl Enyeart Fire Chief Noah Halm Police Chief Reggie Bartkowski Youth Liaison Hanna Hoffman
ABSENT:	None

PUBLIC HEARING

Outdoor Lighting

Larry informed council and audience that the Ordinance Committee has been working on this Ordinance for some time and it is ready for the public hearing.

Mayor Canon opened the public hearing on outdoor lighting.

Angela Hoffman expressed her concerns on the new ordinance and asked that a task force be formed to work further on the ordinance. Others that commented were Tannis Bauers, Jonathan Lewis and Rodger Nichols.

With no other comments the hearing was closed.

It was moved by Council Member Guy Theriault, seconded by Council Member Lucille Bevis, to create a task force to address the proposed changes to the outdoor lighting ordinance.

7:21:29 PM

AYES:	Council Member Andy Halm
	Council Member Gary Hoctor
	Council Member Guy Theriault
	Council Member Carmen Knopes
	Council Member John Sullivan
	Council Member Lucille Bevis
	Council Member Shannon Middleton
NAYS:	None.

MOTION CARRIED UNANIMOUSLY 7-0.

Administration of Development Standards

Larry explained that the reason for an Administration of Development Standards code.

Mayor Canon opened the public hearing on administration of development standards.

Ken McKune, Tannis Bauers and Terry Luth gave their comments.

With no other comments the hearing was closed.

It was moved by Council Member Guy Theriault, seconded by Council Member Andy Halm, to extend the public hearing to the next city council meeting for the administration of development standards ordinance.

7:34:34 PM

AYES:	Council Member Andy Halm
	Council Member Gary Hoctor
	Council Member Guy Theriault
	Council Member Carmen Knopes
	Council Member John Sullivan
	Council Member Lucille Bevis
	Council Member Shannon Middleton
NAYS:	None.

MOTION CARRIED UNANIMOUSLY 7-0.

AGENDA AND CONSENT AGENDA

It was moved by Council Member Guy Theriault, seconded by Council Member Andy Halm, to approve the agenda and consent agenda.

7:34:54 PM

AYES:	Council Member Andy Halm

Council Member Gary Hoctor
Council Member Guy Theriault
Council Member Carmen Knopes
Council Member John Sullivan
Council Member Lucille Bevis
Council Member Shannon Middleton

NAYS: None.

MOTION CARRIED UNANIMOUSLY 7-0.

PRESENTATIONS

Dana Peck & Nicole Lundin – Update on Goldendale Chamber Website
Nicole gave a presentation showing how the Chamber is using the tourism money and the number on the results.

DEPARTMENT REPORTS

Reggie informed the council that the department received a traffic safety grant that will pay for a new radar unit. He also reported on the workshop with the County Commissioners regarding the proposed increase in sales tax for drug enforcement.

Karl stated that the aerial flight was done Friday for the utility map. He also reported that the first step of testing for the Jim Shaw source passed.

Hanna stated that she has had a great time being part of the council and she appreciates it. This however this will be my last council as I will be going to college.

COUNCIL BUSINESS

Information Technology Agreement
Larry explained the need to go out for bid on our information technology services. The executives that interviewed the applicants recommends that the council authorize the Mayor to execute this agreement.

It was moved by Council Member Guy Theriault, seconded by Council Member Gary Hoctor, to authorize the Mayor to execute a managed services agreement with Radcomp Technologies for information technology services for a one year period expiring on July 31, 2017.

8:03:23 PM

AYES:
Council Member Andy Halm
Council Member Gary Hoctor
Council Member Guy Theriault
Council Member Carmen Knopes
Council Member John Sullivan
Council Member Lucille Bevis

Council Member Shannon Middleton
NAYS: None.
MOTION CARRIED UNANIMOUSLY 7-0.

Bond Counsel Agreement
Larry explained the background on the bond counsel agreement.

It was moved by Council Member Guy Theriault, seconded by Council Member Gary Hoctor, to authorize the Mayor to execute an engagement letter for bond counsel services regarding revenue bond financing with Foster Pepper in the amount not to exceed $5,000.00.

8:05:08 PM
AYES: Council Member Andy Halm
Council Member Gary Hoctor
Council Member Guy Theriault
Council Member Carmen Knopes
Council Member John Sullivan
Council Member Lucille Bevis
Council Member Shannon Middleton
NAYS: None.
MOTION CARRIED UNANIMOUSLY 7-0.

Waiver of Fee at Ekone Park for Youth Soccer Program
Larry explained that the Central Klickitat Park and Rec district is requesting a park fee waiver for the Youth Soccer Program to use the fields at Ekone Park.

It was moved by Council Member Guy Theriault, seconded by Council Member Gary Hoctor, to authorize the city staff to execute a public property use application with the Central Klickitat Park and Rec District for the Youth Soccer Program and to waive the park fees.

8:06:20 PM
AYES: Council Member Andy Halm
Council Member Gary Hoctor
Council Member Guy Theriault
Council Member Carmen Knopes
Council Member John Sullivan
Council Member Lucille Bevis
Council Member Shannon Middleton
NAYS: None.
MOTION CARRIED UNANIMOUSLY 7-0.

RESOLUTIONS

Acceptance of LKR Sewer Project
Karl stated that all the final work has been finished.

It was moved by Council Member Gary Hoctor, seconded by Council Member Shannon Middleton, to approve Resolution No. 660 accepting the work of POW Contracting Inc. for the Little Klickitat River Sewer Collection System and Mill Street Lift Station Replacement Project.

8:08:58 PM

AYES:	Council Member Andy Halm
	Council Member Gary Hoctor
	Council Member Guy Theriault
	Council Member Carmen Knopes
	Council Member John Sullivan
	Council Member Lucille Bevis
	Council Member Shannon Middleton
NAYS:	None.

MOTION CARRIED UNANIMOUSLY 7-0.

REPORT OF OFFICERS AND CITY ADMINISTRATOR

Lucille stated that a citizen suggested that we put basketball hoops on the concrete slab at Ekone Park.

Carmen commented on the meeting with the commissioners and stated she was glad she attended the meeting.

Guy reported on the Event Committee meeting that was held before the city council meeting.

Shannon commented on the lighting along Columbus and suggested for future projects to look into crosswalk alert buttons.

Gary thanked Hanna for her work as the Student Liaison.

Mayor Canon reported on the Airport Committee meeting.

Larry informed council when up coming meetings will be held.

PUBLIC COMMENT

Tannis Bauers stated that the crosswalks are faded and suggested that they be painted.

Terry Luth stated some trees are low to the sidewalks and he has to duck under them when he walks.

ADJOURNMENT

It was moved by Council Member Guy Theriault, seconded by Council Member Andy Halm, to adjourn the meeting.

8:21:16 PM

AYES:	Council Member Andy Halm
	Council Member Gary Hoctor
	Council Member Guy Theriault
	Council Member Carmen Knopes
	Council Member John Sullivan
	Council Member Lucille Bevis
	Council Member Shannon Middleton
NAYS:	None.

MOTION CARRIED UNANIMOUSLY 7-0.

_____

Michael A Canon, Mayor

_____

Connie Byers, Clerk-Treasurer

Register

Fiscal: 2016
Deposit Period: 2016 - Aug 2016
Check Period: 2016 - Aug 2016 - 1st Council Aug 2016

Number	Name	Print Date	Clearing Date	Amount
Columbia State Bank	**20016310**			
Check				
46952	Shell	8/8/2016		$3,455.32
46953	Allen Green	8/15/2016		$45.17
46954	Allyns Building Center	8/15/2016		$1,207.47
46955	Anatek Labs Inc	8/15/2016		$30.00
46956	AT&T Mobility	8/15/2016		$17.00
46957	Bishop Sanitation Inc	8/15/2016		$187.50
46958	Blumenthal Uniforms & Equipment	8/15/2016		$127.20
46959	Bohn's Printing	8/15/2016		$178.30
46960	Bryant Pipe & Supply Inc	8/15/2016		$704.71
46961	Carquest Auto Parts	8/15/2016		$939.95
46962	Cascade Fire & Safety	8/15/2016		$236.51
46963	Dell	8/15/2016		$2,391.76
46964	Evergreen Rural Wtr of WA Corp	8/15/2016		$225.00
46965	Ferguson Enterprises Inc #3001	8/15/2016		$2,004.33
46966	Foremost Promotions	8/15/2016		$537.50
46967	Gary Erickson	8/15/2016		$168.98
46968	Goldendale Auto Supply	8/15/2016		$246.92
46969	Goldendale Market Fresh	8/15/2016		$69.83
46970	Goldendale Sentinel	8/15/2016		$471.60
46971	Goldendale Tire Center	8/15/2016		$598.78
46972	Goldendale, City of	8/15/2016		$2,584.58
46973	Gorge Country Media	8/15/2016		$447.00
46974	Gorge Technology Corp	8/15/2016		$1,576.00
46975	Hach Company	8/15/2016		$734.75
46976	Hire Electric	8/15/2016		$777.98
46977	Holcombs Market	8/15/2016		$84.06
46978	IBS Incorporated	8/15/2016		$412.63
46979	Klickitat CO Emer Mgmt	8/15/2016		$7,045.78
46980	Klickitat Co Sheriff	8/15/2016		$1,293.80
46981	Klickitat County PUD	8/15/2016		$23,113.16
46982	Lanz & Trummel Attorneys at Law	8/15/2016		$351.00
46983	Marlin Business Bank	8/15/2016		$467.10
46984	McCredy Company, The	8/15/2016		$32.23
46985	Menke Jackson Beyer LLP	8/15/2016		$1,417.27
46986	Mid-Columbia Economic Development District	8/15/2016		$1,551.00

Number	Name	Print Date	Clearing Date	Amount
46987	Mid-Columbia Veterinary	8/15/2016		$24.00
46988	One Call Concepts Inc	8/15/2016		$25.68
46989	Optimist Printers	8/15/2016		$655.75
46990	Pioneer Surveying & Engineering Inc	8/15/2016		$42,920.00
46991	Pump Tech Inc	8/15/2016		$3,338.77
46992	Quill Corporation	8/15/2016		$458.87
46993	Republic Services Inc	8/15/2016		$428.19
46994	Scott Robinson	8/15/2016		$140.01
46995	Spectrum Communications Inc	8/15/2016		$277.89
46996	The Watershed Company	8/15/2016		$600.00
46997	US Cellular	8/15/2016		$1,508.79
46998	USA Blue Book	8/15/2016		$1,492.40
46999	WA St Criminal Justice Training Commission	8/15/2016		$4,798.01
47000	WA St Dept of Ecology	8/15/2016		$2,544.84
900643	HSA Bank Employee Plan Funding	8/15/2016		$15.75
900644	Invoice Cloud	8/15/2016		$121.00
900645	Merchant Card Services	8/15/2016		$54.30
900646	Sage Payment Solutions	8/15/2016		$558.41
900647	Sage Payment Solutions	8/15/2016		$100.95
		Total	**Check**	**$115,795.78**
		Total	**20016310**	**$115,795.78**
		Grand Total		**$115,795.78**

CITY OF GOLDENDALE
CLAIMS REGISTER

I, the undersigned, do hereby certify that the materials have been furnished, the services rendered or the labor performed as shown on Voucher numbers 46952 through 47000, 900643 - 900647 in the amount of $115,795.78, and unpaid obligations against the City of Goldendale, Washington and that I am authorized to certify said claims.

DATED this 10th day of August, 2016.

Connie Byers
Clerk-Treasurer

Register Activity

Fiscal: 2016
Period: 2016 - Aug 2016
Council Date: 2016 - Aug 2016 - 1st Council Aug 2016

Reference	Date	Amount	Notes
Reference Number: 46952	**Shell**	**$3,455.32**	
79263448607	7/26/2016	$3,455.32	Fuel
Reference Number: 46953	**Allen Green**	**$45.17**	
Invoice - 8/10/2016 10:17:05 AM	8/10/2016	$45.17	Credit Owed to Close Water/Sewer Account
Reference Number: 46954	**Allyns Building Center**	**$1,207.47**	
218615	7/1/2016	$16.07	Tape, Pliers
218810	7/5/2016	$8.69	Rope, Paint Pail
218950	7/7/2016	$126.34	Ball Valve
219030	7/8/2016	$537.50	Community Days Stage
219038	7/8/2016	$16.11	Roller Mop
219169	7/11/2016	$15.03	PVC Cap
219197	7/11/2016	$21.58	Cover, Mouse Trap
219205	7/11/2016	$16.43	Bushing, Sealant
219242	7/11/2016	$50.14	Cement, Cap, Adpter.....
219269	7/12/2016	$13.96	Sealant
219277	7/12/2016	$31.69	Ball Valve
219446	7/14/2016	$12.88	Sealant
219679	7/18/2016	$79.99	Nipple, Bushing, Tee
219705	7/18/2016	$6.37	Coupling, Adapter, Bushing
219747	7/19/2016	$1.58	Adapter
219823	7/20/2016	$105.66	Connector, U-Bolt, Elbow.....
219841	7/20/2016	$5.36	Graffiti Wipes
219920	7/21/2016	$64.55	Mason Line, Nozzle.....
220171	7/25/2016	$59.09	Hose, Graffiti Remover
220233	7/26/2016	$5.88	Elbow
220302	7/27/2016	$11.83	Elboe, Adapter, Tube
220337	7/27/2016	$0.74	Washer
Reference Number: 46955	**Anatek Labs Inc**	**$30.00**	
030696	8/4/2016	$30.00	Testing Service
Reference Number: 46956	**AT&T Mobility**	**$17.00**	
Invoice - 8/10/2016 10:34:55 AM	8/10/2016	$17.00	Surface

Reference	Date	Amount	Notes
Reference Number: 46957	**Bishop Sanitation Inc**	**$187.50**	
50316	8/3/2016	$120.00	Ekone Park
50373	8/3/2016	$67.50	Airport
Reference Number: 46958	**Blumenthal Uniforms & Equipment**	**$127.20**	
005691255	7/12/2016	$47.30	Locking Holster
005786598	7/28/2016	$79.90	Wool Cap, Embroidery
Reference Number: 46959	**Bohn's Printing**	**$178.30**	
46898	7/29/2016	$170.19	Copier Count/CH
46899	7/29/2016	$8.11	Copier Count/PD
Reference Number: 46960	**Bryant Pipe & Supply Inc**	**$704.71**	
94741A	7/25/2016	$419.71	Inventory Supplies
94824A	7/27/2016	$285.00	Ultra Adu 4" Pop-Up
Reference Number: 46961	**Carquest Auto Parts**	**$939.95**	
4993-334483	7/1/2016	$30.47	Oil Seal
4993-334914	7/5/2016	$3.66	Spray Bottle
4993-334915	7/5/2016	$93.55	UPS
4993-334993	7/5/2016	$28.86	Wrench
4993-335039	7/6/2016	$15.63	Keyless Remote Case
4993-335098	7/6/2016	$31.17	Oil Seal
4993-335209	7/7/2016	($8.85)	Oil Seal Credit
4993-335332	7/8/2016	$17.01	Blow Gun W/Tip
4993-335351	7/8/2016	$26.18	Rear View Mirror
4993-335670	7/11/2016	$29.03	Phone Case
4993-335715	7/11/2016	$50.11	Home and Auto Tool Set
4993-335802	7/12/2016	$22.56	Wire Cup Brush
4993-335894	7/12/2016	$170.90	Oxygen Tanks, Acetylene Tanks
4993-336071	7/14/2016	$10.72	Die Cast Tip Handle
4993-336681	7/18/2016	$2.43	Red Lens
4993-336758	7/19/2016	$98.67	UPS
4993-336950	7/20/2016	$16.54	Shark Hole Saw
4993-336956	7/20/2016	$9.18	Batteries
4993-337020	7/21/2016	$29.05	Hex Key T Handles
4993-337218	7/22/2016	$75.25	Spacer Plate
4993-337595	7/26/2016	$101.68	UPS
4993-337596	7/26/2016	$17.19	Hex T Handle
4993-337694	7/27/2016	$1.57	Lens
4993-337746	7/27/2016	$67.39	EzChill, A/C Retrofit Kit
Reference Number: 46962	**Cascade Fire & Safety**	**$236.51**	
118527	7/18/2016	$236.51	Shirts

Reference	Date	Amount	Notes
Reference Number: 46963	**Dell**	**$2,391.76**	
102844955	7/12/2016	$2,391.76	Secure Up Plus
Reference Number: 46964	**Evergreen Rural Wtr of WA Corp**	**$225.00**	
33030	7/21/2016	$225.00	Andy O'Connor
Reference Number: 46965	**Ferguson Enterprises Inc #3001**	**$2,004.33**	
0531472	7/22/2016	$2,004.33	Supplies
Reference Number: 46966	**Foremost Promotions**	**$537.50**	
352855	7/25/2016	$537.50	Supplies for Community Days'
Reference Number: 46967	**Gary Erickson**	**$168.98**	
19069	8/1/2016	$168.98	403 W Burgen
Reference Number: 46968	**Goldendale Auto Supply**	**$246.92**	
314027	6/30/2016	$6.28	Gl Blac
314062	6/30/2016	$2.58	Nut Bolt
314638	7/8/2016	$30.25	Rivets, Rivet Gun, Harness Bracket, Nut Bolt
314739	7/9/2016	$5.38	Prowler Wash
314740	7/9/2016	$13.92	Colored Terry
314745	7/9/2016	$2.78	Pipe Fitt
314841	7/11/2016	$23.56	Headlight Bulb
315174	7/15/2016	$16.08	Turnbuckle, Eyebolt
315698	7/21/2016	$14.79	50 1 Pre Mix
315705	7/21/2016	$57.96	Motor Tune-Up, Window Wash
315799	7/22/2016	$46.48	Motor Tune-Up
315891	7/23/2016	$26.86	Car Wash
Reference Number: 46969	**Goldendale Market Fresh**	**$69.83**	
01-492838	7/11/2016	$57.07	Water
03-1058695	7/7/2016	$12.76	Ice, Drink
Reference Number: 46970	**Goldendale Sentinel**	**$471.60**	
143783.1	7/20/2016	$56.00	Public Hearing/Outdoor Lighting
143784	7/20/2016	$56.00	Public Hearing/Admin of Dev Regulation
143848	7/27/2016	$195.60	WE Rock
143918	8/8/2016	$132.00	WE Rock
Invoice - 8/10/2016 1:23:41 PM	8/10/2016	$32.00	Subscription Renewal/City Hall
Reference Number: 46971	**Goldendale Tire Center**	**$598.78**	
292706	8/1/2016	$598.78	Tires

Reference	Date	Amount	Notes
Reference Number: 46972	**Goldendale, City of**	**$2,584.58**	
2016-43	7/29/2016	$21.36	Bulk Water
2016-44	8/9/2016	$101.46	Bulk Water
Invoice - 8/10/2016 1:46:20 PM	8/10/2016	$2,461.76	Water/Sewer
Reference Number: 46973	**Gorge Country Media**	**$447.00**	
16070163	7/31/2016	$123.50	Community Days
16070164	7/31/2016	$123.50	Community Days
17053-001	8/1/2016	$200.00	ABATE/Festival of Wheels
Reference Number: 46974	**Gorge Technology Corp**	**$1,576.00**	
352	8/7/2016	$1,576.00	Technology Consulting
Reference Number: 46975	**Hach Company**	**$734.75**	
10034490	7/27/2016	$734.75	Chlorine
Reference Number: 46976	**Hire Electric**	**$777.98**	
603030	7/26/2016	$777.98	Well #2
Reference Number: 46977	**Holcombs Market**	**$84.06**	
0010440311	7/27/2016	$11.39	Dish Soap, Sugar
0020130013	7/14/2016	$1.75	Mrshmls
0020465214	7/27/2016	$35.94	Grocery
0030698810	7/13/2016	$25.13	Baking Soda, Can Opener....
0030872011	7/19/2016	$9.85	Off Deep Woods, Water
Reference Number: 46978	**IBS Incorporated**	**$412.63**	
621020-1	7/15/2016	$412.63	Saw Blade, Glove....
Reference Number: 46979	**Klickitat CO Emer Mgmt**	**$7,045.78**	
2016EM-10	7/7/2016	$4,691.00	1/3 Spillman Mobile
2016EM-5-C27205	7/7/2016	$2,354.78	Inter-Local Agreement
Reference Number: 46980	**Klickitat Co Sheriff**	**$1,293.80**	
Invoice - 8/10/2016 2:11:54 PM	8/10/2016	$1,293.80	July Jail Cost
Reference Number: 46981	**Klickitat County PUD**	**$23,113.16**	
Invoice - 8/10/2016 2:14:13 PM	8/10/2016	$23,113.16	Electricity
Reference Number: 46982	**Lanz & Trummel Attorneys at Law**	**$351.00**	
321	8/1/2016	$351.00	Quiet Title
Reference Number: 46983	**Marlin Business Bank**	**$467.10**	
Invoice - 8/10/2016 2:15:51 PM	8/10/2016	$467.10	Copier Leases

Reference	Date	Amount	Notes
Reference Number: 46984	**McCredy Company, The**	**$32.23**	
485398	7/12/2016	$32.23	Supplies
Reference Number: 46985	**Menke Jackson Beyer LLP**	**$1,417.27**	
Invoice - 8/10/2016 3:59:40 PM	8/10/2016	$1,202.77	Account 044
Invoice - 8/10/2016 4:07:15 PM	8/10/2016	$214.50	Account 141
Reference Number: 46986	**Mid-Columbia Economic Development District**	**$1,551.00**	
2102	7/1/2016	$1,551.00	Dues
Reference Number: 46987	**Mid-Columbia Veterinary**	**$24.00**	
142765	6/30/2016	$24.00	Megan Blankenship
Reference Number: 46988	**One Call Concepts Inc**	**$25.68**	
6079067	7/31/2016	$25.68	Utility Notification
Reference Number: 46989	**Optimist Printers**	**$655.75**	
34467	7/28/2016	$655.75	Check
Reference Number: 46990	**Pioneer Surveying & Engineering Inc**	**$42,920.00**	
20 14-906	7/27/2016	$33,540.50	WCNIP
38 12-905	7/27/2016	$9,379.50	LKR Sewer Project
Reference Number: 46991	**Pump Tech Inc**	**$3,338.77**	
0099622-IN	10/31/2015	($393.52)	Credit
0106805-IN	6/13/2016	$211.59	Kit, Hose, EP2, 6MM, EPDM
0107840-IN	7/22/2016	$3,520.70	Chlor Briquettes
Reference Number: 46992	**Quill Corporation**	**$458.87**	
7630977	7/22/2016	$288.06	Ink, Mouse
7750044	7/27/2016	$77.83	Soap, Wipes, Air Freshener
7794543	7/28/2016	$74.94	Kcup, Tea
7875891	8/2/2016	$18.04	Nameplate
Reference Number: 46993	**Republic Services Inc**	**$428.19**	
0487-000494294	7/31/2016	$428.19	Garbage Service
Reference Number: 46994	**Scott Robinson**	**$140.01**	
L1882298	8/1/2016	$140.01	Festival of Wheels Insurance
Reference Number: 46995	**Spectrum Communications Inc**	**$277.89**	
212492	8/1/2016	$277.89	Radio Equipment

Reference	Date	Amount	Notes
Reference Number: 46996	**The Watershed Company**	**$600.00**	
2016-0809	8/5/2016	$600.00	Wetland Delineation
Reference Number: 46997	**US Cellular**	**$1,508.79**	
0148117548	7/24/2016	$1,508.79	Cell Phones
Reference Number: 46998	**USA Blue Book**	**$1,492.40**	
014099	7/22/2016	$1,492.40	Pipe Die, Die Set
Reference Number: 46999	**WA St Criminal Justice Training Commission**	**$4,798.01**	
201126761	7/21/2016	$1,891.17	Garcia
201126785	7/21/2016	$2,906.84	Wardrip
Reference Number: 47000	**WA St Dept of Ecology**	**$2,544.84**	
2017-WA0021121	7/25/2016	$1,914.84	Wastewater Permit
2017-WAR302985	7/26/2016	$630.00	WCNIP Stormwater Permit
Reference Number: 900643	**HSA Bank Employee Plan Funding**	**$15.75**	
Invoice - 8/10/2016 1:59:55 PM	8/10/2016	$15.75	Service Fee
Reference Number: 900644	**Invoice Cloud**	**$121.00**	
359-2016_7	7/31/2016	$121.00	Biller Portal Fee
Reference Number: 900645	**Merchant Card Services**	**$54.30**	
Invoice - 8/10/2016 2:31:31 PM	8/10/2016	$54.30	Visa Fee/Admin
Reference Number: 900646	**Sage Payment Solutions**	**$558.41**	
Invoice - 8/10/2016 3:21:50 PM	8/10/2016	$558.41	Visa Fees
Reference Number: 900647	**Sage Payment Solutions**	**$100.95**	
Invoice - 8/10/2016 3:23:27 PM	8/10/2016	$100.95	ACH Fees

Register

Number	Name	Fiscal Description	Cleared	Amount
46907	Bartkowski, Reggie	2016 - Jul 2016 - 2nd Council Jun 2016		$2,719.58
46908	Bellamy, Larry D	2016 - Jul 2016 - 2nd Council Jun 2016		$2,601.31
46909	Berkshire, Stan	2016 - Jul 2016 - 2nd Council Jun 2016		$1,785.12
46910	Bevis, Lucille A	2016 - Jul 2016 - 2nd Council Jun 2016		$46.02
46911	Bostick, Kenneth W B/CE	2016 - Jul 2016 - 2nd Council Jun 2016		$1,183.46
46912	Bowen, Jeremy J	2016 - Jul 2016 - 2nd Council Jun 2016		$1,136.52
46913	Byers, Connie L	2016 - Jul 2016 - 2nd Council Jun 2016		$1,809.93
46914	Canon, Michael A	2016 - Jul 2016 - 2nd Council Jun 2016		$446.61
46915	Casey, Brian P	2016 - Jul 2016 - 2nd Council Jun 2016		$1,189.33
46916	Enderby, Michelle R	2016 - Jul 2016 - 2nd Council Jun 2016		$802.54
46917	Enyeart, Karl A	2016 - Jul 2016 - 2nd Council Jun 2016		$2,787.77
46918	Fitzgibbons, Thomas R	2016 - Jul 2016 - 2nd Council Jun 2016		$247.61
46919	Frantum, Douglas	2016 - Jul 2016 - 2nd Council Jun 2016		$1,367.83
46920	Garcia, Juan C	2016 - Jul 2016 - 2nd Council Jun 2016		$1,392.48
46921	Halm, Andrew J	2016 - Jul 2016 - 2nd Council Jun 2016		$46.02
46922	Halm, Noah M	2016 - Jul 2016 - 2nd Council Jun 2016		$418.66
46923	Hoctor, Gary Robert	2016 - Jul 2016 - 2nd Council Jun 2016		$46.02
46924	Hunziker, Jay Allen	2016 - Jul 2016 - 2nd Council Jun 2016		$1,645.21
46925	Hutchins, Maria P	2016 - Jul 2016 - 2nd Council Jun 2016		$1,333.12
46926	Knopes, Carmen A	2016 - Jul 2016 - 2nd Council Jun 2016		$46.02
46927	Lucatero, Leo B	2016 - Jul 2016 - 2nd Council Jun 2016		$1,992.87
46928	O'Connor, Andrew F	2016 - Jul 2016 - 2nd Council Jun 2016		$2,233.35
46929	Oswalt, Bert F	2016 - Jul 2016 - 2nd Council Jun 2016		$1,791.20
46930	Patterson, Randy E	2016 - Jul 2016 - 2nd Council Jun 2016		$779.48
46931	Perez, Benjamin A	2016 - Jul 2016 - 2nd Council Jun 2016		$1,041.20
46932	Randall, Steven A	2016 - Jul 2016 - 2nd Council Jun 2016		$273.93
46933	Seward, Jacob R	2016 - Jul 2016 - 2nd Council Jun 2016		$971.77
46934	Shelton, Kelsey A	2016 - Jul 2016 - 2nd Council Jun 2016		$1,641.02
46935	Smith, Michael L	2016 - Jul 2016 - 2nd Council Jun 2016		$2,089.89
46936	Stelljes, Michael S	2016 - Jul 2016 - 2nd Council Jun 2016		$1,516.28
46937	Sullivan, Donald L	2016 - Jul 2016 - 2nd Council Jun 2016		$114.98
46938	Sullivan, John F	2016 - Jul 2016 - 2nd Council Jun 2016		$46.02
46939	Theriault, Guy R	2016 - Jul 2016 - 2nd Council Jun 2016		$46.02
46940	Thompson, Robert L	2016 - Jul 2016 - 2nd Council Jun 2016		$1,504.07
46941	Trunkey, Christopher D	2016 - Jul 2016 - 2nd Council Jun 2016		$804.80
46942	Vargas, Yanira	2016 - Jul 2016 - 2nd Council Jun 2016		$39.03
46943	Wardrip, Nathaniel I	2016 - Jul 2016 - 2nd Council Jun 2016		$1,494.26
46944	Wells, Sandy R	2016 - Jul 2016 - 2nd Council Jun 2016		$1,033.31
46945	American Family Life	2016 - Jul 2016 - 2nd Council Jun 2016		$297.45

Number	Name	Fiscal Description	Cleared	Amount
46946	AWC Benefit Trust	2016 - Jul 2016 - 2nd Council Jun 2016		$34,905.30
46947	Deferred Comp Program	2016 - Jul 2016 - 2nd Council Jun 2016		$105.00
46948	Dept of Labor & Industries	2016 - Jul 2016 - 2nd Council Jun 2016		$2,175.13
46949	Dept of Retirement	2016 - Jul 2016 - 2nd Council Jun 2016		$8,766.32
46950	Employment Security	2016 - Jul 2016 - 2nd Council Jun 2016		$117.98
46951	ICMA Retirement Trust (Plan 302195)	2016 - Jul 2016 - 2nd Council Jun 2016		$112.50
900642	City of Goldendale	2016 - Jul 2016 - 2nd Council Jun 2016		$15,278.89
				$104,223.21

AGENDA BILL: G1

AGENDA TITLE: LIBRARY BOARD APPOINTMENT

DATE: AUGUST 15, 2016

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____X____

RESOLUTION_____ OTHER_____X_____

MOTION_____X_____

EXPLANATION: The Goldendale Community Library has nominated Stephen Stout and the mayor wishes to appoint Mr. Stout to be on the Goldendale Library Board.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION:

I MOVE TO GIVE CONSENT TO THE MAYOR'S APPOINTMENT OF STEPHEN STOUT TO THE GOLDENDALE LIBRARY BOARD.

Goldendale Community Library

131 West Burgen • Goldendale, WA 98620
Phone: (509)773-4487 FAX: (509) 773-3345
www.fvrl.org

MEMO

1 Aug 2016

From: Goldendale Library Board
To: Goldendale City Council

Subject: Nomination to the Goldendale Library Board

I wish to nominate Stephen R. Stout to serve on the Goldendale Library Board. Mr. Stout's appointment would fill position #5, the position formerly held by Kathryn Playfair, which expired this May. If appointed, his term would run 5 years, from June 2016 to May 2021.

Stephen R. Stout
49 Casey View Dr
Goldendale, WA 98620

Mr. Stout has attended a Board meeting to explore the possibility and express his interest in this position. Feel free to call him if you have any questions. Thank you for your consideration.

Naomi Fisher

Naomi Fisher
Community Librarian

Stephen R. Stout
49 Casey View Dr
Goldendale, WA 98620

Goldendale City Council
1103 S. Columbus
Goldendale, WA 98620

8/02/16

To the members of the Goldendale City Council,

I am writing to apply for appointment to the Goldendale Library Board for position #5, which is currently vacant and expires in May 2021. This position was formerly held by Kathryn Playfair.

I would look forward to representing the community and engaging with the Library on this advisory board.

Thank you for considering my application.

Sincerely,

Stephen R. Stout

Stephen R. Stout

Chapter 2.52
PUBLIC LIBRARY

Sections:

2.52.010 Created.
2.52.020 Board of trustees appointment.
2.52.030 Control--Regulations.

2.52.010 Created.

There is created and established a public library in and for the city, the library to be governed in all respects as provided by this code, and the laws of the state. (Prior code §2.44.010)

2.52.020 Board of trustees appointment.

The mayor of the city shall appoint a board of trustees for the library in the manner provided for by RCW 27.12.190. (Prior code §2.44.020)

2.52.030 Control--Regulations.

The library shall be controlled and regulated in all things not provided for in this chapter, as provided by the ordinances of the city and the laws of the state. (Prior code §2.44.050)

The Goldendale Municipal Code is current through Ordinance 1462, passed April 18, 2016.
Disclaimer: The City Clerk's Office has the official version of the Goldendale Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

RCW 27.12.190

Library trustees—Appointment, election, removal, compensation.

The management and control of a library shall be vested in a board of either five or seven trustees as hereinafter in this section provided. In cities and towns five trustees shall be appointed by the mayor with the consent of the legislative body. In counties, rural county library districts, and island library districts, five trustees shall be appointed by the board of county commissioners. In a regional library district a board of either five or seven trustees shall be appointed by the joint action of the legislative bodies concerned. In intercounty rural library districts a board of either five or seven trustees shall be appointed by the joint action of the boards of county commissioners of each of the counties included in a district. The first appointments for boards comprised of but five trustees shall be for terms of one, two, three, four, and five years respectively, and thereafter a trustee shall be appointed annually to serve for five years. The first appointments for boards comprised of seven trustees shall be for terms of one, two, three, four, five, six, and seven years respectively, and thereafter a trustee shall be appointed annually to serve for seven years. No person shall be appointed to any board of trustees for more than two consecutive terms. Vacancies shall be filled for unexpired terms as soon as possible in the manner in which members of the board are regularly chosen.

A library trustee shall not receive a salary or other compensation for services as trustee, but necessary expenses actually incurred shall be paid from the library funds.

A library trustee in the case of a city or town may be removed only by vote of the legislative body. A trustee of a county library, a rural county library district library, or an island library district library may be removed for just cause by the county commissioners after a public hearing upon a written complaint stating the ground for removal, which complaint, with a notice of the time and place of hearing, shall have been served upon the trustee at least fifteen days before the hearing. A trustee of an intercounty rural library district may be removed by the joint action of the board of county commissioners of the counties involved in the same manner as provided herein for the removal of a trustee of a county library.

[**1982 c 123 § 8; 1981 c 26 § 2; 1965 c 122 § 3; 1959 c 133 § 2; 1947 c 75 § 12; 1941 c 65 § 7; 1939 c 108 § 1; 1935 c 119 § 8;** Rem. Supp. 1947 § 8226-8. Prior: **1915 c 12 § 2; 1909 c 116 § 4; 1901 c 166 § 4.** Formerly RCW **27.12.190** and **27.12.200**.]

AGENDA BILL: G2

AGENDA TITLE: Illumination Control Task Force Members Appointments

DATE: August 15, 2016

ACTION REQUIRED:

ORDINANCE_____ COUNCIL INFORMATION_____X____

RESOLUTION_____ OTHER_____

MOTION_____X_____

EXPLANATION: See Mike Canon's Memo attached listing his appointees to the special task force on an outdoor lighting ordinance

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION:

MOTION: I MOVE TO CONFIRM THE MAYOR'S APPOINTMENTS TO SPECIAL TASK FORCE ON OUTDOOR LIGHTING AS LISTED ON HIS MEMO DATED AUGUST 11, 2016

City of Goldendale

Memo

To: Council

From: Michael Canon, Mayor

cc: Larry Bellamy, City Administrator

Date: August 11, 2016

Re: Appointments to the Special Task Force to address proposed changes to the Outdoor Lighting Ordinance in the Goldendale Municipal Code

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In response to the council's creation of a Special Task Force on Outdoor Lighting, I am requesting the council confirm the following citizens to become members of this Special Task Force:

- Lem Pratt, Observatory State Park (Ex officio Advisor)
- Dana Peck, Executive Director, Goldendale Chamber of Commerce
- Jonathan Lewis, Hire Electric (Friends of the Observatory)
- Bob Yoesle, Friends of the Observatory
- Angela and Darren Hoffman, Hoffman & Co.
- Ty Ross (Tentative)
- Gerald Klug, Puget Sound Energy (Tentative)
- Steve Randall (Goldendale Schools Sports Field lighting)
- Terry Luth, Auto Service and U-Haul Rentals

The Special Task Force is called upon to examine compliance issues related to Dark Sky Commercial Lighting. Task force membership is intended to represent a broad range of local businesses as regards proposed changes in the Outdoor Lighting ordinance. The goal of the group is to address issues raised by various stakeholders regarding dark sky lighting requirements. Members of the Council Ordinance Committee

are welcome to join the discussions. This is an open forum that welcomes input by commercial stakeholders regarding the proposed ordinance. A proposal will be put forward by the Task Force to City Council. Once the Task Force proposal has been accepted by the Council, it will be dissolved.

Chapter 2.04
CITY COUNCIL

Sections:

2.04.010 Election--Eligibility--Tenure.
2.04.020 Authority.
2.04.030 Meetings.
2.04.040 Special meetings.
2.04.050 Presiding officers.
2.04.060 Quorum.
2.04.070 Committees, boards, commissions and task forces.
2.04.080 Records.
2.04.090 Disturbing meetings.
2.04.100 Sergeant-at-arms.
2.04.110 Order of business.

Sections: (Continued)

2.04.120 Council action/votes/motions.
2.04.130 Resolutions.
2.04.140 Addressing meetings.
2.04.150 Robert's Rules of Order.
2.04.160 City attorney.
2.04.170 Consideration and adoption of ordinances.
2.04.180 Council library.
2.04.190 Secretarial services and travel expenses for council.
2.04.200 Contracts let in open meetings.
2.04.210 Media at council meetings.
2.04.220 Vacancies.
2.04.230 Council involvement in city property.
2.04.240 Request for information.

2.04.010 Election—Eligibility—Tenure.

The members of the city council shall be elected and serve for such terms as is provided by statute. (Ord. 1182 (part), 1996)

2.04.020 Authority.

The Goldendale city council shall be the legislative body of the city government, and in accordance with state statutes, may determine it's own rules of conduct, proceedings and business, and have such powers and duties as provided in this chapter and the Revised Code of Washington, as now or hereafter amended. (Ord. 1182 (part), 1996)

2.04.030 Meetings.

A. The regular meetings of the council shall be held on the first and third Monday of each month at the hour of seven p.m.; provided, that if the regular meeting falls on a legal holiday, the meeting shall

take place on the next business day at the same hour. Adjourned meetings may be held at such times as the council may determine. All regular meetings of the city council shall be held at the council chambers in the city hall at Goldendale, Washington. Meetings shall last until nine p.m. unless sooner adjourned, with one-half-hour extensions allowed by a majority vote. Unfinished business will be continued to the next regular meeting or recessed to another time.

B. The city council, by majority vote, may cancel or reschedule regular meetings to a different date or time.

C. All official meetings of the council shall be open to the public except for executive sessions, as set forth in RCW 42.30, or meetings which are not subject to RCW 42.30 such as quasi-judicial hearings or collective bargaining issues, as set forth in RCW 42.30.140. Nothing shall prevent the council from holding an executive session during a regular or special meeting.

D. Seating and arrangement of the council chambers shall be determined by the council. (Ord. 1221 (part), 1998: Ord. 1182 (part), 1996)

2.04.040 Special meetings.

Special meetings of the council may be called by the mayor or by a request of a majority of the councilmembers; provided that a written notice or phone call of such meetings and its agenda shall be given to each member of the council and the press at least twenty-four hours before the time set for the meeting; provided, further, that in the case all of the elected members of the council are present at any special meeting then the requirement of notice shall be unnecessary and shall be deemed waived; provided, further, if, by reason of emergency, as described in RCW 42.30 there is the need for expedited action by the council, the foregoing requirement for notice shall be suspended and a meeting of the council may be held at a site other than the regular meeting site.

Special meetings are any meetings of the council, other than regular meetings, that include workshops, study sessions, and retreats. No final action may be taken on any matter not on the agenda. (Ord. 1182 (part), 1996)

2.04.050 Presiding officers.

The mayor shall be the presiding officer of the council at all regular or special meetings and when the council meets as a committee of the whole. In the absence of the mayor and mayor pro tempore, the council shall designate another member of the council as presiding officer as described in RCW 35A.12.110. (Ord. 1182 (part), 1996)

2.04.060 Quorum.

At all meetings of the city council, four councilmembers, who are present and eligible to vote shall constitute a quorum thereof, but no ordinance or measure for the expenditure of money or for the grant or revocation of any franchise or license shall be passed except upon the favorable vote of a majority of the elected members as provided by statutes. (Ord. 1182 (part), 1996)

2.04.070 Committees, boards, commissions and task forces.

The council may create special committees, boards and commissions to assist in the conduct of the operation of the city government with such duties as the council may specify, not inconsistent with the Goldendale Municipal Code or the Revised Code of Washington. Special, ad hoc and citizen advisory committees, or task forces may be created and its members appointed by the mayor with confirmation by the council. Any special, ad hoc and citizen advisory committee, or task force so created shall have no powers other than advisory to the council, and shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by a majority vote of the council. All special, ad hoc and citizen advisory committees, task forces, boards and commissions, whether statutory, or created and appointed by the city, shall provide the city council with copies of the minutes, if any, or a report of the action or discussion that has taken place. These minutes and reports shall be noted in the official minutes of the council. (Ord. 1182 (part), 1996)

2.04.080 Records.

The city clerk-treasurer or designee, as approved by council, shall keep the minutes and records of the council proceedings and enter them into a book constituting the official records of the council which shall be kept at city hall for public inspection. It is the policy of the city to record on tape all open meetings of the council and to preserve them for a period of two years. The city clerk-treasurer or designee shall store the tapes in a secure fashion. Access to the original shall be limited to clerk-treasurer or designee. Copies of the tape may be made available for public inspection by the clerk-treasurer or designee. (Ord. 1182 (part), 1996)

2.04.090 Disturbing meetings.

A. It is unlawful to disturb any meetings of the city council or of any committee thereof, or to behave in a disorderly manner at any such meeting.

B. Any person violating any provision of this section shall be fined not less than one dollar nor more than ten dollars for each offense. (Ord. 1182 (part), 1996)

2.04.100 Sergeant-at-arms.

The chief of police ex officio shall be the sergeant-at-arms. (Ord. 1457 §2(part), 2015; Ord. 1372 §1 (part), 2008; Ord. 1182 (part), 1996)

2.04.110 Order of business.

A. The order of business at meetings of the city council shall be as follows:

1. Call to order:

    a. Pledge of Allegiance;

2. Roll call;

3. Public hearing;

4. Agenda:

    a. Approval of agenda,

b. Consent agenda:

i. Approval of minutes,

ii. Claims,

iii. Payroll,

iv. Other;

5. Presentations;

6. Department reports;

7. Council business:

a. Regular business (staff and administration),

b. New business (council concerns);

8. Resolutions;

9. Ordinances:

a. First reading,

b. Second reading;

10. Report of officers and city administrator:

a. Mayor,

b. Councilmembers,

c. City administrator;

11. Public comment;

12. Executive session (if called for);

13. Adjournment.

B. With the concurrence of the council, items may be:

1. Taken out of the agenda order;

2. Be introduced for action as a new item.

C. At a regular meeting, the city council may discuss the agenda for the next regular meeting.

D. Any item may be placed on the agenda by the mayor, any councilmember or department head (or designee) advising the clerk or city administrator, prior to the agenda deadline. The agenda for council meetings shall be set by Wednesday noon, before any regular meeting.

E. Agenda packets, containing all necessary information for council review at the forthcoming meeting, shall be placed in each councilmember's mailbox (located near the council chambers) by Thursday, five p.m., before the council meeting. Each councilmember shall be given a key to the outside entry door of the council chambers, which shall be returned to the city at the termination of his or her office. (Ord. 1221 (part), 1998: Ord. 1182 (part), 1996)

2.04.120 Council action/votes/motions.

A motion may be made at any time, regarding any subject under consideration, by any councilmember who has obtained the floor, and if seconded, shall be voted on after discussion. At any time before the vote is taken, any councilmember may request the mover to modify or restate the motion. A motion to reconsider the vote may be made only at the same meeting. A roll call vote may be requested by any councilmember at which time each member shall be given an opportunity to explain his or her vote. The yeas and nays of all council votes shall be entered into the official minutes and, except for abstentions, all non-votes shall be counted with the majority. The presiding officer shall announce the results after each vote taken. No vote or action of the city council shall be rescinded at any special meeting unless there be present at such special meeting as many members of the council as were present at the meeting when such vote or action was taken, as provided by statute. (Ord. 1182 (part), 1996)

2.04.130 Resolutions.

Any resolution submitted to the city council shall be reduced to writing before being voted upon, at the request of any two members of the council.

A resolution is an internal legislative act, a formal but temporary statement of policy concerning the affairs of the city. A motion, once approved and entered into the official record shall have the equivalence of a resolution in those instances where a resolution is not required by law. (Ord. 1182 (part), 1996)

2.04.140 Addressing meetings.

No person other than the mayor or a member of the city council or other municipal officer or employee shall address that body at any regular or special meeting of the council except upon consent of a majority of the members present.

After approval, the public may address the council as a whole, not individual councilmembers. Persons making personal, impertinent or slanderous remarks, or become threatening, boisterous, intimidating or disrespectful in any way, may be banned from addressing the council in the future unless permission to continue is granted by majority vote of the council. All persons addressing the council during public comment shall state their name and address and shall be allowed to speak for such period of time not to exceed three minutes.

Public comments shall adhere to the business on the agenda. The council will not entertain complaints or suggestions that are administrative in nature. No questions shall be asked the councilmembers except through the presiding officer at which time the council shall consider the disposition of the issue and shall suggest a solution or appointment with the citizen. These rules,

regarding citizen comments, may be overridden by a majority vote of the council. (Ord. 1182 (part), 1996)

2.04.150 Robert's Rules of Order.

Except when in conflict with the foregoing provisions, Robert's Rules of Order (Newly Revised) shall govern the deliberations of the council. (Ord. 1182 (part), 1996)

2.04.160 City attorney.

The city attorney shall advise the city authorities and officers in all legal matters pertaining to the business of the city and shall approve all ordinances as to form. Any member of the council may, at any time during a regular or special meeting of the council, call upon the city attorney for an oral or written opinion to decide any question of law. (RCW 35.23.114) (Ord. 1182 (part), 1996)

2.04.170 Consideration and adoption of ordinances.

No ordinance shall be prepared for presentation to the council unless requested by the city administrator, the mayor or any two councilmembers. All ordinances, before final passage, shall be reviewed by the city attorney. No ordinance, except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one subject, which shall be clearly stated in its title. All ordinances authorizing an expenditure of money shall include the exact source of the funds to be expended. When passed by the council, an ordinance shall be signed by the presiding officer and be attested by the city clerk and it shall be immediately filed and thereafter preserved in the office of the clerk-treasurer.

Prior to the adoption or amendment of an ordinance by the city council, the adoption or amendment must be placed on the council meeting agenda for a first reading and discussion. Following the first reading and discussion, the adoption or amendment must be placed on a subsequent council meeting agenda for a second reading and citizen comment, limited to two minutes per person, prior to approval or rejection of the adoption or amendment. Council may, by a consensus of the majority, waive the second reading requirement and adopt or reject an ordinance during the meeting at which it is introduced. (Ord. 1182 (part), 1996)

2.04.180 Council library.

A council library shall be created and maintained in the council chambers or conference room and if budgeted, any publication shall be added to the library at the request of the council. A list of the publications shall be registered with the clerk and shall be provided to all councilmembers.

Councilmember shall be welcome to freely use the Council Library for study purposes (RCW 42.30.070). (Ord. 1182 (part), 1996)

2.04.190 Secretarial services and travel expenses for council.

The city shall provide general secretarial service to the mayor and councilmembers and shall reimburse them for costs incurred while performing the regular duties of their office. A travel and training request form shall be filled out and presented to the council for approval in advance of any

elected official wishing to travel or obtain training at the city's expense. The rate of reimbursement shall be the same as for employees of the city. (Ord. 1182 (part), 1996)

2.04.200 Contracts let in open meetings.

No contract, lease or agreement shall be let, entered into, or canceled except by a majority vote of the council in an open public council meeting. (Ord. 1182 (part), 1996)

2.04.210 Media at council meetings.

All open meetings of the council shall be freely subject to recording by radio, television, newspaper reporters, and photographic services, except executive session, provided that such arrangements do not interfere with the orderly conduct of the meetings. The media shall be forbidden to televise or record executive session in any direct or indirect manner. (Ord. 1182 (part), 1996)

2.04.220 Vacancies.

If a vacancy occurs in the office of a councilmember the council will follow the procedure outlined in RCW 35A.12.050, RCW 42.12.070 and RCW 42.30.060 (2). (Ord. 1182 (part), 1996)

2.04.230 Council involvement in city property.

Prior to the acquisition, or sale of city property the price and conditions of such transaction shall first be discussed with and determined by the city council in executive session. (Ord. 1182 (part), 1996)

2.04.240 Request for information.

All requests by councilmember(s) for information regarding the status of the city shall be provided to the councilmember(s), in a reasonably expedient manner, relative to developments, trends, conditions and issues in the various functional areas of city government. (Ord. 1182 (part), 1996)

The Goldendale Municipal Code is current through Ordinance 1462, passed April 18, 2016.
Disclaimer: The City Clerk's Office has the official version of the Goldendale Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

AGENDA BILL: I1

AGENDA TITLE: First Reading – Administration of Development Standards

DATE: August 15, 2016

ACTION REQUIRED:

ORDINANCE____X____ COUNCIL INFORMATION____X____

RESOLUTION_____ OTHER_____

MOTION_____X_____

EXPLANATION: See Larry Bellamy's memo attached explaining the request for a 1st reading of the addition to the Goldendale Municipal Code (GMC) Chapter 17.58 on the Administration of Development Standards of the Zoning Code.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION: The proposed inclusion of chapter 17.58 GMC zoning code has been reviewed by the Planning Commission with the recommendation to adopt chapter 17.58

MOTION: I MOVE TO ACCEPT THE FIRST READING OF THE ORDINANCE FOR THE INCLUSION OF ADMINISTRATION OF DEVELOPMENT STANDARDS CHAPTER 17.58 OF THE GOLDENDALE MUNICIPAL CODE

City of Goldendale

Memo

To: Councilmembers

From: Larry Bellamy, City Administrator

cc: Mayor

Date: July 28, 2016

Re: Administration of Development Standards

Background:

Back in 2009, the Planning Commission began discussing an update to our comprehensive plan and zoning code, Chapter 17 of the Goldendale Municipal Code (GMC). The amended Comprehensive Plan and the amended zoning code were approved by council in April of 2014. As part of the process, the City intended to comply with provision of the Revised Code of Washington (RCW) 36.70B, which requires that cities adopt local project review guidelines. During the final stages of the approval process it was determined that the administration of the development regulations section of the amended zoning code was not consistent with the balance of the zoning code amendments. Consequently, it was recommended that the administration of the development regulations, GMC Section 17.58 be left out of the zoning code amendments and considered at a later date. The City's liability insurance provider was also concerned that the city adopt certain local project review guidelines. Over the last few months, I have been working with the City's attorney Quinn Plant, on the development of consistent regulations that would comply with RCW 36.70B.

Planning Commission Actions:

The Planning Commission held a public hearing on the proposed adoption of Chapter 17.58 on June 16, 2016. Also, in attendance, was the City's attorney, Quinn Plant. Mr. Plant summarized the proposed changes. The Planning Commission suggested some minor changes. Then they voted to recommend to the council the adoption of the

proposed Chapter 17.58 of the GMC as amended. The Planning Commission also recommended that the City Council hold its own public hearing on the proposed zoning code on the Administration of Development Standards (Chapter 17.58).

Future Actions:

1. Public Hearing with the City Council
2. SEPA Review
3. 1st Reading of the Ordinance
4. 2nd Reading of the Ordinance
5. Public Notice of Adoption

Chapter 17.58
ADMINISTRATION OF DEVELOPMENT REGULATIONS

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Article I. Types of Project Permit Applications

17.58.010 Definitions.

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

"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 new evidence or information allowed to be submitted and only appeal argument allowed.

"Local government" means the city of Goldendale.

"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 predecision hearing." An open record hearing may be held on an appeal, to be known as an "open record appeal hearing," if no open record predecision hearing has been held on the project permit.

"Project permit" or "project permit application" means any land use or environmental permit or license required from a local government 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, site-specific rezones authorized by a comprehensive plan or subarea plan, but excluding the adoption or amendment of a comprehensive plan, subarea plan, or development regulations except as otherwise specifically included in this subsection.

"Public meeting" means an informal meeting, hearing, workshop or other public gathering of people to obtain comments from the public or other agencies on a proposed project permit prior to the local government's decision. A public meeting may include, but is not limited to, a design review or architectural control board meeting, a special review district or community council meeting, or a scoping meeting on a draft environmental impact statement. A public meeting does

not include an open record hearing. The proceedings at a public meeting may be recorded and a report or recommendation may be included in the local government's project permit application file.

17.58.020 Procedures for processing project permits.

For the purpose of project permit processing, all development permit applications shall be classified as one of the following: type I, type II, type III or type IV. Legislative decisions are type V actions, and are addressed in Section 17.58.060. Exclusions from the requirements of project permit application processing are contained in Section 17.58.080.

17.58.030 Determination of proper procedure type.

A. Determination by Administrator. The city administrator or his/her designee (hereinafter the "administrator"), shall determine the proper procedure for all development applications. If there is a question as to the appropriate type of procedure, the administrator shall resolve it in favor of the higher procedure type number.

B. Optional Consolidated Permit Processing. An application that involves two or more procedures may be processed collectively under the highest numbered procedure required for any part of the application or processed individually under each of the procedures identified by the code. The applicant may determine whether the application shall be processed collectively or individually. If the application is processed under the individual procedure option, the highest numbered type procedure must be processed prior to the subsequent lower numbered procedure.

C. Decision-maker(s). Applications processed in accordance with subsection (B) of this section which have the same highest numbered procedure but are assigned different hearing bodies shall be heard collectively by the highest decision-maker(s). The city council is the highest, followed by the planning commission, then the board of adjustment, and then the administrator. Joint public hearings with other agencies shall be processed according to Section 17.58.050.

17.58.040 Project permit application framework.

ACTION TYPE					
PROCEDURE PROJECT PERMIT APPLICATIONS (TYPE I—IV) LEGISLATIVE					
	Type I	**Type II**	**Type III**	**Type IV**	**Type V**

Recommendation made by:	N/A	N/A	Staff	Planning Commission	Planning Commission
Final decision made by:	Admin.	Admin.	Planning Commission or Board of Adjustment	City Council	City Council
Notice of application	No	Yes	Yes	No	No
Open record public hearing:	Only if appealed, open record hearing before City Council	Only if appealed, open record hearing before City Council	Yes, before Planning Commission or Board of Adjustment to render final decision	No	Yes, before Planning Commission to make recommendation to Council
Closed record appeal/final decision:	No	No	Only if appealed, then before Council, unless rezone, preliminary and final plats then before Council for approval	Yes, before Council to render final decision	Yes, or Council could hold its own hearing

A. The following are Type I land use decisions unless they require SEPA review, in which case they shall be a Type II land use decision:

1. Permitted uses not requiring site plan review in accordance with Chapter 17.46.

2. Boundary line adjustments.

3. Lot consolidations.

4. Sign permits in accordance with Chapter 17.42 unless a different process is designated in that chapter for a specific permit.

5. Minor amendment to PUD in accordance with Section 17.30.150(B).

6. Accessory apartments in accordance with Section 17.04.035.

7. In home day cares in accordance with Sections 17.08.030, 17.10.030, 17.12.030, 17.14.030 and 17.16.030.

8. Special event permits in accordance with Chapter 12.24.

9. Permits or decisions issued or rendered in accordance with Chapter 15.48.

B. The following are Type II land use decisions:

1. Site plan review in accordance with Section 17.46.020(A).

2. Site review in accordance with Chapter 17.46.020(B).

3. Nursery schools and day care centers in accordance with Sections 17.08.040, 17.10.040, 17.12.040, 17.14.040 and 17.16.040.

4. Short plats or short plat amendments in accordance with Chapter 16.16, unless it contains a dedication of right-of-way, in which case it shall be a Type III decision.

5. Home occupations in accordance with Ch. 17.48.

C. The following are Type III land use decisions:

1. Preliminary plats or alteration of preliminary plats in accordance with Chapter 16.20 (planning commission recommendation).

2. Plat vacations or alterations in accordance with Chapter 16.30 (planning commission recommendation).

3. Planned unit development in accordance with Chapter 17.30 (planning commission recommendation).

4. Conditional use permits in accordance with Chapter 17.62 (board of adjustment).

5. Variances in accordance with Chapter 17.60 (board of adjustment).

6. Site-specific rezones in accordance with Chapter 17.66 (planning commission recommendation).

7. Shoreline substantial development permits (planning commission decision).

8. Shoreline variances (planning commission decision).

9. Shoreline conditional use permits (planning commission decision).

D. The following are Type IV land use decisions:

1. Final plats in accordance with Chapter 16.20 (planning commission recommendation).

E. The following are Type V land use decisions:

1. Area-wide rezones in accordance with Chapter 17.66 (planning commission recommendation).

2. Establishment of overlay zones unless they are site-specific then they are processed as a Type III land use decision (planning commission recommendation).

3. Zoning text amendments in accordance with Section 17.66.030 (planning commission recommendation).

4. Comprehensive plan amendments (planning commission recommendation).

5. Annexations (city council).

17.58.050 Joint public hearings.

A. Administrator's Decision to Hold Joint Hearing. The administrator may combine any public hearing on a project permit application with any hearing that may be held by another local, state, regional, federal or other agency on the proposed action, as long as: (1) the hearing is held within the city limits; and (2) the requirements of subsection C of this section are met.

B. Applicant's Request for a Joint Hearing. The applicant may request that the public hearing on a permit application be combined as long as the joint hearing can be held within the time periods set forth in this title. In the alternative, the applicant may agree to a particular schedule if that additional time is needed in order to complete the hearings.

C. Prerequisites to Joint Public Hearing. A joint public hearing may be held with another local, state, regional, federal or other agency and the city, as long as:

1. The other agency is not expressly prohibited by statute from doing so;

2. Sufficient notice of the hearing is given to meet each of the agencies' adopted notice requirements as set forth in statute, ordinance or rule; and

3. The agency has received the necessary information about the proposed project from the applicant in enough time to hold its hearing at the same time as the local government hearing.

17.58.060 Legislative decisions.

A. Decisions. The following decisions are legislative, and are not subject to the procedures in this chapter, unless otherwise specified:

1. Zoning code text and zoning district amendments;

2. Adoption of development regulations and amendments;

3. Area-wide rezones to implement new city policies;

4. Adoption of the comprehensive plan and any plan amendments; and

5. Annexations.

B. Planning Commission. The planning commission shall hold a public hearing and make recommendations to the city council on the decisions listed in subsection A of this section. The public hearing shall be held in accordance with the requirements of Sections 17.58.410 to .480.

C. City Council. The city council may consider the planning commission's recommendation in a public meeting held in accordance with the requirements of this chapter.

D. Board of Adjustment. The board of adjustment shall hold a public hearing and render a decision on conditional use permits and variances.

E. Public Notice. Notice of the public hearing shall be provided to the public as set forth in Section 17.58.210.

F. Implementation. The city council's decision shall become effective by passage of an ordinance.

17.58.070 Legislative enactments not restricted.

Nothing in this chapter or the permit processing procedures shall limit the authority of the city council to make changes to the city's comprehensive plan, as part of an annual revision process, or to make changes to the city's development regulations.

17.58.080 Exemptions from project permit application processing.

A. Whenever a permit or approval in the Goldendale Municipal Code has been designated as a type I, II, III or IV permit, the procedures in this title shall be followed in project permit processing. The following permits or approvals are, however, specifically excluded from the procedures set forth in this title:

1. Landmark designations;

2. Street vacations;

3. Street use permits.

B. Pursuant to RCW 36.70B.140(2), building permits, boundary line adjustments, other construction permits, or similar administrative approvals which are categorically exempt from environmental review under SEPA (Chapter 43.21C RCW) and Title 18 of this code (SEPA), or permits/approvals for which environmental review has been completed in connection with other project permits, are excluded from the following procedures:

1. Determination of completeness (Section 17.58.130(A));

2. Notice of application (Section 17.58.140);

3. Except as provided in RCW 36.70B.140, optional consolidated project permit review processing (Section 17.58.030(B);

4. Joint public hearings (Section 17.58.050);

5. Single report stating all the decisions and recommendations made as of the date of the report that do not require an open record hearing (Section 17.58.420(C));

6. Notice of decision (Section 18.04.140);

7. Completion of project review within any applicable time periods (including the one hundred twenty-day permit processing time) (Sections 17.58.480(B), 17.58.490).

17.58.090 Administrative interpretations.

A decision of the administrator as to the meaning, application or intent to any development regulation as it relates to a specific piece of property may be requested by an applicant at any time prior to a final decision on a project permit application to which the regulation may be applied. The request shall be on a form provided by the administrator and include identification of the regulation in question, a description of the property, and a clear statement of the issue or question to be decided.

Article II. Type I – IV Project Permit Applications

17.58.110 Preapplication conference.

A. Applications for project permit type I actions involving structures five thousand square feet or over, type III and type IV actions shall not be accepted by the administrator unless the applicant has scheduled and attended a preapplication conference. The purpose of the preapplication conference is to acquaint the applicant with the requirements of the Goldendale Municipal Code.

B. The conference shall be held within fifteen days of the request.

C. At the conference or within five working days of the conference, the applicant will be provided with the following:

1. A form which lists the requirements for a completed application;

2. A general summary of the procedures to be used to process the application;

3. The references to the relevant code provisions or development standards which may apply to the approval of the application;

4. The city's design guidelines.

D. It is impossible for the conference to be an exhaustive review of all potential issues. The discussions at the conference or the form sent by the city to the applicant under subsection C of this section shall not bind or prohibit the city's future application or enforcement of all applicable law.

E. Preapplication conferences for type I actions under 5,000 square feet and type II actions are optional, and requests for conferences will be considered on a time-available basis by the administrator.

17.58.120 Project permit application.

Applications for project permits shall be submitted upon forms provided by the administrator. An application shall consist of all materials required by the applicable development regulations, and shall include the following general information:

A. A completed project permit application form;

B. A verified statement by the applicant that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the affected property;

C. A property and/or legal description of the site for all applications, as required by the applicable development regulations;

D. The applicable fee as provided for in Section 17.58.710.

E. Evidence of adequate water supply as required by Section 16.16.110(C); and

F. Evidence of sewer availability.

17.58.130 Submission and acceptance of application.

A. Determination of Completeness. Within twenty-eight days after receiving a project permit application, the city shall mail or personally provide a written determination to the applicant which states either: (1) that the application is complete; or (2) that the application is incomplete and what is necessary to make the application complete.

B. Identification of Other Agencies with Jurisdiction. To the extent known by the city, other agencies with jurisdiction over the project permit application shall be identified in the city's determination required by subsection A of this section.

C. "Complete" Application/Additional Information. A project permit application is complete for purposes of this section when it meets the submission requirements in Section 17.58.120, as well as the submission requirements contained in the applicable development regulations. This determination of completeness shall be made when the application is sufficient for continued processing, even though additional information may be required or project modifications may be undertaken subsequently. The city's determination of completeness shall not preclude the city from requesting additional information or studies, either at the time of the notice of completeness or at some later time, if new information is required or where there are substantial changes in the proposed action.

D. Incomplete Application Procedure.

1. If the applicant receives a determination from the city that an application is not complete, the applicant shall have ninety days to submit the necessary information to the city. Within fourteen days after an applicant has submitted the requested additional information, the city shall make the determination as described in subsection A of this section, and notify the applicant in the same manner.

2. If the applicant either refuses in writing to submit additional information or does not submit the required information within the ninety-day period, the application shall lapse.

3. City's Failure to Provide Determination of Completeness. A project permit application shall be deemed complete under this section if the city does not provide a written determination to the applicant that the application is incomplete as provided in subsection A of this section.

4. Date of Acceptance of Application. When the project permit application is complete, the administrator shall accept it and note the date of acceptance.

17.58.140 Notice of application.

A. Generally. A notice of application shall issue on all type II and III project permit applications.

B. SEPA Exempt Projects. A notice of application shall not be required for project permits that are categorically exempt under SEPA, unless a public comment period or an open record predecision hearing is required.

C. Contents. The notice of application 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 and a list of the project permits included in the application and, if applicable, a list of any studies requested under RCW 36.70B.070;

3. The identification of other permits not included in the application, to the extent known by the city;

4. The identification of existing environmental documents that evaluate the proposed project, and, if not otherwise stated on the document providing notice of application, the location where the application and any studies can be reviewed;

5. A statement of the limits 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;

6. The date, time, place and type of hearing, if applicable and scheduled at the date of notice of the application;

7. A statement of the preliminary determination of consistency, if one has been made at the time of notice, and of those development regulations that will be used for project mitigation and of consistency as provided in Chapter 18.04;

8. Any other information determined appropriate by the city, such as the city's threshold determination, if complete at the time of issuance of the notice of application.

D. Time Frame for Issuance of Notice of Application.

1. Within fourteen days after the city has made a determination of completeness of a project permit application, the city shall issue a notice of application.

2. If any open record predecision hearing is required for the requested project permit(s), the notice of application shall be provided at least fifteen days prior to the open record hearing.

E. Public Comment on the Notice of Application. All public comments received on the notice of application must be received by the administrator by five p.m. on the last day of the comment period. Comments may be mailed, personally delivered or sent by facsimile. Comments should be as specific as possible.

17.58.150 Referral and review of project permit applications.

Within ten days of accepting a complete application, the administrator shall do the following:

A. Transmit a copy of the application, or appropriate parts of the application, to each affected agency and city department for review and comment, including those responsible for determining compliance with the state and federal requirements. The affected agencies and city departments shall have fifteen days to comment. The referral agency or city department is presumed to have no comments if comments are not received within the specified time period. The administrator shall grant an extension of time for comment only if the application involves unusual circumstances. Any extension shall only be for a maximum of three additional days.

B. If a type III procedure is required, notice and hearing shall be provided as set forth in this chapter.

Article III. Public Notice

17.58.210 Required public notice of application.

A. In addition to the notice of application for type II and type III project permits (section 17.58.140), the city shall also provide public notice of a project permit application by posting the property and by publication in the city's official newspaper.

1. Posting. Posting of the property for site-specific proposals shall be as follows:

a. A single notice board provided by the city shall be placed on the property at a conspicuous location.

b. The city shall prepare an affidavit of posting.

2. Published Notice. Published notice shall include at least the project location, description, type of permit(s) required, comment period dates, and location where the complete application may be reviewed, and published in the city's official newspaper of general circulation in the general area where the proposal is located.

B. Shoreline Master Program Permits. Notice of an application for a permit under the purview of the city's shoreline master program (SMP) shall be given in the manner required by the Shoreline Management Act and implementing regulations.

17.58.220 Notice of public hearing.

A. Content of Notice of Public Hearing for All Types of Applications. The notice given of a public hearing required in this chapter shall contain:

1. The name and address of the applicant or the applicant's representative;

2. Description of the affected property, which may be in the form of either a vicinity location or written description, other than a legal description;

3. The date, time and place of the hearing;

4. A description of the subject property reasonably sufficient to inform the public of its location, including but not limited to the use of a map or postal address and a subdivision lot and block designation;

5. The nature of the proposed use or development;

6. A statement that all interested persons may appear and provide testimony;

7. The sections of the code that are pertinent to the hearing procedure;

8. When information may be examined, and when and how written comments addressing findings required for a decision by the hearing body may be admitted;

9. The name of a local government representative to contact and the telephone number where additional information may be obtained;

10. That a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at the city's cost;

11. That a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and copies will be provided at the city's cost.

B. Mailed Notice. Mailed notice of the public hearing shall be provided a follows:

1. Type I and Type IV Actions. No public notice is required because no public hearing is held, except on an appeal of a type I action.

2. Type II and Type III Actions. The notice of public hearing shall be mailed to:

a. The applicant;

b. All owners of property within three hundred feet of the subject property;

c. Any person who submits written or oral comments on an application.

3. Type III Preliminary Plat Actions. In addition to the notice for type III actions above for preliminary plats and proposed subdivisions, additional notice shall be provided as follows:

a. Notice of the filing of a preliminary plat adjacent to or within one mile of the municipal boundaries of a city or town, or which contemplates the use of any city or town utilities shall be given to the appropriate city or town authorities.

b. Notice of the filing of a preliminary plat of a proposed subdivision located in a city or town and adjoining the municipal boundaries thereof shall be given to the appropriate county officials.

c. Notice of the filing of a preliminary plat of a proposed subdivision located adjacent to the right-of-way of a state highway or within two miles of the boundary of a state or municipal airport shall be given to the secretary of transportation, who must respond within fifteen days of such notice.

d. Special notice of the hearing shall be given to adjacent landowners by any other reasonable method the city deems necessary. Adjacent landowners are the owners of real property, as shown by the records of the county assessor, located within three hundred feet of any portion of the boundary of the proposed subdivision. If the owner of the real property which is proposed to be subdivided owns another parcel or parcels of real property which lie adjacent to the real property proposed to be subdivided, notice required by RCW Section 58.17.090(1)(b) shall be given to owners of real property located with three hundred feet of any portion of the boundaries of such adjacently located parcels of real property owned by the owner of the real property proposed to be subdivided.

4. Type V Actions. For type V legislative actions, the city shall publish notice as described in Section 17.58.230(D)(2), and provide any other notice required by RCW Section 35A.12.160.

5. General Procedure for Mailed Notice of Public Hearing.

a. The records of the Klickitat County Assessor's Office shall be used for determining the property owner of record. Addresses for a mailed notice required by this code shall be obtained from the applicable county's real property tax records. The administrator shall issue a sworn certificate of mailing to all persons entitled to notice under this chapter. The administrator may provide notice to other persons than those required to receive notice under the code.

b. All public notices shall be deemed to have been provided or received on the date the notice is deposited in the mail or personally delivered, whichever occurs first.

D. Procedure for Posted or Published Notice of Public Hearing.

1. Posted notice of the public hearing is required for all type II and III project permit applications. The posted notice shall be posted as required by Section 17.58.210(A)(1).

2. Published notice is required for all type II, III and V procedures. The published notice shall be published in the city's official newspaper.

E. Time and Cost of Notice of Public Hearing.

1. Notice shall be mailed, posted and first published not less than ten nor more than thirty days prior to the hearing date. Any posted notice shall be removed by the applicant within fifteen days following the public hearing.

2. All costs associated with the public notice shall be borne by the applicant.

Article IV. Consistency with Development Regulations and SEPA

17.58.310 Determination of consistency.

A. Purpose. When the city receives a project permit application, consistency between the proposed project and the applicable regulations and comprehensive plan should be determined through the process in this chapter and the city's adopted SEPA ordinance, Chapter 18.04 of this code.

B. Consistency. During project permit application review, the city shall determine whether the items listed in this subsection are defined in the development regulations applicable to the proposed project. In the absence of applicable development regulations, the city shall determine whether the items listed in this subsection are defined in the city's adopted comprehensive plan. This determination of consistency shall include the following:

1. The type of land use permitted at the site, including uses that may be allowed under certain circumstances, if the criteria for their approval have been satisfied;

2. The level of development, such as units per acre, density of residential development in urban growth areas, or other measures of density;

3. Availability and adequacy of infrastructure and public facilities identified in the comprehensive plan, if the plan infrastructure and public facilities identified in the comprehensive plan, if the plan or development regulations provide for funding of these facilities as required by RCW Chapter 36.70A; and

4. Character of the development, such as development standards.

17.58.320 Initial SEPA analysis.

A. The city shall also review the project permit application under the requirements of the State Environmental Policy Act ("SEPA"), RCW Chapter 43.21C, the SEPA Rules, WAC Chapter 177-11, and the city environmental policy ordinance, Chapter 18.04 of the Goldendale Municipal Code, and shall:

1. Determine whether the applicable regulations require studies that adequately analyze all of the project permit application's specific probable adverse environmental impacts;

2. Determine if the applicable regulations require measures that adequately address such environmental impacts;

3. Determine whether additional studies are required and/or whether the project permit application should be conditioned with additional mitigation measures;

4. Provide prompt and coordinated review by government agencies and the public on compliance with applicable environmental laws and plans, including mitigation for specific project impacts that have not been considered and addressed at the plan or development regulation level.

B. In its review of a project permit application, the city may determine that the requirements for environmental analysis, protection and mitigation measures in the applicable development regulations, comprehensive plan and/or in other applicable local, state or federal laws provide adequate analysis of and mitigation for the specific adverse environmental impacts of the application.

C. If the city bases or conditions its approval of the project permit application on compliance with the requirements or mitigation measures described in subsection (A) of this section, the city shall not impose additional mitigation under SEPA during project review.

D. A comprehensive plan, development regulation or other applicable local, state or federal law provides adequate analysis of and mitigation for the specific adverse environmental impacts of an application when:

1. The impacts have been avoided or otherwise mitigated; or

2. The city has designated as acceptable certain levels of service, land use designations, development standards or other land use planning required or allowed by RCW Chapter 36.70A.

E. In its decision whether a specific adverse environmental impact has been addressed by an existing rule or law of another agency with jurisdiction with environmental expertise with regard to a specific environmental impact, the city shall consult orally or in writing with that agency and may expressly defer to that agency. In making this deferral, the city shall base or condition its project approval on compliance with these other existing rules or laws.

F. Nothing in this section limits 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 RCW Chapter 43.21C.

17.58.330 Categorically exempt and planned actions.

A. Categorically Exempt. Actions categorically exempt under RCW Section 43.21C.110(1)(a) do not require environmental review or the preparation of an environmental impact statement. An action that is categorically exempt under the rules adopted by the Department of Ecology (WAC Chapter 177-11) may not be conditioned or denied under SEPA.

B. Planned Actions.

1. A planned action does not require a threshold determination or the preparation of an environmental impact statement under SEPA, but is subject to environmental review and mitigation under SEPA.

2. A "planned action" means one or more types of project action that:

a. Are designated planned actions by an ordinance or resolution adopted by the city;

b. Have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with:

i. A comprehensive plan or subarea plan adopted under RCW Chapter 36.70A, or

ii. A fully contained community, a master planned resort, a master planned development or a phased project;

c. Are subsequent or implementing projects for the proposals listed in subsection (B)(2)(b) of this section;

d. Are located within an urban growth area, as defined in RCW Section 36.70A.030;

e. Are not essential public facilities, as defined in RCW Section 36.70A.200; and

f. Are consistent with the city's comprehensive plan adopted under RCW Chapter 36.70A.

C. Limitations on Planned Actions. The city shall limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the city, and may limit a planned action to a time period identified in the environmental impact statement or in the ordinance or resolution designating the planned action under RCW Section 36.70A.040.

D. During project review, the city shall not reexamine alternatives to or hear appeals on the items identified in Section 17.58.310(B), except for issues of code interpretation.

E. Project review shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, the payment of impact fees, or other measures to mitigate a proposal's probable adverse environmental impacts.

Article V. Open Record Public Hearings

17.58.410 General.

Public hearings on all type II, III and V project permit applications, shall be conducted in accordance with this chapter.

17.58.420 Responsibility of administrator for hearing.

The administrator shall:

A. Schedule an application for review and public hearing;

B. Give notice;

C. Prepare the staff report on the application, which shall be a single report stating all of the decisions made as of the date of the report, including recommendations on project permits in the

consolidated permit process that do not require an open record predecision hearing. The report shall state any mitigation required or proposed under the development regulations or the city's authority under SEPA. If the threshold determination other than a determination of significance has not been issued previously by the city, the report shall include or append this determination. In the case of a type I or II project permit application, this report may be the permit;

D. Prepare the notice of decision, if required by the hearing body and/or mail a copy of the notice of decision to those required by this code to received such decision.

17.58.430 Conflict of interest, ethics, open public meetings, appearance of fairness.

The hearing body shall be subject to the code of ethics (RCW Section 35A.42.020), prohibitions on conflict of interest (RCW Section 35A.42.020 and RCW Chapter 42.23) open public meetings (RCW Chapter 42.30), and appearance of fairness (RCW Chapter 42.36) as the same now exist or may hereafter be amended..

17.58.440 Ex parte communications.

A. No member of the hearing body may communicate, directly or indirectly, regarding any issue in a proceeding before him or her, other than to participate in communications necessary to procedural aspects of maintaining an orderly process, unless he or she provides notice and opportunity for all parties to participate; except as provided in this section;

1. The hearing body may receive advice from legal counsel;

2. The hearing body may communicate with staff members (except where the proceeding relates to a code enforcement investigation or prosecution).

B. If, before serving as the hearing body in a quasi-judicial proceeding, any member of the hearing body receives an ex parte communication of a type that could not properly be received while serving, the member of the hearing body, promptly after starting to serve, shall disclose the communication as described in Section 17.58.440(C).

C. If the hearing body receives an ex parte communication in violation of this section, he or she shall place on the record:

1. All written communications received;

2. All written responses to the communications;

3. State the substance of all oral communications received, and all responses made;

4. The identity of each person from whom the examiner received any ex parte communication.

D. The hearing body shall advise all parties that these matters have been placed on the record. Upon request made within ten days after notice of the ex parte communication, any party desiring to rebut the communication shall be allowed to place a rebuttal statement on the record.

17.58.450 Disqualification.

A. A member of the hearing body who is disqualified shall be counted for purposes of forming a quorum. Any member who is disqualified may do so only by making full disclosure to the audience, abstaining from voting on the proposal, vacating the seat on the hearing body and physically leaving the hearing.

B. If all members of the hearing body are disqualified, all members present after stating their reasons for disqualification shall be requalified and shall proceed to resolve the issues.

C. Except for type V actions, a member absent during the presentation of evidence in a hearing may not participate in the deliberations or decision unless a member has reviewed the evidence received.

17.58.460 Burden and nature of proof.

Except for type V actions, the burden of proof is on the proponent. The project permit application must be supported by proof that it conforms to the applicable elements of the city's development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed.

17.58.470 Order of proceedings.

A. The order of proceedings for a hearing will depend in part on the nature of the hearing. The following shall be supplemented by administrative procedures as appropriate.

1. Before receiving information on the issue, the following shall be determined:

a. Any objections on jurisdictional grounds shall be noted on the record and if there is objection, the hearing body has the discretion to proceed or terminate;

b. Any abstentions or disqualifications shall be determined.

2. The presiding officer may take official notice of known information related to the issue, such as:

a. A provision of any ordinance, resolution, rule, officially adopted development standard or state law;

b. Other public records and facts judicially noticeable by law.

3. Matters officially noticed need not be established by evidence and may be considered by the hearing body in its determination. Parties requesting notice shall do so on the record. However, the hearing body may take notice of matters listed in subsection (A)(2) of this section if stated for the record. Any matter given official notice may be rebutted.

4. The hearing body may view the area in dispute with or without notification to the parties, but shall place the time, manner and circumstances of such view on the record.

5. Information shall be received from the staff and from proponents and opponents. The presiding officer may approve or deny a request from a person attending the hearing to ask a question. Unless the presiding officer specifies otherwise, if the request to ask a question is approved, the presiding officer will direct the questions to the person submitting testimony.

6. When the presiding officer has closed the public hearing portion of the hearing, the hearing body shall openly discuss the issue and may further question a person submitting information or the staff if opportunity for rebuttal is provided.

17.58.480 Decision and notice of decision.

A. Following the hearing procedure described in Section 17.58.470, the hearing body shall approve, conditionally approve or deny the application. If the hearing is an appeal, the hearing body shall affirm, reverse or remand the decision that is on appeal.

B. The hearing body's written decision shall issue within ten days after the hearing on the project permit application. The notice of final decision shall issue within one hundred twenty days after the city notifies the applicant that the application is complete. The time frames set forth in this section and Section 17.58.490 shall apply to project permit applications filed on or after DATE ORDINANCE IS ADOPTED.

C. The city shall provide a notice of decision that also includes a statement of any threshold determination made under SEPA (RCW Chapter 43.21C) and the procedures for administrative appeal, if any. For type II, III and IV project permits, the notice of decision on the issued permit shall contain the requirements set forth in Chapter 18.04.

D. The notice of decision shall be provided to the applicant and to any person who, prior to the rendering of the decision, requested notice of the decision or submitted substantive comments on the application.

E. The notice of decision shall be provided to the public as set forth in Section 17.58.230.

F. If the city is unable to issue its final decision on a project permit application within the time limits provided for in this section, it shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of decision.

17.58.490 Calculation of time periods for issuance of notice of final decision.

A. In determining the number of days that have elapsed after the local government has notified the applicant that the application is complete for purposes of calculating the time for issuance of the notice of final decision, the following periods shall be excluded:

1. Any period during which the applicant has been requested by the city to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date the city notifies the applicant of the need for additional information until the earlier of the date the local government

determines whether the additional information satisfies the request for information or fourteen days after the date the information has been provided to the city;

2. If the city determines that the information submitted by the applicant under Section 17.58.490(A)(1) is insufficient, it shall notify the applicant of the deficiencies and the procedures under Section 17.58.490(A)(1) shall apply as if a new request for studies have been made;

3. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to RCW Chapter 43.21C, if the city by ordinance has established time periods for completion of environmental impact statements, or if the local government and the applicant in writing agree to a time period for completion of an environmental impact statement;

4. Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed. The time period for consideration and decision on appeals shall not exceed:

a. Ninety days for an open record appeal hearing; and

b. Sixty days for a closed record appeal.

(The parties may agree to extend these time periods).

5. Any extension of time mutually agreed upon by the applicant and the local government.

B. The time limits established in this title do not apply if a project permit application:

1. Requires an amendment to the comprehensive plan or a development regulation;

2. Requires approval of the siting of an essential public facility as provided in RCW Section 36.70A.200;

3. Is an application for a permit or approval described in Section 17.58.330; or

4. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete under RCW Section 36.70B.070.

Article VI. Closed Record Decisions and Appeals

17.58.510 Appeals of decisions.

Project permit applications shall be appealable as provided in the framework in Section 17.58.040.

17.58.520 Consolidated appeals.

A. All appeals of project permit application decisions, other than an appeal of determination of significance ("DS"), shall be considered together in a consolidated appeal.

B. Appeals of environmental determinations under SEPA, Chapter 18.04 of this code, shall proceed as provided in that chapter.

17.58.530 Standing to initiate administrative appeal.

A. Limited to Parties of Record. Only parties of record may initiate an administrative appeal of a type III or IV decision on a project permit application.

B. Definition. The term "parties of record," for the purposes of this chapter, means:

1. The applicant;

2. Any person who testified at the open record public hearing on the application; and/or

3. Any person who submitted written comments concerning the application at the open record public hearing (excluding persons who have only signed petitions or mechanically produced form letters).

17.58.540 Closed record decisions and appeals.

A. Type III or IV Project Permit Decisions or Recommendations. Appeals of the hearing body's decision or recommendation on a type III or IV project permit application shall be governed by the following:

1. Standing. Only parties of record have standing to appeal the hearing body's decision.

2. Time for Filing. An appeal of the hearing body's decision must be filed within fourteen calendar days following issuance of the hearing body's written decision. Appeals may be delivered to the planning department by mail, personal delivery or fax before five p.m. on the last business day of the appeal period.

3. Computation of Time. For the purposes of computing the time for filing an appeal, the day the hearing body's decision is rendered shall not be included. The last day of the appeal period shall be included unless it is a Saturday, Sunday, or a day designated by RCW 1.16.050 or by the city's ordinances as a legal holiday; then it also is excluded and the filing must be completed on the next business day. (RCW 35A.21.080.)

4. Content of Appeal. Appeals shall be in writing, be accompanied by an appeal fee in accordance with the provisions of Section 17.58.710 and contain the following information:

a. Appellant's name, address and phone number;

b. Appellant's statement describing his or her standing to appeal;

c. Identification of the application which is the subject of the appeal;

d. Appellant's statement of grounds for appeal and the facts upon which the appeal is based;

e. The relief sought, including the specific nature and extent;

f. A statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature.

5. Effect. The timely filing of an appeal shall stay the effective date of the hearing body's decision until such time as the appeal is adjudicated by the council or withdrawn.

6. Notice of Appeal. The administrator shall provide public notice of the appeal as provided in Section 17.58.230(B)(2)(a) and 17.58.230(B)(2)(c).

17.58.550 Procedure for closed record decision/appeal.

A. The following sections of this title shall apply to a closed record decision/appeal hearing: Sections 17.58.430, 17.58.440, 17.58.450, 17.58.460, 17.55.470(A)(1), 17.58.470(A)(2), 17.58.070(A)(3), 17.58.070(A)(6), and 17.58.480.

B. The closed record appeal/decision hearing shall be on the record before the hearing body, and no new evidence may be presented.

17.58.560 Judicial appeals.

A. The city's final decision on an application may be appealed by a party of record with standing to file a land use petition in Klickitat County Superior Court. Such petition must be filed within twenty-one days of issuance of the decision, as provided in Chapter 36.70C RCW.

17.58.570 Severability.

If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter or the remainder of this title.

Article VII. Enforcement

17.58.610 Enforcing official—Administrator.

The administrator is responsible for enforcing Goldendale Municipal Code Titles 16, 17 and 18 (this includes all land use titles such as zoning, subdivisions, critical area, shoreline management, and the like) and may adopt administrative rules to meet that responsibility. The administrator may delegate enforcement responsibility to other city staff as appropriate.

17.58.620 General penalty.

Compliance with the requirements of Titles 16, 17 and 18 is mandatory. The penalties and remedies heretofore established by the Goldendale Municipal Code for violation of the provisions of such titles shall continue to apply. The enforcement actions authorized under this chapter are supplemental to those penalties and remedies and are not intended to supersede the same.

17.58.630 Application.

A. Actions under this chapter will be taken in any order deemed necessary or desirable by the administrator to achieve the purpose of this chapter.

B. Proof of a violation of a development permit or approval will constitute prima facie evidence that the violation is that of the applicant and/or owner of the property upon which the violation exists. An enforcement action under this chapter will not relieve or prevent enforcement against any other responsible person.

17.58.650 Administrative order of compliance.

A. Authority. An administrative order of compliance may be issued and served upon a person if any activity by or at the direction of that person is, has been, or may be taken, in violation of Titles 16, 17 or 18.

B. Notice. An order of compliance will be deemed served and be effective when posted at the location of the violation and/or delivered to any suitable person at the location and/or delivered by mail or otherwise to the owner or other person having responsibility for the locations.

C. Content. The order of compliance will set forth:

1. The name and address of the person to whom it is directed;

2. The location and specific description of the violations;

3. A notice that the order is effective immediately upon posting at the site and/or receipt by the person to whom it is directed;

4. An order that the violation immediately cease, or that the potential violation be avoided;

5. An order that the person stop work until correction and/or remediation of the violation as specified in the order;

6. A specific description of the actions required to correct, remedy or avoid the violation, including a time limit to complete such actions;

7. A notice that failure to comply with the regulatory order may result in further enforcement actions, including civil fines and criminal penalties.

D. Remedial Action. The administrator may require any action reasonably calculated to correct or avoid the violation, including but not limited to replacement, repair, supplementation, revegetation or restoration.

E. Appeal. An administrative order of compliance may be appealed to the city council in accord with Section 8.45.500.

F. Legal Action. Any person who does not comply with an order of compliance will be subject to appropriate legal action, including possible submittal of the matter to a court of competent jurisdiction.

17.58.660 Review of approved permits.

A. Review. Any approval or permit issued under the authority of this code may be reviewed for compliance with the requirements of the code, or to determine if the action is creating a nuisance or hazard, has been abandoned, or the approval or permit was obtained by fraud or deception.

B. Initiation of Review. The review of an approval or permit may be initiated by the administrator, city council, or by petition to the administrator by three property owners or three residents of separate dwelling units in the city, stating their belief as to the noncompliance, nuisance or hazard of the permitted activity.

C. Administrator's Investigation. Upon receipt of information indicating the need for, or upon receiving a request for review of a permit or approval, the administrator will investigate the matter and take one or more of the following actions:

1. Notify the property owner or permit holder of the investigation; and/or

2. Issue an administrative order of compliance; and/or recommend revocation or modification of the permit or approval; and/or

3. Refer the matter to the city attorney; and/or,

4. Refer the matter to the city council with a recommendation for action.

17.58.670 Revocation or modification of permits and approvals.

A. Upon receiving an administrator's recommendation for revocation or modification of a permit or approval, the city council will review the matter at a public hearing. Upon a finding that the activity does not comply with the conditions of approval or the provisions of this code, or creates a nuisance or hazard, the city council may delete, modify or impose such conditions on the permit or approval it deems sufficient to remedy the deficiencies. If the council finds no reasonable conditions which would remedy the deficiencies, the permit or approval will be revoked and the activity allowed by the permit or approval must cease.

B. Reapplication. If a permit or approval is revoked for fraud or deception, no similar application will be accepted for a period of one year from the date of final action and appeal, if any. If a permit or approval is revoked for any other reason, another application may be submitted subject to all of the requirements of this code.

Article VIII. Fees

17.58.710 Payment of fees.

A. Both the applicant and the owner of the property for which a permit or approval is required are individually responsible for the payment of fees, costs and deposits required by this chapter.

B. The following applies to the payment of fees, costs and deposits required by this chapter:

1. No application for a permit, approval or service under the Goldendale Municipal Code will be accepted by the city unless all fees, costs and deposits required at submittal by any city ordinance have been paid in full.

2. No plans or specifications relating to any application filed with the city under the Goldendale Municipal Code will be reviewed by the city until all fees, costs and deposits required for review by any city ordinance have been paid in full.

3. No final decision on an application for a permit or approval will be made until all fees, costs and deposits required by any city ordinance have been paid in full.

C. There shall be paid to an collected by the city clerk-treasurer the following fees.

1. Application for a rezone (Ch. 17.66): Three hundred dollars.

2. Application for a variance (Ch. 17.60 and GMC section 17.42.020): Two hundred dollars.

3. Application for a conditional use permit (Ch. 17.62): Two hundred dollars.

4. Appeal of any decision of the city administrator or planning commission: One hundred dollars.

AGENDA BILL: I2

AGENDA TITLE: First Reading – Elimination of conflict on Development Standards for Manufactured Homes

DATE: August 15, 2016

ACTION REQUIRED:

ORDINANCE____X____ COUNCIL INFORMATION____X____

RESOLUTION_____ OTHER_____

MOTION____X____

EXPLANATION: See Larry Bellamy's memo attached explaining the request for a 1st reading of an ordinance that will provide consistency within the Administration of Development Standards for manufactured homes.

FISCAL IMPACT:

ALTERNATIVES:

STAFF RECOMMENDATION: The proposed ordinance has been reviewed by the Planning Commission with the recommendation to adopt the changes to chapter 15.40 of the GMC.

MOTION: I MOVE TO ACCEPT THE FIRST READING OF THE ORDINANCE THAT WILL RESOLVE A CONFLICT IN THE ADMINISTRATION OF DEVELOPMENT STANDARDS FOR MANUFACTURED HOMES.

City of Goldendale

Memo

To: Councilmembers

From: Larry Bellamy, City Administrator

cc: Mayor

Date: August 15, 2016

Re: Administration of Development Standards for Manufactured Homes

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Back in 2009, the Planning Commission began discussing an update to our comprehensive plan and zoning code, Chapter 17 of the Goldendale Municipal Code (GMC). The amended Comprehensive Plan and the amended zoning code were approved by council in April of 2014. The revised zoning code updated the development standards for manufactured homes and were designed to comply with the Revised Code of Washington (RCW) 35.63.160 and 35A.21.312 as amended (Page 2 & 3 of the attachments).

The revised section of the zoning code for residential construction and siting standards complies with the RCW statutes (as an example, see 17.08.060 – Page 6, NOTE: The language is repeated for all the residential zone code chapters in the GMC). This revised zoning code was intended to eliminate the former development standards for manufactured homes listed in GMC 15.40. As part of the process and our efforts to provide consistency within the zoning and development standards, this proposed ordinance to resolve this conflict is attached (Pages 7 – 10).

The Ordinance Committee has reviewed this amendment and recommends the revised ordinance be adopted to provide consistency in the development standards.

/

RCW 35A.21.312

Authority to regulate placement or use of homes—Regulation of manufactured homes—Issuance of permits—Restrictions on location of manufactured/mobile homes and entry or removal of recreational vehicles used as primary residences.

(1) A code city may not adopt an ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the placement or use of a home in such a manner that is not equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401-5403 standards (as amended in 2000) must be regulated for the purposes of siting in the same manner as site built homes, factory built homes, or homes built to any other state construction or local design standard. However, except as provided in subsection (2) of this section, any code city may require that:

(a) A manufactured home be a new manufactured home;

(b) The manufactured home be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;

(c) The manufactured home comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;

(d) The home is thermally equivalent to the state energy code; and

(e) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW **35.63.160**.

A code city with a population of one hundred thirty-five thousand or more may choose to designate its building official as the person responsible for issuing all permits, including department of labor and industries permits issued under chapter **43.22** RCW in accordance with an interlocal agreement under chapter **39.34** RCW, for alterations, remodeling, or expansion of manufactured housing located within the city limits under this section.

(2) A code city may not adopt an ordinance that has the effect, directly or indirectly, of restricting the location of manufactured/mobile homes in manufactured/mobile home communities that were legally in existence before June 12, 2008, based exclusively on the age or dimensions of the manufactured/mobile home. This does not preclude a code city from restricting the location of a manufactured/mobile home in manufactured/mobile home communities for any other reason including, but not limited to, failure to comply with fire, safety, or other local ordinances or state laws related to manufactured/mobile homes.

(3) Except as provided under subsection (4) of this section, a code city may not adopt an ordinance that has the effect, directly or indirectly, of preventing the entry or requiring the removal of a recreational vehicle used as a primary residence in manufactured/mobile home communities.

(4) Subsection (3) of this section does not apply to any local ordinance or state law that:

(a) Imposes fire, safety, or other regulations related to recreational vehicles;

(b) Requires utility hookups in manufactured/mobile home communities to meet state or federal building code standards for manufactured/mobile home communities or recreational vehicle parks; or

(c) Includes both of the following provisions:

(i) A recreational vehicle must contain at least one internal toilet and at least one internal shower; and

(ii) If the requirement in (c)(i) of this subsection is not met, a manufactured/mobile home community must provide toilets and showers.

(5) For the purposes of this section, "manufactured/mobile home community" has the same meaning as in RCW **59.20.030**.

(6) This section does not override any legally recorded covenants or deed restrictions of record.

(7) This section does not affect the authority granted under chapter **43.22** RCW.

[2009 c 79 § 2; 2008 c 117 § 2; 2004 c 256 § 3.]

NOTES:

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RCW 35.63.160

Regulation of manufactured homes—Definitions.

(1) A "designated manufactured home" is a manufactured home constructed after June 15, 1976, in accordance with state and federal requirements for manufactured homes, which:

(a) Is comprised of at least two fully enclosed parallel sections each of not less than twelve feet wide by thirty-six feet long;

(b) Was originally constructed with and now has a composition or wood shake or shingle, coated metal, or similar roof of nominal 3:12 pitch; and

(c) Has exterior siding similar in appearance to siding materials commonly used on conventional site-built uniform building code single-family residences.

(2) "New manufactured home" means any manufactured home required to be titled under Title **46** RCW, which has not been previously titled to a retail purchaser, and is not a "used mobile home" as defined in RCW **82.45.032**(2).

(3) Nothing in this section precludes cities from allowing any manufactured home from being sited on individual lots through local standards which differ from the designated manufactured home or new manufactured home as described in this section, except that the term "designated manufactured home" and "new manufactured home" shall not be used except as defined in subsections (1) and (2) of this section.

[2004 c 256 § 5; 1988 c 239 § 1.]

NOTES:

Findings—Intent—Effective date—2004 c 256: See notes following RCW **35.21.684**.

Chapter 17.08
SINGLE-FAMILY RESIDENTIAL DISTRICT (R-1)

Sections:

17.08.010 Purpose.
17.08.020 Permitted uses.
17.08.030 Permitted accessory uses.
17.08.040 Conditional uses.
17.08.050 Development standards.
17.08.060 Area regulations--Construction and siting standards.

17.08.010 Purpose.

The R-1 low density residential district is established to provide a low density residential environment. Lands within this district generally should contain single-family conventional dwellings with smaller lots and useful yard spaces. Certain public facilities and institutions may also be permitted provided their nature and location are not detrimental to the intended residential environment. (Ord. 1438 §2(part), 2014)

17.08.020 Permitted uses.

The following uses shall be permitted in the R-1 district:

A. Single-family dwellings consisting of a residential home built to current building codes or a new manufactured home or new modular home conforming to the development standards specified in Section 17.08.050. (Ord. 1438 §2(part), 2014)

17.08.030 Permitted accessory uses.

Accessory buildings shall not be permitted on a parcel prior to the existence of a principal use. The following uses shall be permitted as accessory to a permitted use in the R-1 district (see definition, Section 17.04.040):

A. Detached residential garages, as defined in Section 17.04.385, provided they do not exceed twenty feet in height and one thousand square feet in area;

B. Home occupations, as defined in Section 17.04.390 and regulated by Chapter 17.48;

C. Storage buildings not exceeding two hundred square feet of gross floor area and twelve feet in height; provided no container storage, as defined in Section 17.04.655, shall be permitted;

D. In home day care licensed by the state of Washington for no more than twelve children after obtaining a city home occupation license and in conformity with Chapter 17.48. (Ord. 1438 §2(part), 2014)

17.08.040 Conditional uses.

The uses in this section may be authorized by the board of adjustment as conditional exceptions in residential districts as indicated. Conditional uses permitted in all residential districts may include:

A. Public libraries, governmental and municipal office buildings;

B. Public and private schools, public parks and playgrounds;

C. Fire department station houses;

D. Churches and similar places of worship;

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E. Cemeteries;

F. Public utility and communication facilities;

G. Private nursery schools, preschool, child mini-day care and day care centers; and

H. Other uses deemed by the board of adjustment as similar to and consistent with the intent and purpose of the applicable residential zoning district. (Ord. 1438 §2(part), 2014)

17.08.050 Development standards.

A. Minimum lot area: six thousand square feet;

B. Minimum lot width: fifty feet;

C. Minimum lot depth: fifty feet;

D. Density: one dwelling unit per lot;

E. Maximum lot coverage: fifty percent;

F. Minimum yard setbacks:

1. Front: fifteen feet, setback for garage is twenty feet.

2. Side: five feet.

3. Side along flanking street of corner lot: fifteen feet.

4. Rear:

a. Principal building: fifteen feet.

b. Accessory structures: five feet. Garages with vehicle doors parallel to an alley shall be set back from the alley twenty feet;

G. Maximum building height:

1. Principal building: thirty-five feet.

2. Detached garage: twenty feet.

3. Accessory buildings: twelve feet;

H. Minimum living area size: eight hundred sixty-four square feet;

I. Parking: see Chapter 17.52;

J. Landscaping: see Chapter 17.54. (Ord. 1438 §2(part), 2014)

17.08.060 Area regulations--Construction and siting standards.

A. Roof Slope. Roof slope shall be not less than a three-foot rise for each twelve feet of horizontal run.

B. Roofing Materials. Roofing materials shall be compatible in appearance with surrounding homes.

C. Siding Materials. Siding materials shall be wood or other material compatible with surrounding homes that have siding materials commonly used on conventional site-built International Building Code single-family

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residences.

D. Front Entrance. The front entrance of each single-family dwelling shall be located facing or at a forty-five degree angle to the street that it is numbered on. However, in case of narrow corner lots the front entrance could be on the side street if needed.

E. In addition, all manufactured homes shall comply with the following standards:

1. Age Restriction. All manufactured homes shall have to be a "new manufactured home" and shall not be more than five years old as determined by the manufacturer's date.

2. Pit Set. Manufactured homes shall be "pit set" with the first floor elevation no more than twelve inches above finished grade. The pit shall be of sufficient depth to accommodate eighteen inches' clearance below the frame of the unit with crawl space access located near utility connections. The foundation shall be installed in compliance with the requirements of the Washington Administrative Code.

3. Transportation Equipment. All wheels, tongues and other transportation equipment must be removed when the manufactured home is placed upon a lot.

4. Facade. All manufactured homes shall have a perimeter foundation look that will match those of a typical site-built residence.

5. HUD Code. All manufactured homes must conform to the U.S. Department of Housing and Urban Development (HUD) 1976 Federal Manufactured Home Construction and Safety Standards Act.

6. Minimum Size. Is comprised of at least two fully enclosed parallel sections each of which is not less than twelve feet wide by thirty-six feet long.

F. Replacement of a nonconforming mobile home/manufactured home on an individual lot shall be with a new manufactured home or by a stick-built home meeting current lot setback requirements.

G. Residential dwellings located within the one-hundred-year floodplain shall conform to the Goldendale flood ordinance and shoreline master program. (Ord. 1438 §2(part), 2014)

The Goldendale Municipal Code is current through Ordinance 1462, passed April 18, 2016.
Disclaimer: The City Clerk's Office has the official version of the Goldendale Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

Chapter 15.40
MANUFACTURED HOMES

Sections:

~~15.40.010 Purpose and intent.~~

~~15.40.020 Nondiscrimination standards for manufactured homes.~~

~~15.40.030 Development standard exceptions.~~

15.40.0140 Permitting.

15.40.0250 Application requirements.

15.40.0360 Permit fees.

15.40.0470 Additions and alternations.

15.40.0580 Penalty.

~~15.40.010 Purpose and intent.~~ ~~SHARE~~

~~It is the purpose and intent of this chapter to set forth terms and conditions applicable to the placement and use of "manufactured homes" equivalent to those for all other dwellings, in order not to discriminate against the placement and use of "manufactured homes." This chapter was created to comply with RCW 35.63.160, 35.21.684 and 35A.21.312, as amended in 2004. (Ord. 1341 §1(part), 2005)~~

~~15.40.020 Nondiscrimination standards for manufactured homes.~~ ~~SHARE~~

~~Any manufactured home which is constructed after June 15, 1976, and which complies with the following requirements, may be sited in the same manner, and subject to the same conditions, as a site built home, any other provisions of this title to the contrary notwithstanding:~~

~~A. Is a new manufactured home which has not been previously titled to a retail purchaser and is not a "used mobile home" as defined in RCW 82.45.032(2);~~

~~B. Is set upon a permanent foundation, as specified by the manufacturer, and the space from the bottom of the home to the ground is enclosed by concrete or an approved concrete product which can either be load bearing or decorative;~~

~~C. Is in compliance with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;~~

~~D. Is thermally equivalent to the State Energy Code; and~~

~~E. Meets all other requirements for a designated manufactured home as defined in RCW 35.63.160. (Ord. 1341 §1(part), 2005)~~

~~15.40.030 Development standard exceptions.~~ ~~SHARE~~

~~A. Manufactured homes in C-2, R-2, R-3, SR, GR can be placed in the districts without meeting the standards in Section15.40.020(A) and (E) of this chapter, but subject to the following requirement:~~

~~1. Additionally, it must have a manufacture date not later than ten years from the final permit issuance date and comply with federal manufactured housing standards as evidenced by appropriate seals affixed to their outer skins.~~

~~B. Manufactured home parks or subdivisions shall meet site plan as approved requirements of GMC Chapter 17.32; and~~

~~C. Manufactured home parks are excluded from the requirements of Section 15.40.020 of this chapter. (Ord. 1341 §1(part), 2005)~~

15.40.0~~4~~10 Permitting. ~~SHARE~~

Prior to building, installing or placing a manufactured home, for permanent placement within the city, or causing the same to be done, the owner, builder or installer shall apply for and obtain a permit from the building official. The building official shall issue the permit after it is determined that all applicable building, zoning and other pertinent regulations have been satisfied. The permit required by this provision shall be in addition to any installment permit required by the state department of licensing or its designated, or any other permit required by applicable laws. ~~(Ord. 1341 §1(part), 2005)~~

15.40.0~~5~~20 Application requirements. ~~SHARE~~

Applications submitted for placement of a manufactured home shall consist of the following:

A. Name, address, telephone number and signature of the manufactured home owner and the land owner;

B. Manufactured and dealer names of the manufactured home to be installed;

C. Manufacturer's serial number for manufactured home;

D. Name, address and telephone number of the installer and the installer's manufactured home dealer's license number and/or his Washington State contractor's registration number;

E. Address and location of the proposed installation site;

F. A schematic diagram showing the location and dimensions of the manufactured home and its proposed placement on the proposed site or lot, together with the location of existing buildings, structures, improvements on the property, streets, open spaces, parking spaces, fencing and walkways;

G. Site drainage plan;

H. A legal description of the property on which the manufactured home is to be placed;

I. A description of the method of supply, the proposed lot or site with essential public services, such as sewage disposal, water, power and solid waste disposal;

J. Year of manufacture of the manufactured home;

K. A copy of the HUD or state of Washington insignia, if applicable;

L. Floor plan of the manufactured home, showing the square footage; and

M. Foundations plans. ~~(Ord. 1341 §1(part), 2005)~~

15.40.0630 Permit fees. ~~0 SHORE~~

A. Permit fees for mobile homes or manufactured homes shall be as follows:

1. Permanent placement of a mobile home or manufactured homes for dwelling purposes, one hundred fifty dollars.

2. Fees shall be charged in accordance with Table 15-A for each additional inspection when requested, or reinspections. When a mobile/manufactured/modular home for which a permit is required has been set up prior to the obtaining of a permit, the fee schedule may be doubled and the mobile/manufactured home, commercial coach or recreational vehicle may or may not be subject to relocation.

3. Fees for foundations' or basements under a factory built structure or manufactured home shall be calculated as any other building permit.

B. Any permit issued pursuant to this section shall be valid for a period of sixty days and shall be issued for the location of the specific mobile home or manufactured home on a specific lot or space. The location of a

different mobile home or manufactured home in the same location or the same mobile home or manufactured home in a different location shall cause the permit to become null and shall require a new permit and fee to be paid by the applicant. When an applicant orders a new manufactured home, the sixty-day time limit shall start when the mobile home arrives at the site.

C. At the expiration of sixty days from the date of issuance of the permit, the mobile home or manufactured home, placement must meet permanent placement requirements. Where substantial progress in construction or other good cause for failure to meet permanent placement requirements is shown, a permit may be renewed for an additional sixty-day period. A fee of twenty-five dollars shall be required for renewal of the original permit. On the expiration of any permit issued pursuant to this chapter, the use of the mobile home or a manufactured home coach shall be discontinued.

When a mobile home or manufactured home for which a permit is required has been set up prior to the obtaining of a permit, the fee schedule may be doubled and the mobile home or manufactured home may or may not be subject to relocation. ~~(Ord. 1341 §1(part), 2005)~~

15.40.0~~7~~40 Additions and alternations. ~~0 SHARE~~

Additions and alternations or manufactured homes shall be approved by the factory assembled structures section of the state of Washington Department of Labor and Industries. A person may obtain an application form from the department of labor and industries. ~~(Ord. 1341 §1(part), 2005)~~

15.40.0~~8~~50 Penalty. ~~0 SHARE~~

Violation of this chapter shall constitute a misdemeanor and be subject to the provisions contained in Goldendale Municipal Code 1.20, General Penalties~~. (Ord. 1341 §1(part), 2005)~~.