

Tonasket City Council Agenda
Tuesday, August 24, 2021
7:00 pm

VIRTUAL ZOOM MEETING ID #894 9833 1561
PHONE #1-253-215-8782

The Mayor, City Council and staff will be present in the Council Room. Masks must be worn. There will not be a limit of people in the Council Room however you must wear a mask. You may attend via ZOOM.

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Roll Call
- 4) Approval of Agenda
- 5) Public Comment
- 6) This meeting has been advertised as a public hearing regarding an application for a variance from the front yard setback for a structure in the R-1 Zone from Jennifer Gardinier, Tonasket, WA.
- 7) Unfinished Business
- 8) Department Head Reports
- 9) Mayor/Council/Committee Reports
- 10) New Business
 - a) Approve Res. #2021-12 Authorizing the transfer of funds received by the City of Tonasket for one-time costs related to law enforcement and criminal justice. **Action Item**
 - b) Budget Dates 2022 **Action Item**
 - c) Ordinance #829 **Action Item**
- 11) Miscellaneous and Correspondence
- 12) Consent Agenda: Minutes of the July 27th regular City Council Meeting, the July Payroll and the August Bills. **Action Item**
- 13) Adjournment

Council Memo
Tuesday, August 24th, 2021
7:00 pm

VIRTUAL ZOOM MEETING ID # 894 9833 1561
PHONE # 1-253-215-8782

TO: Mayor and City Councilmembers

FROM: City Clerk-Treasurer

This meeting has been advertised as a public hearing regarding an application for a variance from the front yard setback for a structure in the R-1 Zone, from Jennifer Gardinier, Tonasket, WA. Kurt Danison will be in attendance to facilitate the hearing. I have attached several comments regarding the request for a variance. The staff report is attached. **Suggested Motion: I move to approve the request from Jennifer Gardinier for a variance from the front yard setback required for dwellings in the R1 zone to permit construction of a single-family dwelling on a parcel adjoining her home at 7 W. State St, the request is to reduce the required setback from 25' to 10', with the following conditions, 1) no further variances be approved for the subject property and 2) all stormwater runoff be retained on property.**

Resolution 2021-12—authorizing the transfer of funds received by the City for one time costs related to law enforcement and criminal justice. **Suggested Motion: I move to approve Resolution 2021-12.**

The Budget Dates for the 2022 Budget have been determined. They are not set in stone and may be changed. **Suggested Motion: I move to approve the Budget Dates for the 2022 Budget.**

Ordinance #829 amends Chapter 17 regarding therapy animals and accessory dwellings. **Suggested Motion: I move to approve Ordinance #829 amending Chapter 17.70.090 and adding a new definition to Chapter 17.10.029 and adding a new chapter 17.70.182 to the Tonasket Municipal Code; containing a severability provision and setting an effective date.**

Minutes of the Regular City Council Meeting Tuesday, July 27, 2021 **DRAFT******

Present: Mayor Kriner and Councilmembers Alexander, Levine, McMillan, and Weddle

Staff: Attwood and Miller

The meeting was called to order at 7:00 pm and the pledge of allegiance was given by all.

Roll call was taken and Councilmember Ritter was absent.

Motion to excuse Councilmember Ritter from this meeting. M/Levine, S/McMillan. Carried 4:0.

Motion to approve the agenda. M/McMillan, S/Weddle. Carried 4:0.

Motion to approve the minutes of the previous meeting. M/Weddle, S/McMillan. Carried 4:0.

Councilmember Ritter joined the meeting via Zoom.

Public Comment – None

Unfinished Business

Motion to approve the change order with 509 Quality Property Maintenance, LLC, for the Youth Center Project in the amount of \$2806.12. M/Weddle, S/McMillan. Carried 5:0.

Motion to approve paying 509 Quality Property Maintenance, LLC, in the amount \$3474.63. M/Weddle, S/Levine. Carried 5:0.

Motion to approve the 2nd Addendum to the Lease Agreement with Tonasket Veteran's Association. M/McMillan, S/Ritter. Carried 5:0.

Mayor/Council/Committee Reports

Mayor

- Attended the Exit Conference for the State Audit and the City passed with flying colors. Thank you to Clerk/Treasurer Attwood and the girls in the office for helping the auditor with supplying needed documents.
- Received a letter from the Dept. of Ecology and the Wastewater Treatment Plant received recognition for outstanding performance.
- The Garlic Festival will be on August 27th & 28th and is put on by Cynthia Benitez and the Family Faire.
- Thank you to Councilmembers Levine and Weddle, Jean Notson, Steve Kriner and Superintendent Johnson for helping clean up around the sign south of town.
- Thursday, July 29th from 6:00 pm to 8:00 pm there will be a town meeting with Sheriff Hawley about the law enforcement changes.
- Clerk/Treasurer Attwood will be going on vacation to go see her new granddaughter.

Levine

- Will be doing a presentation on the Perfect Passage on the 9th of August.
- Working on the clean-up on Saturday was awesome. Asked if the Garden Club is still active.

McMillan

- Has been checking on the Farmers Market.
- Public Safety has been quiet.

Ritter

- Nancy Inlow is part of the Garden Club and would be a good contact person.
- Has been approached about what to do with historical documents. Clerk Attwood said they could contact City Hall.

Weddle:

- Had fun on the clean up on Saturday.
- Committees have been quiet.

Alexander

- None

New Business

Gardiner Tech Submittal for Service. Greg Gardiner gave a presentation on putting up camera's to help protect against the recent vandalism at the water tower.

Motion to approve Gardiner Tech for up to \$15,000.00 for the project for a solar network and surveillance system. M/Levine, S/Ritter. Carried 5:0.

Motion to adopt Ordinance #828, a budget amendment. M/McMillan, S/Weddle. Carried 5:0.

Motion to authorize WSDOT to paint strip the streets as depicted on the information from WSDOT and authorize the Mayor to sign applicable documents. M/Levine, S/McMillan. Carried 5:0.

Motion to approve the amendments to Chapters 17.10 definitions, 17.70.090 accessory dwellings and add new chapter 17.70.182 Therapy Animals to Title 17 Zoning TMC subject to the staff finding of facts and conclusions and pass an ordinance enacting the same. M/McMillan, S/Ritter. Carried 4:1. Councilmember Levine voted nay.

Miscellaneous and Correspondence

Clerk Attwood handed out an email from Varela with the executive summary of the stormwater plan.

There being no further business the meeting was declared adjourned at 8:26 pm.

CITY OF TONASKET

TO: HONORABLE MAYOR & CITY COUNCIL
FROM: STAFF
SUBJECT: STAFF REPORT – GARDINIER VARIANCE REQUEST
DATE: 8/20/2021
CC: JENNIFER GARDINIER, 7 W. STATE ST, TONASKET, WASHINGTON

Applicant: Jennifer Gardinier

Proposal:

Jennifer Gardinier of 7 W. State St, Tonasket, WA has applied to the city for a Variance from the front yard setback required for dwellings in the R1 zone by 17.70.080 Table 2 TMC to permit construction of a single-family dwelling on a parcel adjoining her home at 7 W. State St. The request is to reduce the required setback from 25' to 10'

Chronology:

Ms. Gardinier's agent contacted the city early in the summer with an inquiry about the process for obtaining a variance from the required front yard setback. The process and procedures were explained and the agent picked with the land use application form at City Hall which was completed and reviewed by staff. After discussion with the agent about the required SEPA Checklist, an onsite meeting with the Planner was arranged prior to the July 13, 2021 City Council meeting.

The application was declared complete on July 15, 2021. A Notice of Open Record Public Hearing before the City Council was published in the Gazette-Tribune on July 22, 2021 providing notice to the public of the hearing to be held on August 24, 2021.

Applicable Codes and City Standards

The Variance is required in order to reduce the rear yard setback required by 17.70.080 Table 2 of the Tonasket Municipal Code. Variances from setback regulations of the TMC requires compliance with 17.105 TMC.

Comprehensive Plan:

The subject property is designated single family residential. The Plan notes:

“Single Family Residential... The purpose of the single-family residential designation is to provide for areas of the City where low to medium density residential uses will be provided for with an emphasis on single family dwellings. For the purposes of this Comprehensive Plan, low-density shall mean one to five dwelling units per acre of land.”

Analysis: The proposed use is consistent with the comprehensive plan which encourages single family residential uses.

Zoning:

The subject property is zoned R-1. Chapter 17.70.020 Table 1, District Use Chart lists single-family dwellings as an allowed use.

The first thing to consider about zoning in relation to this application is whether the proposed use is allowed or not. As noted, the use is listed as allowed in the District Use Chart 17.70.020.

The next zoning consideration has to do with development standards Chapter 17.70.080 Table 2, bulk, height, setback and dimension standards in Chapter 17.70 and requirements for a Variance, Chapter 17.105. The applicant proposes to reduce the required front yard setback from 25' to 10' feet in order to place the structure in a space with a view and in consideration of the existing accessory structure which occupies the property.

Chapter 17.105 provides the following criteria for approval:

“Variances shall be processed according to permit processing procedures outlined in Chapter 19.05 TMC. The city council shall hold public hearings and decide on all applications for variances from the terms of the zoning ordinance after consideration and recommendation by the planning commission, provided that no variance shall be granted unless the city council finds that each of the following criteria are met, or may be met as a result of conditioning the permit:

A. The variance shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located. If the requested variance does not somehow compensate for a deprived right or privilege as provided in subsection B. the variance would constitute a special privilege.

B. The variance is necessary because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located. An example of such circumstances may be that a lot was established in a subdivision of which a portion may be unbuildable because of steep slopes; or, an adjacent property has a nonconforming side yard setback, in which case a fence taller than the allowable height or a setback on another portion of the property may need to be varied to allow the applicant the privacy or buildable space commensurate to that enjoyed by other lot owners in the district.

C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located. For instance, a building proposed to be taller than the allowable height may block views or natural light to adjacent buildings; or increasing the allowable lot coverage may contribute to runoff from storm events. Cumulative impacts shall be considered.

D. Economic benefit shall not be considered grounds for granting a variance. For example, if the applicant asserts that the variance is necessary to enhance the value of a building for resale value, or increase the city's tax base; this information shall not be used to qualify the variance.

E. That the hardship asserted by the applicant is not the result of the applicant's or owner's action. For instance, in a case where an addition is made to a building where the applicant did not comply with the required setback, the fact that the addition would have to be demolished shall not be considered a hardship. Another example may be that an applicant ordered a manufactured home that does not meet setbacks or minimum lot size; in which case, the applicant caused the hardship. An exception to this may be in the case that the applicant can provide evidence that the availability of manufactured home

sizes is severely limited, or a protrusion of a particular manufactured home makes a minor penetration of the setback or height area which is a characteristic over which the applicant may have little control.”

Analysis: The need for is driven by the existing structure on the property, the landowners desire to build a home to take advantage of the view and even with the variance the dwelling would be 25’ from the edge of the street. Given that W. State St is a little used local access street with no future plans for widening, granting of the variance will not have a negative impact on city infrastructure or adjoining parcels.

Environmental

The subject property is within an area designated as a Critical Aquifer Recharge Area in the city’s Comprehensive Plan.

Analysis: No Environmental impact is anticipated all runoff will be retained onsite in compliance with the Eastern Washington Storm Water Management Manual (current edition).

Public Hearing

The City Council will hold the required open record public hearing on August 24, 2021. The Council will review the staff report and take testimony from the public.

Comments received

The application and related materials were mailed or e-mailed to commenting agencies (see list in project file) and a notice provided to adjoining landowners on July 15, 2021. As of the date this staff report was prepared 2 written comments were received (see attached copies of comments)

Comment: The Building Official noted that the Council should consider whether granting the variance sets a precedent or may have negative affect on visibility for traffic.

Response: each variance is considered in a standalone manner, however approval of a front yard variance does potentially create a situation where other landowners in the immediate neighborhood could use the approval of this variance as justification for one of their own. It is an important consideration, but not necessarily applicable in this case, given the fact that other parcels in the immediate vicinity are already built out. In terms of impact traffic visibility, the building site will be 25’ from the edge of pavement and elevated approximately 10’ above the street.

Comment: an adjoining landowner commented that they do not oppose the variance.

Response: no response required.

Recommendation by Staff

Staff recommends approval of the Variance subject to the following conditions.

1. No further variances be approved for the subject property
2. All stormwater runoff be retained on property.

Findings of Fact:

The following findings of fact support the staff recommendation:

1. The project is consistent with the goals, policies and intent of the Comprehensive Plan.
2. The project is consistent with the requirements of Chapter 17.105 TMC.
3. All requirements for processing a Type III Permit stated in Title 19 TMC were followed.
4. A Determination of Non Significance was issued and no appeals received.

**CITY OF TONASKET
VARIANCE
COMMENT SHEET**

The following permit application may be of interest to you.

PROJECT AND APPLICANT: The City of Tonasket has received for an application for a variance from the front yard setback required for a structure in the R-1 Zone from Jennifer Gardinier of Tonasket, Washington. Ms. Gardinier is requesting the variance in order to construct a 900-1,000 sq ft home at 7 S.W. State Street B with a 10' rather than 25' front yard setback.

APPLICATION: GARDINIER Setback Variance Request 21-01

DATE SENT: July 19, 2021

The City of Tonasket has enclosed application materials inclusive of a Land Use Application, Variance Supplement, Notice of Application, SEPA Checklist, and. Any comments regarding the impacts of this project are requested along with general comments regarding the proposed development and will be considered in the review of the permit.

Please fill out and return this form to: City of Tonasket – Attention: Gardinier Setback Variance; P.O. Box 487, Tonasket, WA 98855

Comments due: **August 23, 2021**. Comments may also be submitted by email to **tonasket@nvinet.com**.

Commenting Department, Agency, or Individual: Building Dept

Comments:

What precedence has been established for front yard setbacks in the past? We must be consistent if ordinances are in place. Visibility for driving could be affected thus public safety.

(if needed, use reverse side for additional comments)

Randy Taylor Signature
Building Official Title
7-20-21 Date

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Comments due: August 23, 2021. Comments may also be submitted by email to tonasket@nvinet.com.

Commenting Department, Agency, or Individual: Donna Hedlund

Comments: I have no objection to the setback
variance Request 21-01

(if needed, use reverse side for additional comments)

Donna Hedlund Signature

_____ Title

8-17-2021 Date

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VARIANCE
COMMENT SHEET**

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Comments due: **August 23, 2021**. Comments may also be submitted by email to **tonasket@nvinet.com**.

Commenting Department, Agency, or Individual: Rebecca Cude

Comments:

I have nothing bad to say about
Ms. Gardiner request I don't believe it
will effect me.

(if needed, use reverse side for additional comments)

Rebecca Cude Signature

_____ Title

8-20-21 Date

GARDINIER VARIANCE PROPOSAL

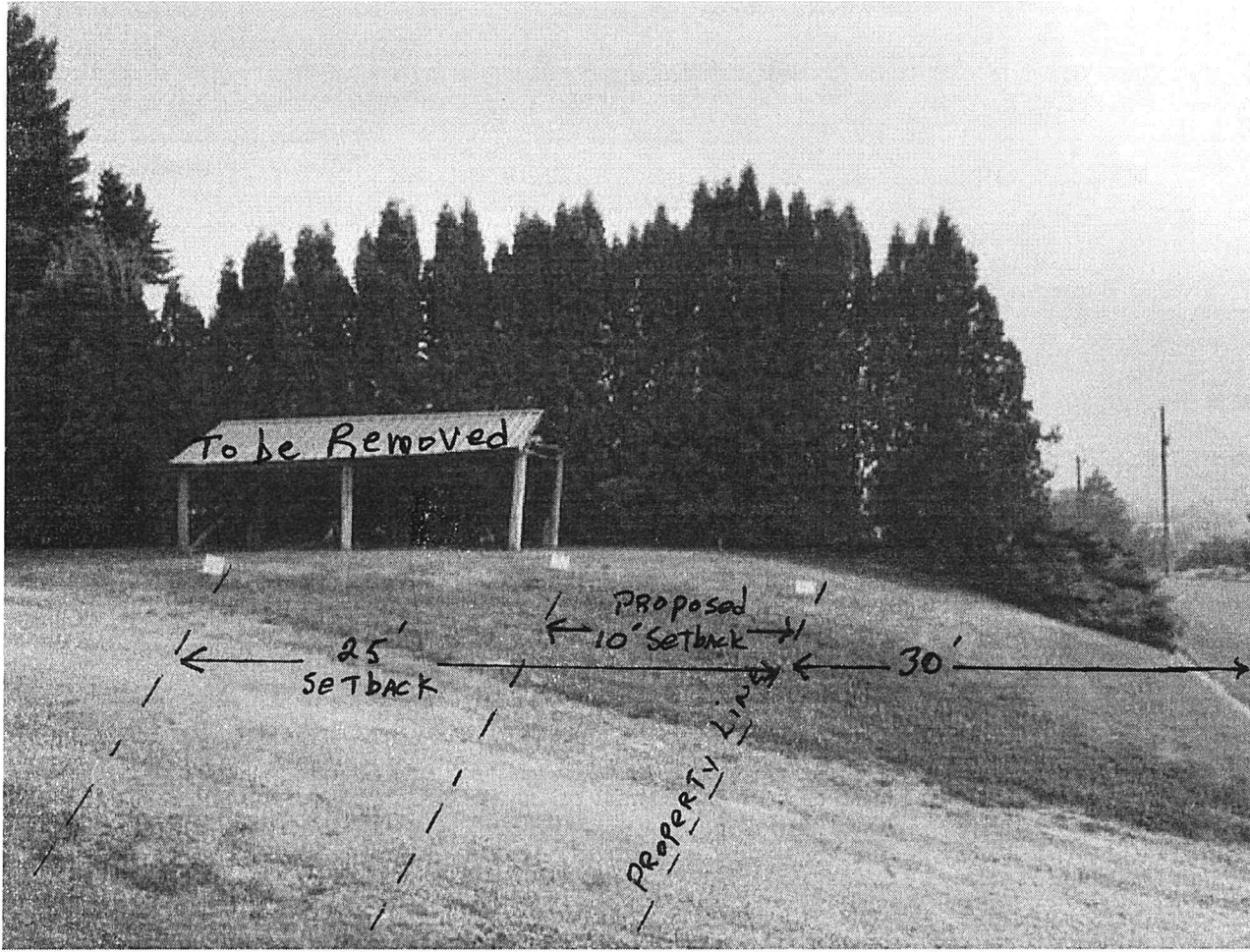
This variance request is submitted to you for several reasons that appear to meet the criteria for Tonasket Building Code boundary line adjustments. The lot, in question, is a 12,168 square foot lot situated on State Street and is designated as Parcel B, Lot 3, Block 2 of Riverview Addition. It adjoins Parcel A which has an address 7 SW State Street. No family dwelling is on Parcel B, so it has not been assigned an address.

The plan was to construct a small 960 square foot home on Parcel B. The plan has become complicated because a 2 car garage and covered carport sit almost in the middle of the Parcel and accessed by a large established driveway which eliminates all, but one, possible home site. That site sits south and west of the garage facing West on State Street. The home would be approximately 24 X 40 feet and putting it on the only building site is not possible without a variance.

The recently surveyed property line of Parcel B lies 30 feet from the middle of State Street. Adding the required 25 foot setback would move the home back 55 feet from State Street and block entrance to the garage and carport. This variance request is for a 10 foot setback, from the property line, rather than 25 feet. The 10 foot setback still provides 40 feet of open space between the structure and the middle of State Street. For comparison purposes, there are 2-3 homes on SW State Street with 36-38 feet of open space between the structures and mid street.

What about building behind the garage, one might ask. The property behind the garage has a steep bank, power pole with guy wire, city water line, underground irrigation and require a new driveway off East State Street. The power pole guy wire and 10 foot setback from the rear of the garage restricts the site to a mere 20 feet of building space.

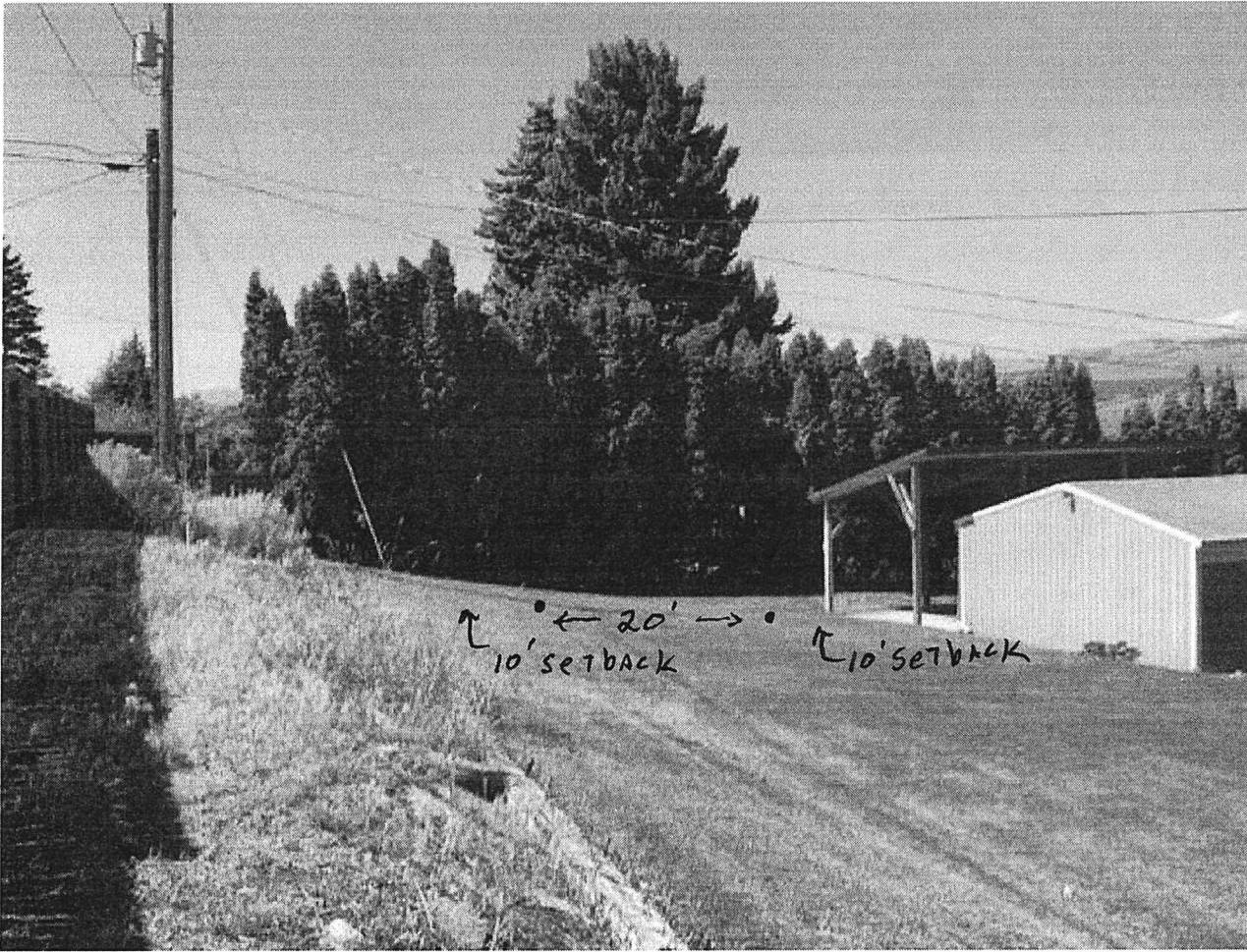
The accompanying photos offer a clear view of Lot B and the reason for the variance request. If the variance is approved, the home will offer, as much, or more, open space facing State Street as other properties and still meet setback requirements for adjoining property and existing structures.



Looking South on STATE STREET AT Proposed Bldg Site

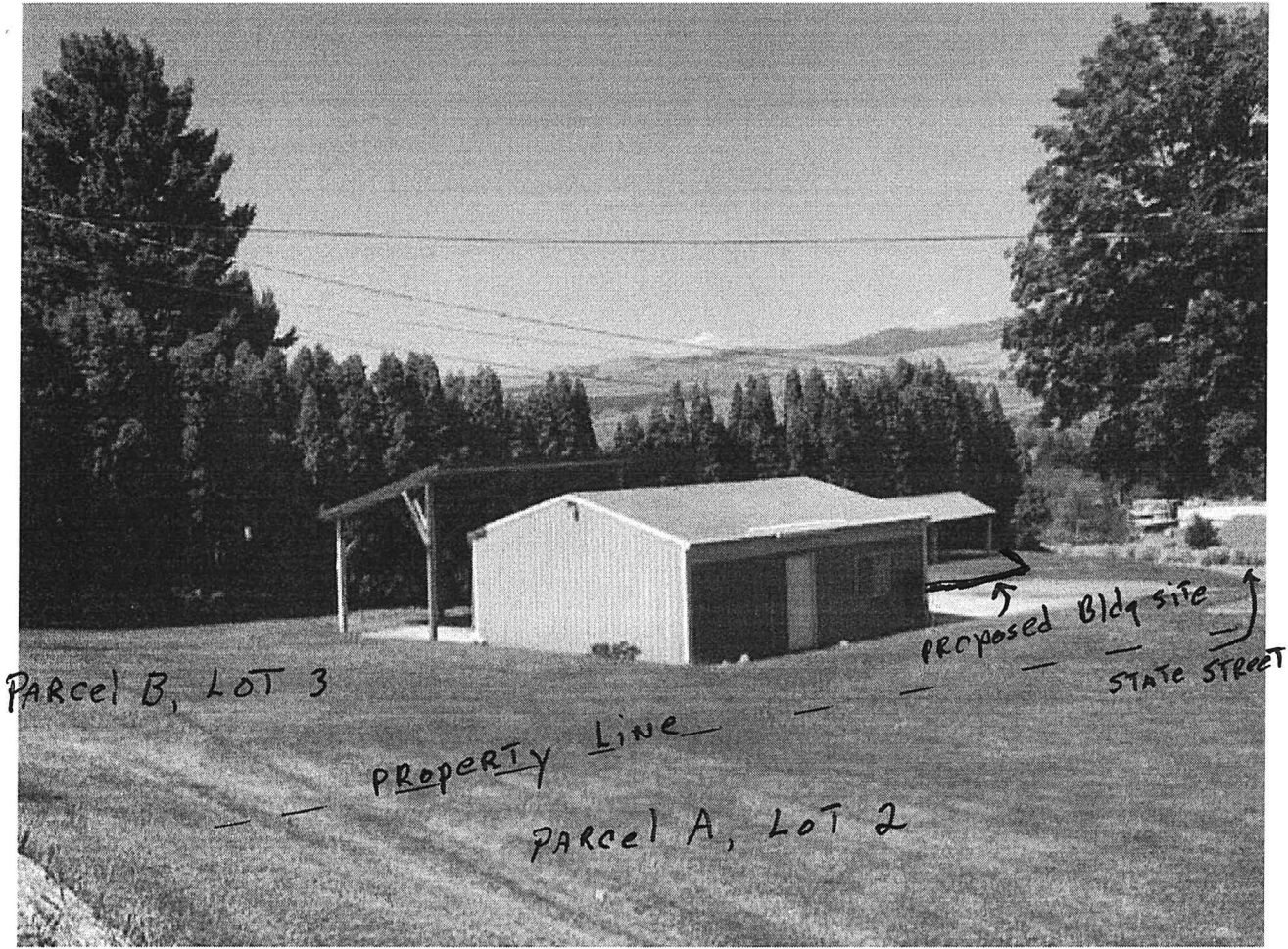


- Looking EAST FROM STATE STREET AT PROPOSED Bldg. SITE
- WITHOUT VARIANCE, CORNER of home would be where CAR is PARKED



REAR of PROPERTY ON EAST STATE STREET

NOTE GUY WIRE, POWER POLE AND SLOPE. SLOPE IS MORE SEVERE THAN IT APPEARS — APPROXIMATELY 5' DIFF IN ELEVATION BETWEEN GUY WIRE AND GARAGE



REAR PROPERTY VIEW SHOWING BLDG SITE PROXIMITY TO STATE STREET, DRIVEWAY AND GARAGE/CARPORIT



SATellite view of 2 SW STATE STREET homes' "open space" setbacks



113 STATE STREET home 36' setback



121 STATE STREET 38' SETBACK

RESOLUTION NO. 2021-12

A RESOLUTION authorizing the transfer of funds received by the City of Tonasket for one-time costs related to law enforcement and criminal justice.

Whereas, the Washington State Legislature has passed ESSB 5092 (the state budget that includes appropriations of funding to law enforcement for one-time costs related to law enforcement and criminal justice; and

Whereas, all law enforcement and criminal justice services are provided for the city by contract with the Okanogan County Sheriff's Office,

Now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TONASKET, WASHINGTON, as follows:

Those funds distributed by the State of Washington to the City of Tonasket pursuant to Section 739, Chapter 334, Laws of 2021 (ESSB 5092) in the amount of \$4,364.00 shall be transferred by the City of Tonasket to the city's contract law enforcement agency, i.e., the Okanogan County Sheriff's Office, to assist with one-time costs related to law enforcement and criminal justice to be utilized to address funding requirements and opportunities associated with the above referenced recently enacted legislation.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2021.

APPROVED:

Marylou Kriner, Mayor

ATTEST:

Alice Attwood, Clerk-Treasurer

APPROVED AS TO FORM:

Michael D. Howe, City Attorney



WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS

GET THE WORD OUT (GTWO)

July 28, 2021

Here is additional information on the budget provisos that provide per capita funding for Criminal Justice and LE legislation. Here are the bill references for cities and counties below as well as the specific distributions for [cities](#) and [counties](#).

- Steve

**NEW SECTION. Sec. 739. FOR THE OFFICE OF FINANCIAL MANAGEMENT—
CITY ASSISTANCE**

General Fund—State Appropriation (FY 2022)	\$20,000,000
TOTAL APPROPRIATION.	\$20,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to distribute to cities according to population to assist with one-time costs related to law enforcement and criminal justice related legislation enacted between January 1, 2020, and June 30, 2021.

**NEW SECTION. Sec. 740. FOR THE OFFICE OF FINANCIAL MANAGEMENT—
COUNTY ASSISTANCE**

General Fund—State Appropriation (FY 2022)	\$30,000,000
TOTAL APPROPRIATION.	\$30,000,000

The appropriation in this section is subject to the following conditions and limitations: The appropriation in this section is provided solely for the office of financial management to distribute to counties according to population to assist with one-time costs related to law enforcement and criminal justice related legislation enacted between January 1, 2020, and June 30, 2021.

Dates For 2022 Budget

Request to Department Heads for Budget Items	August 10, 2021
Budget Requests Due to City Clerk	4:30 pm Sept.17, 2021
Revenue Sources/Set Tax Levy Public Hearing	7:00 pm Sept. 28, 2021
Preliminary Budget Hearing	7:00 pm Oct. 12, 2021
Budget Workshop	4:30 pm Oct. 20, 2021
Final Budget Hearing	7:00 pm Nov. 9, 2021
Adopt Budget (tentative)	7:00 pm Nov. 23, 2021

(these dates are subject to change by council approval)

ORDINANCE No. 829

**AN ORDINANCE OF THE CITY COUNCIL OF TONASKET, WASHINGTON,
AMENDING CHAPTER 17.70.090 AND ADDING A NEW DEFINITION TO
CHAPTER 17.10.029 AND ADDING A NEW CHAPTER 17.70.182 TO THE
TONASKET MUNICIPAL CODE; CONTAINING A SEVERABILITY
PROVISION; AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the City of Tonasket ("City") has adopted a Comprehensive Plan and zoning or development regulations pursuant to RCW 35A.63; and

WHEREAS, all amendments to the City's zoning code and Comprehensive Plan are to be adopted, certified, and recorded or filed in accordance with RCW 35A.63; and

WHEREAS, the Tonasket Planning Commission held open a public meeting On July 20, 2021 wherein the proposed amendments and additions to the Title 17 of the Tonasket Municipal Code (Zoning Code) were on the agenda for discussion; and

WHEREAS, the proposed amendments and additions are being done as part of an annual update; and

WHEREAS, the proposed amendments and additions to Title 17 will be submitted to the Department of Commerce for the required 60-day review on September 1, 2021; and

WHEREAS, comments received during the 60-day review process will be considered by the Planning Commission and City Council and appropriate revisions, if any, will be made; and

WHEREAS, the Tonasket Planning Commission held a duly advertised public hearing on July 20, 2021, to which interested persons were invited to comment on the proposed amendment of chapter 17.70.090 and adding a new definition to chapter 17.10.029 and adding a new chapter 17.70.182 to the Tonasket Municipal Code; and

WHEREAS, following the public hearing, the Planning Commission unanimously passed a motion to recommend that the Council adopt an ordinance to amend chapter 17.70.090, add a new definition to chapter 17.10.029 and add a new chapter 17.70.182 to the Tonasket Municipal Code; and

WHEREAS, the proposed amendments were subject to review under the State Environmental Policy Act and a Determination of Non-Significance was issued which was not commented on or appealed; and

WHEREAS, the City Council has reviewed the findings of the Planning Commission and the Planning Commission's recommendations contained therein; and

WHEREAS, the City Council concurs with the findings and recommendation of the Planning Commission and City Staff, that there will be no significant adverse environmental impact as a result of the proposed amendments and additions to Title 17 TMC; and

WHEREAS, adoption of this Ordinance is in the best interest of the health, safety, and welfare of the citizens of the city; now, therefore,

**THE CITY COUNCIL OF THE CITY OF TONASKET, WASHINGTON, DO
ORDAIN AS FOLLOWS:**

Section 1. Chapter 17.70.090 be amended as shown in Exhibit A.

Section 2. A new definition be added to Chapter 17.10.029 to read as follows:

“Therapy animal” means a small domestic animal (cat, non- dangerous dogs, rabbit, chicken, etc) used in an extended care, rehabilitation or similar licensed care facility for their therapeutic value for patients of the facility.

Section 3. A new Chapter 17.70.182 be added to Title 17 (see Exhibit B)

Section 4. The decision of the City Council to amend the City's Zoning Code is based upon a State Environmental Policy Act (SEPA) Determination of Non- significance (DNS) and upon the findings and recommendation of the City Planning Commission.

Section 5. Pursuant to RCW 36.70A.106, this Ordinance shall be transmitted to the Washington State Department of Commerce.

Section 6. If any section, sentence, clause or phrase of this Ordinance 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 Ordinance.

Section 7. The City Clerk is hereby authorized to publish a summary of this Ordinance consisting of the title.

This ordinance shall become effective from and after its passage by the Council, approval by the Mayor and five days after publication as required by law.

PASSED BY THE CITY COUNCIL this _____ day of _____, 2021.

APPROVED:

Marylou Kriner, Mayor

ATTEST:

Alice J. Attwood, Clerk-Treasurer

APPROVED AS TO FORM:

Michael Howe, City Attorney

EXHIBIT A
Amendments to Accessory Dwellings

17.70.090 Accessory dwellings.

Accessory dwelling units in new or existing one-family dwellings, or on a parcel with an existing one-family dwelling, shall be allowed as provided in Table 1 – District Use Chart, TMC [17.70.020](#). Such dwellings in C-1 and C-2 districts shall only be permitted as appurtenant to the permitted use. Accessory dwelling units are subject to the following design and occupancy standards:

~~A. The property owner, which shall include title holders and contact purchasers, must occupy either the principal unit or the accessory dwelling as their permanent residence; provided, that the administrator may waive this requirement for temporary absences of less than one year; and~~

~~BA.~~ The accessory dwelling shall contain not less than minimum required for a dwelling unit by the International Residential Code~~490~~ square feet and not more than 50 percent of the square footage of primary dwelling, excluding any related garage area; provided, if the accessory dwelling is completely located on a single floor, the administrator may allow increased size in order to efficiently use all floor area, so long as all other standards set forth in this section are met; and

~~C. Accessory dwellings shall not be permitted in structures detached from the primary residence, including but not limited to guest cottages, detached garages or workshops; and~~

~~DB.~~ Any number of related persons may occupy each unit in a one-family residence with an accessory dwelling; provided, that if unrelated persons occupy either unit, the total number of persons occupying both units together may not exceed 10; and

~~EC.~~ One off-street parking space shall be required for the accessory dwelling, in addition to the off-street parking required for the main building primary residence or use; and

~~FD.~~ Any additions to an existing building for the purpose of installing an accessory dwelling, or a detached accessory dwelling, shall not exceed the allowable lot coverage or encroach into the existing setbacks; and

~~G. A form as specified by the administrator shall be filed by the applicant as a deed restriction with the county auditor to indicate the presence of the accessory dwelling, the requirement of owner occupancy, and other standards for maintaining the unit as described in this section.~~

In order to encourage the development of housing units for people with disabilities, the administrator may allow reasonable deviation from the stated requirements to install features that facilitate accessibility. Such facilities shall be in conformance with the ~~State~~International Building Code as adopted by the city.

EXHIBIT A
Amendments to Accessory Dwellings

That portion of a one-family dwelling or other structure which meets the definition of an accessory dwelling which was in existence prior to the effective date of this title may continue in existence provided the following requirements are met:

1. The accessory dwelling complies with the minimum requirements of the ~~State-International~~ Building Code as adopted by the city related to efficiency dwellings.

~~2. The accessory dwelling complies with subsections (A) and (G) of this section. (Ord. 778 § 2 (Exh. A), 2017).~~

EXHIBIT B
DRAFT Therapy Animals

Add new definition to 17.10.029 “T” definitions as follows:

“Therapy animal” means a small domestic animal (cat, non-dangerous dogs, rabbit, chicken, etc) used in an extended care, rehabilitation or similar licensed care facility for their therapeutic value for patients of the facility.

Add new 17.70.182 Therapy animals.

A. The intent of this section is to provide for and establish standards for the keeping of small domestic animals for the therapeutic use of the patients in extended care, rehabilitation and similar licensed facilities.

B. Therapy animals are permitted to be kept and maintained as an accessory use subject to the following conditions:

1. Maximum of 3 chickens, excluding roosters. Hens only.
2. Maximum of 2 rabbits.
3. Therapy animals must be safely secured and housed in mobile pens in a secure area when not in therapy sessions with patients.
4. The therapy animals will be housed off site from November 1 through March 1 each year.
5. The facility is licensed by the State of Washington and evidence provided that the care and housing of therapy animals on-site is permitted.
6. Compliance with WAC 246-215-06570.

C. Prior to approval of a therapy animal permit, the applicant must provide a site drawing showing the location and type of pen that will house the animals and a care plan detailing how the animals will be cared for.

Add new footnote in Table 1 District Use Chart as follows:

**Table 1 – District Use Chart
CITY OF TONASKET ZONING USE CHART**

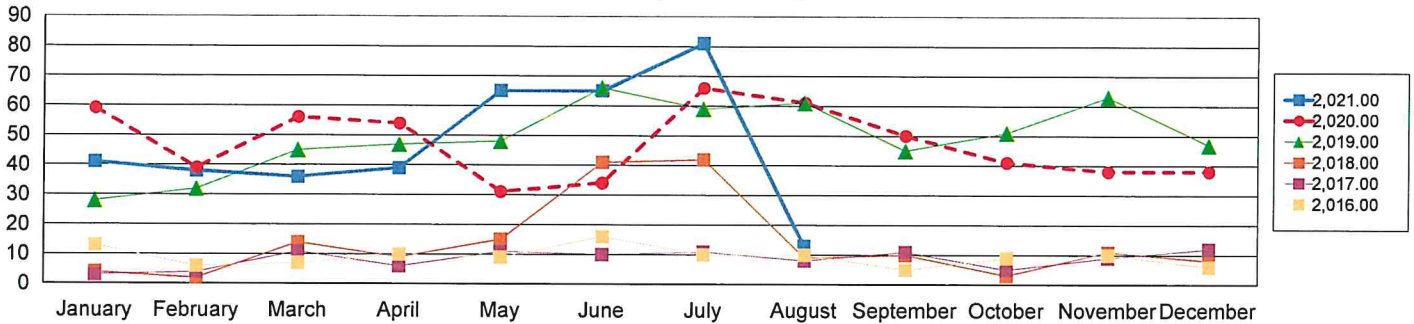
Land Uses	Zoning Districts								
	R-1	R-2	R-R	C-1	C-2	MU	M-1	AI ¹	PU
Nursing homes ¹⁴	CUP	CUP	CUP	A	A	A	X	X	A
Residential care facilities ¹⁴	CUP	CUP	CUP	A	A	A	X	X	A

14 – Therapy animals are permitted subject to 17.70.182



Okanogan County Sheriff's Office

Tonasket - Monthly Activity Law Incidents



- Total City Incidents in last 30 days: **67**
- Thefts in last 30 days: **1**
- Burglary / Trespass in last 30 days: **9**
- Assaults / Disputes in last 30 days: **3**
- Traffic incidents in last 30 days: **2**
- Total City Incidents YTD: **393**

Traffic Stops: **2**

Law Incidents - Last 30 Days

OCSO

67

8/8/2021	2:40:30PM	MEDICAL	ANTWINE	TONASKET	S21-04984
8/8/2021	9:49:20AM	SUSPICIOUS	ANTWINE	TONASKET	S21-04976
8/7/2021	2:48:50PM	DISORDERLY	RAILROAD	TONASKET	S21-04958
8/7/2021	10:51:28AM	SUSPICIOUS	DIVISION	TONASKET	S21-04954
8/6/2021	12:02:24PM	SUSPICIOUS	WHITCOMB	TONASKET	S21-04939
8/5/2021	11:04:58PM	ASSAULT	3RD	TONASKET	S21-04930
8/4/2021	6:03:02PM	EXTRA PATROL	4TH	TONASKET	S21-04904
8/4/2021	2:19:35PM	AGENCY REFERRAL	1ST	TONASKET	S21-04900
8/3/2021	6:07:57PM	CIVIL	WHITCOMB	TONASKET	S21-04873
8/3/2021	4:51:20PM	PARKING PROBLEM	4TH	TONASKET	S21-04872
8/3/2021	10:57:59AM	FOUND PERSONS		TONASKET	S21-04861
8/3/2021	7:30:33AM	ASSAULT	ANTWINE	TONASKET	S21-04854
8/1/2021	1:06:28PM	911 ABUSE	WHITCOMB	TONASKET	S21-04820
7/30/2021	9:56:09PM	TRESPASSING	WHITCOMB	TONASKET	S21-04791
7/30/2021	9:51:26PM	TRESPASSING	RAILROAD	TONASKET	S21-04792
7/30/2021	12:54:26PM	FOUND PROPERTY	WHITCOMB	TONASKET	S21-04781
7/30/2021	10:32:42AM	DISORDERLY	WHITCOMB	TONASKET	S21-04775
7/30/2021	6:46:37AM	CITIZEN ASSIST	WHITCOMB	TONASKET	S21-04770
7/30/2021	2:26:26AM	DISORDERLY	WHITCOMB	TONASKET	S21-04769
7/29/2021	6:32:28PM	CITIZEN DISPUTE	4TH	TONASKET	S21-04762
7/29/2021	8:56:31AM	SUSPICIOUS	WHITCOMB	TONASKET	S21-04744

7/28/2021	12:52:11PM	SUSPICIOUS	ANTWINE	TONASKET	S21-04727
7/28/2021	12:40:46PM	TRESPASSING	HWY 97 N	TONASKET	S21-04726
7/28/2021	10:47:40AM	CIVIL	3RD	TONASKET	S21-04725
7/27/2021	9:22:12PM	SUSPICIOUS	DELICIOUS	TONASKET	S21-04717
7/27/2021	6:42:06PM	THEFT OTHER	HWY 97 N	TONASKET	S21-04711
7/27/2021	12:39:40PM	EXTRA PATROL	LOCUST	TONASKET	S21-04699
7/27/2021	10:41:52AM	ALARM BURGLARY	4TH	TONASKET	S21-04695
7/27/2021	12:58:01AM	SUSPICIOUS	WHITCOMB	TONASKET	S21-04690
7/26/2021	8:01:59PM	TRESPASSING	WHITCOMB	TONASKET	S21-04685
7/26/2021	4:47:22PM	DISORDERLY	WHITCOMB	TONASKET	S21-04681
7/26/2021	3:40:05PM	DISORDERLY	4TH	TONASKET	S21-04680
7/26/2021	2:51:57PM	TRAFFIC HAZARD	WHITCOMB	TONASKET	S21-04679
7/26/2021	9:26:07AM	TRESPASSING	WHITCOMB	TONASKET	S21-04668
7/26/2021	6:16:35AM	SUSPICIOUS	HWY 97 N	TONASKET	S21-04665
7/25/2021	2:02:16PM	TRAFFIC HAZARD	4TH	TONASKET	S21-04656
7/25/2021	12:22:00PM	DISORDERLY	WHITCOMB	TONASKET	S21-04652
7/25/2021	7:27:00AM	TRESPASSING	WHITCOMB	TONASKET	S21-04651
7/24/2021	9:25:45PM	TRESPASSING	WHITCOMB	TONASKET	S21-04645
7/24/2021	7:13:59PM	HARASSMENT	4TH	TONASKET	S21-04638
7/24/2021	10:57:30AM	CIVIL	MILL	TONASKET	S21-04626
7/22/2021	9:09:32PM	DISORDERLY	WHITCOMB	TONASKET	S21-04587
7/22/2021	8:48:46PM	WELFARE CHECK	4TH	TONASKET	S21-04588
7/20/2021	1:44:39PM	ANIMAL ABUSE	4TH	TONASKET	S21-04526
7/20/2021	11:03:00AM	LOST PROPERTY	WHITCOMB	TONASKET	S21-04518
7/20/2021	10:04:56AM	AGENCY ASSIST	WESTERN	TONASKET	S21-04514
7/19/2021	4:25:04PM	SUSPICIOUS	ANTWINE	TONASKET	S21-04499
7/19/2021	3:48:01PM	FRAUD	NORTH STATE FRONTAGE	TONASKET	S21-04498
7/18/2021	10:39:15PM	SUSPICIOUS	ANTWINE	TONASKET	S21-04471
7/18/2021	9:36:29PM	TRESPASSING	WHITCOMB	TONASKET	S21-04467
7/18/2021	2:52:56PM	WEAPON OFFENSE	ANTWINE	TONASKET	S21-04455
7/18/2021	12:14:59PM	SUICIDAL PERSON	JONATHAN	TONASKET	S21-04453
7/16/2021	7:39:01PM	SUSPICIOUS	RAILROAD	TONASKET	S21-04412
7/16/2021	11:31:06AM	LOST PROPERTY	4TH	TONASKET	S21-04400
7/15/2021	8:13:34PM	HARASSMENT	LOCUST	TONASKET	S21-04389
7/15/2021	9:42:31AM	CHILD ABUSE	ANTWINE	TONASKET	S21-04377
7/14/2021	2:43:05PM	CITIZEN ASSIST	WHITCOMB	TONASKET	S21-04368
7/14/2021	2:36:10PM	AGENCY REFERRAL	5TH	TONASKET	S21-04367
7/14/2021	12:36:45AM	DISORDERLY	WHITCOMB	TONASKET	S21-04353
7/13/2021	4:36:35PM	SUSPICIOUS	WHITCOMB	TONASKET	S21-04344
7/12/2021	7:28:26PM	OTHER CALLS	TONASKET	TONASKET	S21-04321
7/12/2021	11:07:07AM	DISORDERLY	TONASKET	TONASKET	S21-04310
7/11/2021	3:36:47PM	DISORDERLY	HWY 97 N	TONASKET	S21-04290
7/11/2021	1:24:21PM	MAL MISCHIEF	RAILROAD	TONASKET	S21-04287
7/11/2021	11:46:05AM	911 ABUSE	HWY 97	TONASKET	S21-04284
7/11/2021	11:45:23AM	SUSPICIOUS	WHITCOMB	TONASKET	S21-04285
7/10/2021	2:52:34PM	LOST PROPERTY	WHITCOMB	TONASKET	S21-04261

EMS Calls - Last 30 Days

LIFELINE EMS		7	
8/6/2021	9:39:31PM	TRANSFER PATIEN	E21-03326
8/5/2021	6:51:28PM	TRANSFER PATIEN	E21-03313
8/1/2021	6:31:27PM	TRANSFER PATIEN	E21-03256
7/31/2021	5:41:56PM	TRANSFER PATIEN	E21-03240
7/19/2021	8:45:10PM	TRANSFER PATIEN	E21-03058
7/18/2021	5:14:15PM	TRANSFER PATIEN	E21-03038
7/11/2021	4:37:42AM	TRANSFER PATIEN	E21-02914

TONASKET EMS		7	
8/8/2021	2:40:30PM	MEDICAL	E21-03349
8/2/2021	2:36:56PM	FALL	E21-03270
8/2/2021	1:46:05PM	HEART PROBLEM	E21-03269
7/29/2021	3:22:12PM	MEDICAL	E21-03218
7/25/2021	12:15:50PM	MEDICAL	E21-03148
7/18/2021	11:02:52AM	FALL	E21-03031
7/16/2021	1:30:16PM	OVERDOSE	E21-03007

Fire Calls - Last 30 Days

TONASKET FIRE		1	
7/29/2021	3:22:12PM	MEDICAL	F21-01173