

Agenda

PLANNING COMMISSION

Monday, September 25th 5:30 PM

INTRODUCTION

The City of Newport, Washington is a Mayor Council form of government and is a non-charter code city. The City of Newport Planning Commission was created by ordinance No. 308, which set forth the membership, terms of office, powers, and duties. This ordinance was updated by ordinance No. 2018, February 2, 2015. The Commission members shall serve without compensation and are appointment by the Mayor and confirmed by the City Council. Regular meetings are conducted at the Newport City Hall, 200 S. Washington Ave., at 5:30 PM, on the fourth Monday of each month. The Planning Commission is responsible for a variety of duties, such as, updating the City Comprehensive Plan, granting conditional use permits, acting on zoning matters, making recommendations to the City Council that concern subdivision and annexation petitions and such other matters as maybe requested by the City Council. Planning Commission members are not professional planners; however, they are responsible community leaders from all walks of life, who are vitally interested in orderly growth of our community.

Questions concerning the Planning Commission or to place a topic on the Planning Commission agenda, please call the Newport City Hall at 509-447-5611.

OUR PLANNING COMMISSIONERS

Chair
Vice Chair
Member
Member
Member

Terri Ivie
Levi Litowitz
Kevin Wright
Adam Wiltse
Carla Aannerud

CALL TO ORDER

- ◇ ROLL CALL
- ◇ PLEDGE OF ALLEGIANCE
- ◇ AMENDMENTS TO THE AGENDA
- ◇ APPROVAL OF AGENDA
- ◇ AMENDMENTS TO PREVIOUS MEETING MINUTES
- ◇ APPROVAL OF PREVIOUS MEETING MINUTES

CHAIR AND COMMISSIONER COMMENTS

OLD BUSINESS

- Newport Municipal Code 17.02 Zoning District Continued Review

AUDIENCE PARTICIPATION

ADJOURNMENT

Sections:

- 17.02.010 Official zoning map.**
- 17.02.020 Use classifications.**
- 17.02.030 Low density residential (R-1) zone.**
- 17.02.040 Medium density residential (R-2) zone.**
- 17.02.050 Multifamily and mobile home residential (R-3) zone.**
- 17.02.070 Central business district (C-1) zone.**
- 17.02.080 Highway commercial (C-2) zone.**
- 17.02.090 Industrial (I) zone.**
- 17.02.100 Public facilities (PF) zone.**
- 17.02.110 Essential public facilities.**

17.02.010 Official zoning map.

The city of Newport is divided into zones or use districts as shown on the official zoning map, which, together with all notes on the map, is adopted by reference and declared to be part of this title.

A. The districts shown on the map and described in this title are:

R-1:	Low Density Residential Zone
R-2:	Medium Density Residential Zone
R-3:	Multifamily Residential Zone
C-1:	Central Business District Zone
C-2:	Highway Commercial Zone
I:	Industrial Zone
PF:	Public Facilities Zone

B. The official zoning map shall be the final authority as to the current zoning status of land in the city.

C. Parcels not classified on the official zoning map are subject to an administrative code interpretation and shall be subject to the regulations of the R-1 district pending further classification.

D. In case uncertainty exists regarding the location of zoning boundaries, the mayor or his/her designee may determine the location of such boundaries. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.020 Use classifications.

A. Table 17.02.020 indicates permitted, conditionally permitted and prohibited uses in the various zoning districts. Permitted uses may be approved by the city in accordance with the provisions of this title. In consideration of traffic, noise, lighting, hazards, health, environmental and other issues, certain uses may be permitted subject to special conditions through the issuance of a conditional use permit. Prohibited uses are those uses not permitted within a zone at any time under any circumstances. For purposes of this section the following apply:

- P: Permitted Use
- C: Conditional Use
- T: Temporary Use
- N: Prohibited Use

B. The city may permit any use not specifically described in this title, based on a finding that the proposed use is substantially similar to uses permitted in the zone in question. The city shall keep a record of such interpretations to facilitate equitable future administration and to permit periodic amendments to this title.

Table 17.02.020

Zone	R-1	R-2	R-3	C-1	C-2	I	PF
Accessory dwelling unit (13)	P	P	P	N	N	N	N
Adult entertainment uses	N	N	N	N	C	N	N
Adult family homes	C	C	P	C	C	N	N
Automotive sales and service	N	N	N	P	P	P	N
Automotive towing/storage facility	N	N	N	N	C	P	N
Bed and breakfast	C	C	C	N	N	N	N
Boardinghouse	P(1)	P(1)	P(2)	C	N	N	N

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Table 17.02.020

Zone	R-1	R-2	R-3	C-1	C-2	I	PF
Bottling plant	N	N	N	N	C	P	N
Breweries, wineries, & distilleries	N	N	N	P	P	P	N
Bulk plant	N	N	N	N	N	C	N
Business or trade schools, dance and music schools	C	C	C	P	P	C	P
Cell towers	N	N	N	N	E	E	E
Cleaning and laundry establishment	N	N	N	P	P	P	N
Clinic, hospital and convalescent facilities	C	C	C	P	P	C	P
Clothing fabrication and assembly	N	N	N	P	P	P	N
Commercialized form of recreation (bowling alley, theater)	N	N	N	P	P	N	P
Communication facilities	E	E	E	P	P	E	E
Concrete plants or accessory uses	N	N	N	N	C	C	N
Confidential social service facilities (4)	P	P	P	P	P	P	P
Cluster development - Cottage homes	N	P	P	N	N	N	N
Cluster development - Tiny homes	N	P	P	N	N	N	N
Convalescent homes and nursing homes	N	N	P	C	C	N	P
Day care center (8)	C	C	C	P	P	C	C
Day care center - mini (8)							
Day care - family provider (8)	P	P	P	P	P	N	N
Department stores, specialized service stores, specialty retail stores (shoe, sporting goods, gifts, hardware)	N	N	N	P	P	C	N
Detention centers (9)	N	N	N	N	N	C	C
Drive-through businesses	N	N	N	C	P	P	N

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Table 17.02.020

Zone	R-1	R-2	R-3	C-1	C-2	I	PF
Duplex	P	P	P	N	N	N	N
Electronics manufacturing	N	N	N	N	P	P	N
Electric vehicle charging station – Level 1	P	P	P	P	P	P	P
Electric vehicle charging station – Level 2	P	P	P	P	P	P	P
Electric vehicle charging station – Level 3	N	N	N	C	P	P	P
Electric vehicle – Battery exchange station	N	N	N	C	C	C	N
Essential public facilities (9)	P	P	P	P	P	P	P
Family day care home	P	P	C	C	C	C	C
Feed and seed stores	N	N	N	P	P	P	N
Financial institutions	N	N	N	P	P	C	N
Golf course	C	C	C	N	N	N	C
Gravel pits/rock crushing operations	N	N	N	N	N	C	N
Grocery stores	N	N	N	P	P	N	N
Hazardous waste storage and treatment (off site)	N	N	N	N	N	C	N
Hazardous waste storage and treatment (on site)	N	N	N	N	N	C	N
Home business	P	P	P	P	N	N	N
Hotel or motel	N	N	N	P	P	C	N
Insurance, real estate, legal and abstract offices	N	N	N	P	P	C	C
Jewelry stores	N	N	N	P	P	N	N
Junkyard	N	N	N	N	N	C	N
Landfills, including hazardous or dangerous waste, municipal solid waste, special waste, wood waste, and inert and demolition waste landfills.	N	N	N	N	N	N	N
Light industrial uses	N	N	N	N	C	P	N

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Table 17.02.020

Zone	R-1	R-2	R-3	C-1	C-2	I	PF
Liquor stores	N	N	N	P	P	N	N
Lumber and building materials sales yards	N	N	N	N	P	P	N
Machine shops	N	C	N	C	P	P	N
Manufacture of explosive or highly flammable material operations	N	N	N	N	N	C	N
Manufacture or refining of products such as acetylene; asphalt or tar; kiln fired brick, tile, terra-cotta; fats, oils or soap; oilcloth or linoleum; paint, shellac, turpentine, lacquer, or varnish, etc.	N	N	N	N	N	C	N
Cannabis - Processing	N	N	N	N	N	C(5)	N
Cannabis - Production	N	N	N	N	N	C(5)	N
Cannabis - Retail sales	N	N	N	C(6)	C(5)	C(5)	N
Mini day care (12 or under)	P	P	P	P	P	C	C
Mini storage	N	N	N	N	C	P	N
Mixed use (office, commercial and/or residential on a single parcel or in a single structure)	N	P	P	P	P	N	N
Manufactured or modular home (10)	P	P	P	N	N	N	N
Manufactured Home Park (11)							
Multifamily residence	N	P	P	P(3)	P	N	N
Museum, art galleries	C	P	P	P	P	C	P
Neighborhood store (grocery, convenience, small restaurant, etc.)	C	P	P	P	P	N	N
Newspaper and printing shops	N	N	N	P	P	P	N
Nurseries and greenhouses	N	N	N	C	P	P	C
Nursery schools, day nurseries, childcare centers	C	C	P	P	P	N	P

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Table 17.02.020

Zone	R-1	R-2	R-3	C-1	C-2	I	PF
Paper or pulp manufacture	N	N	N	N	N	C	N
Parking lot or public garages	N	N	N	C	C	P	P
Passenger transportation depots	N	N	N	P	P	P	P
Permanent Supportive Housing	C	C	C	C	C	N	N
Pet shops, small animal hospitals, kennels (indoor)	N	N	N	P	P	P	C
Petroleum processing	N	N	N	N	N	C	N
Professional and general offices	N	N	C	P(3)	P	P	C
Public uses (school, library, park, playground, social centers, water reservoir, wastewater treatment plant, fire and police)	P	P	P	P	P	P	P
Radioactive substance facilities	N	N	N	N	N	N	N
Railroad rights-of-way (not including yards)	N	N	N	N	P	P	P
Recreational vehicle park (11)	N	N	N	N	C	C	C
Religious and charitable institutions (update term)	C	C	C	P	P	N	N
Restaurants	N	N	C	P	P	P	N
Service station	N	N	N	P	P	C	N
Shared parking	N	N	N	E	E	E	N
Short term rentals? (12)	P	P	P	P	P	N	N
Single-family residence	P	P	P	N	N	N	N
Slaughterhouses, stockyards, or feedlot operations	N	N	N	N	N	N	N
Social services	N	N	C	P	P	N	P
Stone and monument businesses	N	N	N	C	P	P	N
Tannery or curing of raw hides	N	N	N	N	N	N	N
Tavern or nightclub	N	N	N	P	P	N	N

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Table 17.02.020

Zone	R-1	R-2	R-3	C-1	C-2	I	PF
Temporary uses/seasonal sales	N	N	N	T(7)	T(7)	T(7)	T(7)
Townhomes	N	P	P	N	N	N	N
Truck terminals	N	N	N	N	P	P	N
Upholstery shops	N	N	N	P	P	P	N
Underground injection wells	N	N	N	N	N	N	N
Utility service yard (public)	N	N	N	N	P	P	P
Warehouse and wholesale	N	N	N	C	P	P	N
<u>Wireless communication facilities</u>	C	C	C	C	C	C	C
Wood treatment facilities that allow any portion of the treatment process to occur over permeable surfaces	N	N	N	N	N	N	N

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Footnotes:

- (1) Accommodating not more than two persons in addition to residents.
- (2) Accommodating not more than 10 persons in addition to residents.
- (3) Above the ground floor or behind the storefront face (no less than 50% of street frontage shall be commercial).
- (4) Location will be kept confidential from public disclosure.
- (5) See NMC 17.03.140 for additional requirements.
- (6) Only on parcels east of Union Avenue/Highway 2 in accordance with the provisions of NMC 17.03.140.
- (7) See NMC 17.05.030 for permitting requirements.
- (8) As defined in CW 35.63.170 and subject to licensing requirements by the Washington State Department of Children, Youth and Families; compliance with applicable building, fire, safety, and health codes is required.

(9) Subject to NMC 17.02.110

(10) Subject to NMC Chapter 15.08

(11) Subject to NMC 17.05.100 Binding site plan

(12) Limitation of one unit per parcel in Residential Zones and subject to RCW 64.37.010

(13) Subject to NMC 17.03.090

(Ord. 2104 § 1 (Exh. A), 2022)

17.02.030 Low density residential (R-1) zone.

A. Purpose. The purpose of the low density residential zone is to preserve established residential neighborhoods and to encourage the establishment of new neighborhoods that are pedestrian friendly and safe for children to play.

B. Accessory Uses. The following accessory uses are permitted in the low density residential zone:

1. Accessory dwelling units (reference NMC 17.03.090);
2. Private garages having space to accommodate not more than three automobiles;
3. Tool sheds;
4. Outdoor patios;
5. Hobby shops and greenhouses relating only to the hobbies of the occupants;
6. Approved home businesses; and
7. Gardening and fruit raising.

C. Development Standards.

Single-family residence – no minimum lot size, as long as all the following standards are met	None
Duplex minimum lot area	6,000 square feet

Minimum lot depth (each lot must have 25 feet of street frontage)	None
Minimum lot width (each lot must have 25 feet of street frontage)	None
Minimum building setback, front yard. Front door faces front of lot. Corner lots, the front setback is determined by the location of the front door.	15 feet
Minimum building setback, side yard	5 feet
Minimum building setback, street side yard	10 feet
Minimum building setback, rear yard	15 feet
Maximum main building height	30 feet
Minimum main building size	24 feet long by 20 feet wide
Maximum accessory building height	24 feet
Accessory buildings in rear yard a minimum setback from all lot lines	5 feet (10 feet from adjoining street or alley if the roof slopes in that direction)
Maximum lot coverage	80%
Maximum residential density	10 dwelling units/acre

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D. Other Applicable Regulations. In addition to the requirements contained in this section, the requirements contained in Chapter 17.03 NMC, Supplementary Standards, shall also apply in the low density residential zone. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.040 Medium density residential (R-2) zone.

A. Purpose. The purpose of the R-2 zone is to provide for higher intensity, less restrictive single- and double-family residences, as well as cluster housing, fourplexes and others as identified in the permitted use table. This area is encouraged to develop at a medium density (net eight to 10 units per acre).

B. Accessory Uses. The following accessory uses are permitted in an R-2 medium density residential zone:

1. Accessory dwelling units (reference NMC 17.03.090);

2. Private garages having space to accommodate not more than three automobiles;
3. Tool sheds;
4. Outdoor patios;
5. Hobby shops and greenhouses relating only to the hobbies of the occupants;
6. Approved home businesses; and
7. Gardening and fruit raising.

C. Development Standards.

No minimum lot size, as long as all the following standards are met	None
Minimum lot depth (each lot must have 25 feet of street frontage)	None
Minimum lot width (each lot must have 25 feet of street frontage)	None
Minimum building setback, front yard. Front door faces front of lot. Corner lots, the front setback is determined by the location of the front door.	15 feet
Minimum building setback, side yard	5 feet
Minimum building setback, street side yard	10 feet
Minimum main building setback, rear yard	15 feet
Maximum main building height	30 feet
Maximum accessory building height	24 feet
Accessory buildings in rear yard: a minimum setback from all lot lines	5 feet (10 feet from adjoining street or alley if the roof slopes in that direction)
Maximum lot coverage	80%

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D. Other Applicable Regulations. In addition to the requirements contained in this section, the requirements contained in Chapter 17.03 NMC, Supplementary Standards, shall also apply to the R-2 zone. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.050 Multifamily and mobile home residential (R-3) zone.

A. Purpose. The purpose of the R-3 zone is to provide for multifamily affordable housing and residential areas suitable for mobile homes. Permitted uses include, but are not limited to, apartment buildings, accessory buildings, and home businesses. In addition, the purpose of the R-3 zoning district ensures that mobile home parks are designed, developed and maintained to provide safety for the residents, to provide affordable, single-family style housing, and to be compatible with the character and scale of surrounding residential neighborhoods.

B. Accessory Uses. The following accessory uses are permitted in an R-3 multifamily and mobile home residential zone:

1. Private garages;
2. Tool sheds;
3. Outdoor patios;
4. Hobby shops and greenhouses relating only to the hobbies of the occupants;
5. Approved home businesses; and
6. Gardening and fruit raising.

C. Development Standards. All new development in the R-3 zone must meet the following standards:

1. All mobile homes must be skirted to conceal the undercarriage within 30 days of occupancy.
2. All utility lines shall be undergrounded.
3. Each mobile home site must have two off-street parking spaces. At least one parking space must be located on site and the other space may be located in a shared facility not more than 200 feet from the site.

4. Only one mobile home may be located on a lot unless approved through a binding site plan.

Minimum lot size	4,050 square feet
Minimum lot depth	90 feet
Minimum lot width	45 feet
Minimum building setback, front yard. Front door faces front of lot. Corner lots, the front setback is determined by the location of the front door.	20 feet
Minimum building setback, side yard, and may be used as parking lot, which shall be separated from any adjacent development by a fence or hedge six feet in height and shall be well maintained.	10 feet
Minimum building setback, street side yard	15 feet
Minimum building setback, rear yard, and may be used as parking lot	20 feet
Maximum building height	40 feet
Maximum accessory building height	24 feet
Minimum accessory building setback, rear yard	10 feet
Maximum lot coverage	80%
Maximum residential density	(1)

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Footnotes:

(1) There is no maximum density provided; proposed development shall comply with proposed building height, lot coverage, parking, and setback requirements.

D. ~~Multifamily Residential Development is subject to~~ Site Plan Review approval pursuant to ~~NMC 17.05.040.~~

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E. Other Applicable Regulations. In addition to the requirements contained in this section, the requirements contained in Chapter 17.03 NMC, Supplementary Standards, shall also apply to the R-3 zone. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.070 Central business district (C-1) zone.

A. Purpose. The purpose of the central business district (C-1) zone is to provide for a broad range of retail sales and services that take advantage of the historical identity of downtown Newport. Permitted uses include, but are not limited to, retail, public facilities, office complexes, community centers, and residential (prohibited on ground floor). This business district serves as the dominant commercial center for the city and is characterized by historic buildings, no building setbacks, and a mix of commercial and residential uses. The pedestrian scale and the compactness of the commercial uses in this zone encourage foot traffic and pedestrian accessibility in order to draw people from their cars to walk and enjoy retail stores, restaurants and community centers.

B. Development Standards.

Minimum lot size	5,000 square feet	
Minimum lot width	40 feet	
Minimum building setback, front	0 feet	Buildings may be constructed to the front property line.
Minimum building setback, side	0 feet	Where a C-1 lot, with no alley, abuts a residential district, the adjoining side yard shall be not less than five feet or one-fifth the height of the building, with a six-foot-high sight-obscuring fence or hedge.
Minimum building setback, street side	0 feet	Buildings may be constructed to the street side property line.
Minimum building setback, rear	15 feet	
Maximum building height	45 feet	

C. Site Plan Review. Prior to the development of any lot in the central business district C-1 zone, approval of a site plan review consistent with NMC 17.05.040 is required.

D. Other Applicable Regulations.

1. Residential uses on the ground floor shall be prohibited, except where there is an existing home.

2. In addition to the requirements contained in this section, the requirements contained in Chapter 17.03 NMC, Supplementary Standards, shall also apply to development in the C-1 zone. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.080 Highway commercial (C-2) zone.

A. Purpose. The purpose of the highway commercial (C-2) zone is to provide for a broader type of commercial uses than those permitted in the central business district (C-1) zone. Permitted uses include, but are not limited to, retail, office complexes, and wholesale. This zone is more auto-related than the central business district. The C-2 zone may be characterized by shopping centers, gasoline service stations, automobile sales lots and other general or service commercial uses requiring more land and increased automobile access than would be available in the central business district.

B. Development Standards.

Minimum lot size	5,000 square feet
Minimum building setback, front	0 feet
Minimum building setback, side	0 feet
Minimum building setback, street side	0 feet
Minimum building setback, rear	0 feet
Maximum building height	Not to exceed 45 feet

C. Site Plan Review. Prior to the development of any lot in the highway commercial C-2 zone, approval of a site plan review consistent with NMC 17.05.040 is required.

D. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in Chapter 17.03 NMC, Supplementary Standards, shall also

apply to development in the highway commercial (C-2) zone. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.090 Industrial (I) zone.

A. Purpose. The purpose of the industrial (I) zone is to provide standards for the location of nonpolluting, light industrial uses. Typical uses in this zone include, but are not limited to, fabrication, assembly, and manufacturing or processing. The zoned industrial areas take advantage of rail and highway access points and use fencing and landscaped screens to help buffer the uses from residential, public and commercial land uses. In addition, design standards are incorporated into the code to ensure compatibility with adjacent uses.

B. Development Standards.

Minimum lot size	None required
Minimum property boundaries setback, front	0 feet, except 50 feet where adjoining a residential district
Minimum property boundaries setback, side	0 feet, except 50 feet where adjoining a residential district
Minimum property boundaries setback, rear	0 feet, except 50 feet where adjoining a residential district

C. Site Plan Review. Prior to the development of any lot in the industrial zone, approval of a site plan review consistent with NMC 17.05.040 is required.

D. Operating Standards. The following provisions shall apply to all uses within this zone:

1. Storage, handling, and use of hazardous substances, materials and devices shall comply with the International Fire Code.
2. Sound levels shall not exceed levels established by noise control regulations of the Department of Labor and Industries. Maximum permissible environmental noise levels to be emitted to adjacent properties are not to exceed levels of the environmental designations for noise abatement (EDNA) as established by the State of Washington Department of Ecology (WAC 173-60-040).

3. Pollution standards set up by regional, state or federal pollution control commissions or boards shall apply to all uses.

E. Other Applicable Regulations. In addition to the requirements contained in this section the requirements contained in Chapter 17.03 NMC, Supplementary Standards, shall also apply to development in the industrial zone. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.100 Public facilities (PF) zone.  SHARE

A. Purpose. The purpose of the public facilities (PF) zone is to provide an area for those lands serving the needs of the general public, such as, but not limited to, land for a courthouse, school, health clinic, or park. This zone is reserved for designated public facilities and generally includes lands owned or reserved for governmental use.

B. Development Standards. Development standards in the public facilities zone shall be determined on a case-by-case basis and may be subject to public review and comment.

C. Other Application Regulations. In addition to the requirements contained in this section, the requirements contained in Chapter 17.03 NMC, Supplementary Standards, shall also apply to development in the PF zone. (Ord. 2104 § 1 (Exh. A), 2022)

17.02.110 Essential public facilities.

A. Purpose. The Washington State Growth Management Act directs that no comprehensive plan or development regulation may preclude the siting of essential public facilities. The purpose of this section is to establish procedures and criteria to guide the review of necessary public uses that may otherwise be difficult to site.

B. Applicability. The location, review, and potential permitting of essential public facilities shall be guided by the provisions of the Newport comprehensive plan and the provisions of this title.

1. Proposed public facilities that are on a list of essential public facilities maintained by the Washington State Office of Financial Management or the city of Newport, or that otherwise meet the definition of essential public facilities, as determined by the city, must comply with the provisions of this section.

C. Review Criteria.

1. Essential public facilities may be permitted through a Type 2 review and the issuance of a conditional use permit; provided, that:

- a. The city may require that alternative sites be identified and evaluated;
- b. The city may require an extensive public involvement process to ensure that the public and affected property owners are actively involved throughout the preapplication and application review;
- c. The city may require a multi-jurisdictional review process if the facility serves a regional, statewide, or national need;
- d. An analysis of the facility's impact on city finances shall be undertaken. Mitigation of adverse financial impacts shall be required; and
- e. All costs associated with the processing of the required permits and approvals of an essential public facility shall be paid by the applicant.

2. In addition to the general criteria for conditional uses, the following criteria shall be used to evaluate applications involving essential public facilities:

- a. Whether there is a public need for the facility;
- b. The extent to which the proposed essential public facility is consistent with the city comprehensive plan;
- c. The impact of the facility on the surrounding uses and environment;
- d. Whether the design of the facility and operation of the facility can be conditioned, or the impacts otherwise mitigated, to make the facility compatible with the character of the city, surrounding land uses, and the environment;
- e. The fiscal impact on the city including the impact on city services;
- f. Whether a package of incentives can be developed that would make siting the facility within the community more acceptable;
- g. Whether the factors that make the facility difficult to site can be modified to increase the range of available sites or to minimize impacts on affected areas and the environment; and

h. The extent to which the proposed essential public facilities complies with any applicable state siting and permitting requirements. (Ord. 2104 § 1 (Exh. A), 2022)