

WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting

7:00 p.m.

Thursday, March 15, 2012

Woodland Community Center
782 Park Street, Woodland, Washington

CALL TO ORDER

APPROVAL OF MINUTES

- February 16, 2012

PUBLIC WORKSHOP

- 1) 2012 Comprehensive Plan Updates
 - Planning Commission to determine if a proposal should receive further consideration as part of the comprehensive plan amendment process (WAC 365-196-640(6)(d))
 - i. Preliminary Docket Staff Report
 - ii. Background Information
 - iii. Request Letters
 - iv. Timeline
- 2) Presentation on Historic Preservation Options

REPORT / PROJECT UPDATE / DISCUSSION

- 1) Final 2012 Priorities
- 2) Project Updates

ADJOURN

cc: Post (City Hall Annex, Library, Post Office, City Hall)
City of Woodland website
Planning Commission (5)
City Council (6)
Mayor
Those who have expressed interest in agenda topics
Department Heads

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Regular Meeting
7:00 p.m.

Thursday, February 16, 2012

Woodland Community Center
782 Park Street, Woodland, Washington

Present: Chair David Simpson
Commissioner Nancy Trevena
Commissioner Sharon Watt
Commissioner Murali Amirineni

Absent: Commissioner Jim Yount

Also Present: Secretary JoAnn Heinrichs
Community Development Planner Carolyn Johnson
Mayor Grover Laseke

CALL TO ORDER [7:04:54 PM](#)

APPROVAL OF MINUTES [7:06:17 PM](#)

Commissioner Trevena moved to accept January 19, 2011 minutes as written, Commissioner Watt seconded the motion. Passed unanimously.

PUBLIC HEARING

1. Retreat Centers as Conditional Uses in the LDR, ZTC (LU# 211-918)
 - Hotel and Motel Lodging Tax Information
 - Draft Ordinance
 - Comment Letters
- Carolyn Johnson gave staff report.
- Retreat Centers do pay lodging tax plus others. Any business that provides transient lodging for less than 30 consecutive days is required to pay this tax.
- Error found in 17.16.040, strike "LDR-6", since it applies to all Low Density Residential zones.

PUBLIC COMMENT PORTION OPEN:

- No public comment

PUBLIC COMMENTS PORTION CLOSED:

DISCUSSION:

- This project was initiated by Mayor Blum. In the future, zoning text changes will go to the Council first to ensure support.

[7:17:23 PM](#)

Commissioner Trevena moved to forward Land Use Application No. 211-918 to City Council with a recommendation to adopt, Commissioner Amirinen seconded the motion. Passed unanimously.

PUBLIC WORKSHOP

1. Identify 2012 Planning Commission Priorities [7:17:34 PM](#)
 - Status Report on 2011 Priorities
 - Draft 2012 Priorities

Staff report given by Carolyn Johnson.

The following possible 2012 priorities were listed:

1. **Shoreline Master Program Update:**
 - Parametrix was hired as the consultant to help with the SMP Updates.
 - Woodland's Critical Areas Ordinance will be opened up for review and amendment.
 - Three year project.
 - First year would be mapping existing conditions.
2. **Comprehensive Plan and Map Amendments:**
 - There are three, possibly four, rezones to consider.
3. **Amend Code to Address Electric Vehicle Battery Charging Stations:**
 - This is a GMA requirement.
4. **Assisting with Development Reviews as necessary**
5. **Expirations for Variances and Site Plan Approval:**
 - Good item to discuss with the City Council.
 - There is not a lot of development activity at this time which may make it good timing to address this issue in the code.
6. **Creation of a Historic Preservation Ordinance:**
 - City Council members have expressed interest in continuing to pursue a Historic Preservation Ordinance.

7. **Pet and Domestic Animal Code Amendment:**
 - What will happen if someone already has animals that the ordinance would regulate?
 - i. Would making the ordinance effective two years after adoption help this?
 - How should this be taken to the public?
 - i. Planning Department could put flyers in feed stores.
 - ii. No need to notify everyone individually.
8. **Non-conforming Uses Zoning Code Text Change: Adding “Retreat Centers” to the list of Conditional Uses in LDR zoning districts**
9. **An Ordinance That Would Amend The Administrative Appeals Process**
10. **Amending Off-Site Improvement Standards for Commercial and Residential Zoning Districts**
11. **Develop Standards for Solar Panels and Wind Turbine:**
 - Solar panels are not really a planning issue. They are more of a building issue.
 - Wind turbines would have height restrictions and noise.
 - It seems like these should be covered in the building code or could go under conditional uses.
12. **Revise Woodland’s Critical Areas Ordinance to Address Department of Ecology Concerns**
13. **Review and Provide a Recommendation on the Ad Hoc Committee’s List of Expanded Uses for the C-1 (Central Business) District:**
 - Commission will wait to see how the Council wants to deal with this.
14. **Develop Procedures for Processing Boundary Line Adjustments and Requirements for Approval**
15. **The Zoning of Medical Marijuana Dispensaries and Collective Gardens**
16. **Downtown Design Standards Ad Hoc committee recommendation document:**
 - Need direction from City Council.

REPORT / PROJECT UPDATE / DISCUSSION

1. **Project Updates** [8:35:23 PM](#)
 - City Council approved the zoning text amendment regarding minor and major variances.
 - PacifiCorp Fish Release Pond project undergoing a possible redesign and FEMA reviewing technical memo related to development in the floodway.
 - Pacific Plaza Short Plat, approval expected to be issued on March 24th.
 - American Paper Converting BLA, decision document issued.
 - Columbia Colstor, DNS document will be issued tomorrow.
 - Longview Housing Authority, Lilac Place Apartments, application has come in.

ADJOURN [8:43:29 PM](#)

Commissioner Trevena moved to adjourn to our next regularly scheduled meeting on March 15, 2012, Commissioner Amirineni seconded the motion. Passed unanimously.

JoAnn Heinrichs, Planning Commission Secretary

Date

These minutes are not a verbatim record of the proceedings.
A recording is available in the office of the Clerk-Treasurer

STAFF REPORT

Preliminary Comp Plan Amendment Docket

To: Planning Commission
 From: Carolyn Johnson, Community Development Planner
 RE: Comprehensive Map Changes
 Prepared: March 13, 2012 for the Commission's March 15th Meeting

The City has received four requests for Comprehensive Plan Map changes and rezones. The Planning commission's task for their March 15, 2012 meeting is to determine if the proposals listed below should receive further consideration in 2012. As per WAC 365-196-640(6)(d), "Once a proposed amendment is received, the county or city may determine if a proposal should receive further consideration as part of the comprehensive plan amendment process."

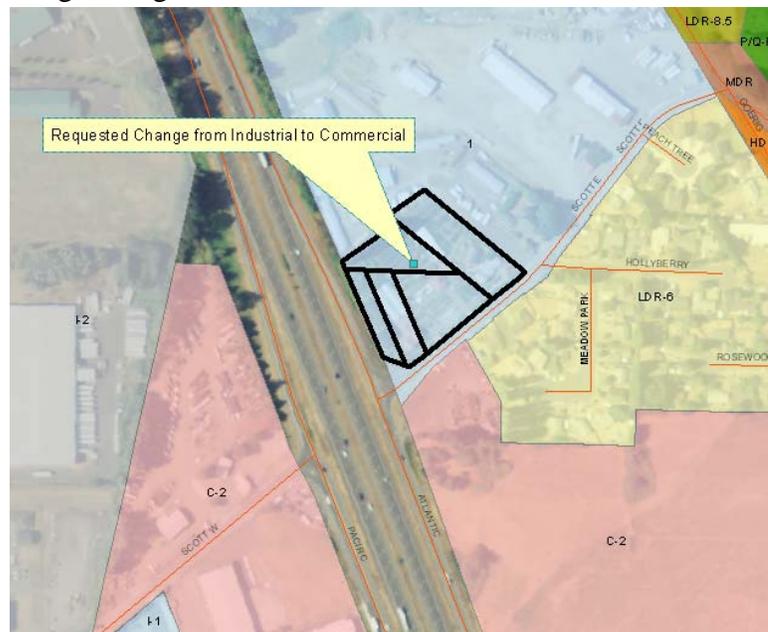
PRELIMINARY DOCKET AS OF MARCH 8, 2012					
Applicant	Acres (approx.)	Existing Comprehensive Plan Designation	Proposed Comprehensive Plan Designation	Existing Zoning	Proposed Zoning
<i>Comprehensive Plan/Zoning Map Change Requests</i>					
George Tsugawa (Tsugawa's Nursery)	3.1	Light Industrial	Commercial	I-1	C-2
Skip Urling on behalf of Liberty Evans LLC	6	Light Industrial	Commercial	I-1	C-2
Ronald Fryer (2108 LRR)	0.39	Low Density Residential	High Density Residential	LDR 6	MDR
Pamela Wenzel (961 Goerig St.)	0.19	High Density Residential	Commercial	HDR	Likely C-2

Once the Planning Commission decides which proposed amendments should receive further consideration, parties will be notified and the application process will begin. Ultimately, all amendment proposals must be considered concurrently in a package so that their cumulative effects can be understood. The Planning Commission will provide a recommendation to the Council on the Comprehensive Plan amendment package after holding workshops and a public hearing.

- Attachments:
1. Background Information
 2. Formal Request Letters
 3. Rough Timeline for 2012 Annual Review of Comprehensive Plan Amendments

Background Information on the George Tsugawa (Tsugawa Nursery) Request

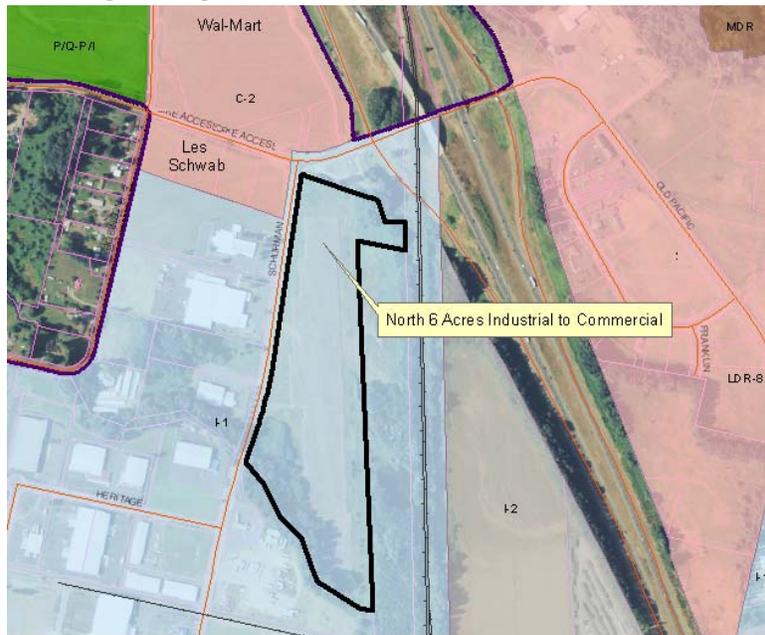
1. Are the existing use and existing zoning designation consistent?
 - a. The current use most clearly matches a use listed in the Highway Commercial District, “Nurseries, greenhouses, yard and garden supplies”. The current use is also most consistent with the stated purpose of the highway commercial district, “The highway commercial district (C-2) is a zoning classification providing for commercial services which are accessible by automobiles and trucks, require extensive outdoor storage or display areas as well as off-street parking and loading areas.”
2. Surrounding zoning



Background Information on the Skip Urling (Liberty Evans LLC) Request

1. Are the existing use and existing zoning designation consistent?
 - a. The subject parcel is 27.15 acres of light industrial land that is currently vacant. The applicant is requesting that the northernmost 6 (approximate) acres be rezoned to allow for a restaurant, a financial institution, and various retail developments. The proposed use is inconsistent with the land's current zoning designation and a rezone would be necessary for the development to move forward at this location.

2. Surrounding zoning



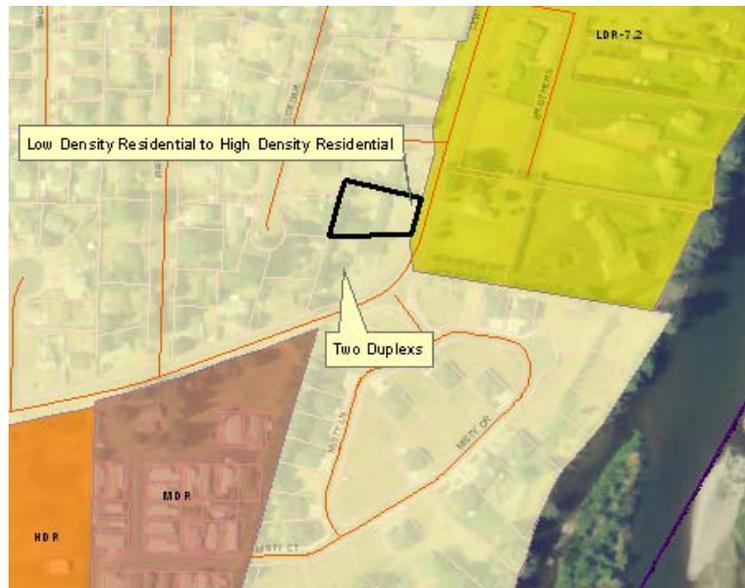
3. Can a single parcel have two different comprehensive map designations or does land division need to occur first?
 - a. The following is from an MRSC inquiry found online at <http://www.mrsc.org/askmrsc/featuredinq.aspx?inq=662>:

Question: What zoning applies when one lot is located in two zoning districts?

Answer: The general rule is that zoning need not follow boundary lines. Consequently, when a lot is split by a zoning district, part of the lot is subject to the rules that apply to the one district and the other part is subject to the rules that apply to the other district. However, zoning ordinances may, and some do, specifically address the split lot situation, such as providing for some form of administrative special exception procedure or by establishing some flexibility in district boundary lines.

Background Information on the Ronald Fryer (2108 Lewis River Rd.) Request

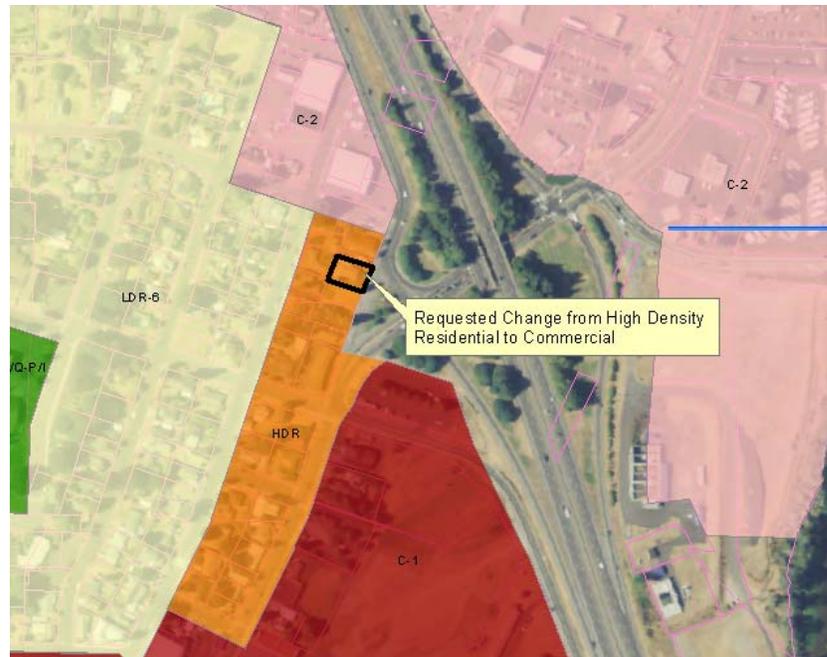
1. Are the existing use and existing zoning designation consistent?
 - a. The existing structure at 2108 Lewis River Road is recognized as a single-family dwelling by the City of Woodland and Cowlitz County. Duplexes are allowed in Low Density Residential districts with a conditional use permit from the Hearing Examiner. Without a conditional use permit, the structure under its existing zoning designation cannot be used as a duplex. The requestor has been made aware of the two different quasi-judicial avenues available to him (i.e. conditional use permit or comprehensive plan amendment + rezoning). The comprehensive plan states “the Low Density Residential classification designates areas intended primarily for single-family dwellings with scattered two-family dwellings among the single-family dwellings (Page 1-40).”
2. Surrounding zoning



Background Information on the Pamela Wenzel (961 Goerig Street) Request

1. Are the existing use and existing zoning designation consistent?
 - a. A single-family home is currently on the property. This is consistent with the current zoning designation (High Density Residential) where “one single-family dwelling on each building site” is a permitted use.

2. Surrounding zoning:



George Tsugawa
206 Whalen Road
Woodland, WA 98674

February 8, 2012

Carolyn Johnson
City of Woodland
Planning Department
Woodland, WA 98674

Parcels numbers were
clarified as being:
50604
50605
50607
5062601
5060501

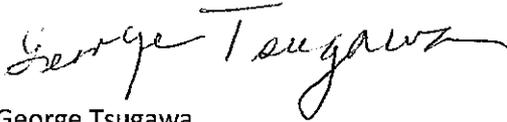
Parcels: 5062601, 506051, 50607, 50605, 50604 and 5060801.

Dear Carolyn:

We would like our property on Scott Avenue changed to Commercial Zoning.

Please contact me if you have any questions or need additional information.

Sincerely,



George Tsugawa

**Urling Planning Associates LLC
PO Box 1213
Longview WA 98632
Phone & FAX: 360.703.3033**

March 2, 2012

Ms. Carolyn Johnson
Building and Planning Department
City of Woodland
PO Box 9
Woodland WA 98674

Re: 2012 Annual Review—Proposed Liberty Evans LLC CP Amendment & Rezone

Dear Carolyn:

On behalf of Liberty Evans LLC, please place the below-described request on the Planning Commission docket for the Commission's March meeting:

- Amend the comprehensive plan map and rezone a portion of Parcel No. 507870101 located at 1920 Schurman Way from Industrial/I-1 Light Industrial to Commercial/C-2 Highway Commercial.

This request pertains to the northernmost 6 acres+/- of the undeveloped parcel. Please see the attached drawing. The proposed use of the property under the commercial zoning would include a restaurant, a financial institution, and various retail developments.

While we understand that you are currently only asking for limited data with respect to this property request, we believe (and are prepared to demonstrate in a formal application) that the recent substantial changes to the city's comprehensive plan map, zoning and resulting development in the immediate vicinity of this property -- along with the abundance of vacant industrial land within the city and urban growth boundary -- constitute sufficient change in circumstances to warrant approval of this request.

Thank you for your guidance and consideration. If you have any questions or need additional information, please contact me.

Very truly yours,



Skip Urling

Enclosure



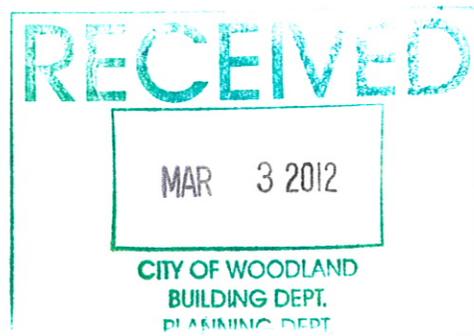
Liberty Evans LLC

Proposed Commercial CP Amendment/Rezone



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Building and Planning Department
C/O Carolyn Johnson
City Hall Annex
PO Box 9
230 Davidson Avenue
Woodland, WA 98674

RECEIVED
FEB 03 2012
CITY OF WOODLAND

Dear Commissioners,

I am writing to request a change in zoning for a property located at 2108 Lewis River Road in Woodland, WA.

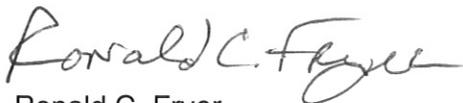
The current zoning is low density residential (LDR-6). The proposed zoning is medium density multi-family residential (MDR) as described in Chapter 17.20.010:

Purpose (B. *The multifamily residential districts are intended to reserve appropriately located areas for multifamily living at a broad range of dwelling unit densities consistent with the comprehensive plan. They are further intended to protect the public health, safety and general welfare by **ensuring that opportunities to obtain reasonable cost housing exist for households representing a variety of income categories** and lifestyles, facilitating the provision of utility services and other public facilities commensurate with anticipated population and dwelling unit densities, providing designs compatible with community goals, and providing that multifamily developments offer the amenities and conveniences necessary to assure the comfort and enhance the lifestyles of their occupants.*) and in Chapter 17.20.020 Principle Permitted Uses: (C. *Multifamily dwellings including duplexes, apartments, condominiums, townhouses, or other group of dwellings in accordance with the density standards set forth*)

The property consists of a single building on a 19,160 square foot lot and is divided into two sections: a three bedroom one bath home and a one bedroom one bath "Mother-in-Law" apartment. Each has a separate entrance as well as a rear door. The circular driveway is paved and has adequate parking for each unit. Both of these units are offered for very reasonable rents (\$895 and \$1095) and I include ALL utilities. This makes these units very affordable, and Woodland needs affordable housing. (Especially with the new WalMart store.)

The property next door is a duplex. It makes sense that this proposed zoning change be approved.

Respectfully submitted,



Ronald C. Fryer
(360) 574-8070
rcfryer@gmail.com

Carolyn Johnson

From: Grover B. Laseke
Sent: Monday, March 12, 2012 9:13 AM
To: psrww@comcast.net
Cc: Carolyn Johnson
Subject: RE: House

Follow Up Flag: Follow up
Flag Status: Flagged

Mrs. Wenzel-

I understand your dilemma and the issues with traffic at the intersection in front of your house. Unfortunately as the city grows and we make improvements to the road and intersection things will probably not get any better.

I will pass your request along to Carolyn Johnson who is the city planner. She will get back to you with the specifics on how to proceed with your request. Her e-mail address is listed in the header of this e-mail and she can be contacted at 360-225-9022.

Please call me if you need further information or help.

Grover Laseke, Mayor
City of Woodland
PO Box 9 / 230 Davidson Ave
Woodland, WA 98674
360-225-8281 x19
lasekeg@ci.woodland.wa.us

From: psrww@comcast.net [<mailto:psrww@comcast.net>]
Sent: Saturday, March 10, 2012 7:38 AM
To: Grover B. Laseke
Subject: House

Dear Mr. Laseke,

My husband and I have decided that we want to sell our house and move away from the constant noise of Diesel Trucks, sirens, Horn honking and gridlock. The only problem is, no one will buy our home as a family home. This home should be sold as a commercial lot and bought by a business. The zoning of our home is multifamily and I don't believe that someone will buy it as such. I don't want to have to fight with the city about getting this home rezoned. The neighbors around us feel the same as we do and would like this block to be rezoned as commercial. It would also benefit the city to have businesses come in. This is a high Traffic area and most people drive past our home to go down town, on to the highway or to go on Highway 503. Please let me know what it will take to get my house sold.

Pamela Wenzel
In God We Trust

ESTIMATED TIMELINE

2012 Annual Review of Comprehensive Plan Amendments

DATE	STEP	
January 9, 2012	Preliminary docket drafted	
January 17, 2012 (Letters sent out)	City asks for formal request letters from those on the preliminary docket	
January 25, 2012	Public participation program with procedures and schedules published (<i>The Reflector</i>)	
February 3, 2012 (Deadline)	Formal request letters received	
Week of February 13	Requests for UGA expansion sent to Cowlitz County **For UGA Expansions Only**	
Week of March 5, 2012	Docket revised	
March 15, 2012	Planning Commission determines if a proposal should receive further consideration as part of the comprehensive plan amendment process (WAC 365-196-640(6)(d))	
April	Pre-application conferences	
May 31, 2012 (Deadline)	Applications submitted Any applications not received by the deadline will be considered in 2013	
June 28, 2012 (Deadline)	Application completeness/incompleteness determined	
July 2012	Publish NOA	
July/August 2012	Public Comment Period	
August 2012	Package of Materials for PC Review Created	SEPA threshold determination issued
Regular August 2012 PC Meeting	PC Workshop	
September 2012	Notice of public hearing published in <i>The Reflector</i>	
Regular September 2012 PC Meeting	Public Hearing before Planning Commission	
September 2012	Notice of Planning Commission recommendation sent to applicants If the PC recommends approval, a copy of the action, together with staff reports, findings and any special conditions shall be forwarded to the City Council within 14 days of action being taken. (WMC 17.84.050)	
October 2012	Staff reports to CC created	
October 2012	1st readings of the ordinance by City Council	

November + December 2012	60 Day DOC Notice Required Prior to Final Adoption as Per RCW 36.70A.106
January 2013	Final Reading of the ordinance by City Council
TBD	Cowlitz County Planning Commission Review (Final Review and Adoption) **For UGA Expansions Only**
TBD	Board of Cowlitz County Commissioners Completes Final Review and Adoptions of Amendment **For UGA Expansions Only**

ANNUAL COMPREHENSIVE PLAN AMENDMENTS

“The comprehensive plan shall be amended no more frequently than once per calendar year. That shall be scheduled so that any changes that have financial implications can be included in the city’s fall budget process. The amendment process shall generally conform to the following schedule:

- *March & April: Planning Commission workshops, as necessary*
- *May & June: Planning Commission public hearing(s)*
- *July: City Council public hearing(s), if needed or desired.”*

Note: Staff finds that this schedule does not allow for the required 60-day DOC review period or required staff time for review and study.

Annual Planning Commission Work Items

1. Shoreline Master Program (SMP) Update

- The City received a \$50,000 grant to update its SMP over the next three years. Consultant work products must be reviewed by staff and the Planning Commission.

2. Comprehensive Plan and Map Amendments

- A number of property owners have expressed interest in rezoning their property in 2012. The city is obligated to consider these changes annually.

3. Amend Code To Address Electric Vehicle Battery Charging Stations

- The State requires that the development regulations of all jurisdictions must allow electric vehicle battery charging stations in all areas except those zoned for residential or resource use, or critical areas. The deadline for this code amendment was July 1, 2011 (RCW 36.70A.695).

Non-negotiable Work Items

4. Expirations for Variances and Site Plan Approval (LU# 210-912)

- This is a proposed zoning text change that would set expiration periods on Site Plan Approval and Variance Approvals. The amendment was undertaken because the current code sets no expirations for these approvals. A draft ordinance is currently undergoing a legal review.

5. Creation of a Historic Preservation Ordinance (LU# 211-906)

- Enacting a Historic Preservation Ordinance was a 2011 priority for the Planning Commission and the Planning Department. The Commission considered a model ordinance in 2011 but administrative burdens and concerns about the actual number of historic structures in Woodland made this option less desirable.

6. Pet and Domestic Animal Code Amendment (LU# 211-912)

- The Planning Commission initiated this amendment because the current code can be construed as saying that up to four cows, horses, pigs, etc. are allowed within city limits regardless of lot size. Changes were also needed to modernize the code to adjust for new trends in raising chickens, bees, miniature farm animals, etc. Staff has been instructed to initiate SEPA.

7. Non-conforming Uses Zoning Code Text Change (LU# 211-913)

- Amendments are being sought to address a number of issues. The existing code uses terms such as "actively used" that are undefined and difficult to interpret. Further, our existing code is unclear on what changes in use are (un)acceptable when dealing with a property with non-conforming use rights. Finally, the Hearing Examiner's Final Order on the 208 Buckeye (Foglia House) matter called into question current code language and the way the ordinance has been administered. A draft ordinance is currently going through a legal review.

8. An Ordinance That Would Amend The Administrative Appeals Process (LU# 210-917)

- Clarify the City's SEPA appeal procedures and authority by making them consistent with the SEPA statute.
- Clarify the review procedures and authority for appeals of administrative (staff) decisions or interpretations of the Woodland Municipal Code.
- To clarify other review and appeal procedures and authorities.

2011 Work Items – Currently Underway

Annual Planning Commission Work Items

9. Revise Woodland's Critical Areas Ordinance to Address Department of Ecology Concerns

- Following a Department of Ecology review of Woodland's Critical Areas Ordinance, we received an analysis of changes that need to be made so that the WMC is consistent with Ecology's guidance on wetland protections. Further, the WMC does not adequately address wetland mitigation bank credit use. This is an option highly recommended by the Army Corps of Engineers and Ecology, and an option that business has expressed interest in using.

10. Review and Provide a Recommendation on the Ad Hoc Committee's List of Expanded Uses for the C-1 (Central Business) District (Possible Zoning Code Text Change) ****If Directed by Council at a Workshop****

11. Develop Procedures for Processing Boundary Line Adjustments and Requirements for Approval

- The WMC does not clearly address procedures for processing or approving boundary line adjustments. The code appears to lump BLAs together with Short Subdivisions, asking proponents to provide the same level of information and to go through the same procedural steps. The state specifically exempts boundary line adjustments from subdivision regulation. Simple procedures and criteria for approval need to be established.

12. Amending Off-Site Improvement Standards for Commercial and Residential Zoning Districts

- This was a 2011 priority but to date no progress has been made on a zoning code amendment. An amendment would clarify requirements for extending water and sanitary sewer mains, right-of-way dedications, and half-street improvement requirements associated with development proposals in commercial and residential zoning districts. Improvements have been clarified for industrial districts. ****Back Burner in 2012****

13. Develop Standards for Solar Panels and Wind Turbines

- This was a 2011 priority but to date no progress has been made on a zoning code amendment. Currently the WMC sets no parameters for solar panels and wind turbines. As these devices become more popular, they may result in issues related to safety, vibration, noise, view, aesthetics, etc. The PC discussed the option of opening up the conditional uses in the LDR districts to include uses like wind turbines. ****Back Burner in 2012****

New 2012 Work Items

2011 Work Items – No Work to Date

Proposed 2013 Work Items

1. Subdivision Phasing After Preliminary Approval

- Review provisions in 16.14.030 that allows for the modification of an existing subdivision plan to allow phasing.

Project Updates – March 2012

1. On March 5, Council approved the first reading of LU# 211-918, Retreat Centers as Conditional Uses in the LDR. A final reading of the ordinance will be completed March 19th.
2. PacifiCorp Release Pond Shoreline Substantial Development Permit, Shoreline CUP, Critical Areas Permit, SEPA and Site Plan Review (LU#211-914)
 - FEMA reviewing technical memorandum to ensure work in the floodway will not raise water elevation above what is permissible for a fish enhancement project. Listing of the euehlon has complicated design and redesign may be required.
3. Pacific Plaza Short Plat (LU# 211-920)
 - Preliminary approval issued March 5, 2012.
4. Columbia Colstor Expansion, Site Plan Approval and SEPA (LU# 211-921)
 - Preliminary site plan approval issued February 24, 2012. Foundation plans have been submitted.
5. Longview Housing Authority, Site Plan Approval and SEPA (LU# 212-903)
 - Application submitted February 10, 2012. A Notice of Incomplete application was issued March 6th.