

WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting
7:00 PM
Thursday, January 17, 2013

Woodland Community Center
782 Park Street, Woodland, Washington

CALL TO ORDER

APPROVAL OF MINUTES

- November 13, 2012
- November 15, 2012

WORKSHOP

- 1) Shoreline Master Plan Update
- 2) C-1 Use Overhaul
 - Review Outcomes of Public Workshop
 - Possible Gateway Re-Zoning Request in 2013
 - Review Draft Ordinance

UPDATES/REPORTS

- 1) 4th Quarter 2012 Report
- 2) 2012 Progress Report and Proposed 2013 Work Items

ADJOURN

cc: Post (City Hall Annex, Library, Post Office, City Hall)
City of Woodland website
Planning Commission (5)
City Council (7)
Mayor
Those who attended the 9/20/2012 workshop
Those who have expressed interest in the workshop topics
Department Heads

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Public Hearing
5:30 p.m.

Tuesday, November 13, 2012

Woodland City Hall, Council Chambers
100 Davidson Avenue, Woodland, Washington

Present: Chair David Simpson
Commissioner Sharon Watt
Commissioner Nancy Trevena

Absent: Commissioner Murali Amirineni

Also Present: Secretary JoAnn Heinrichs
Community Development Planner Carolyn Johnson

CALL TO ORDER [5:40:01 PM](#)

The public hearing for the Liberty Evans Comprehensive Plan Map Amendment and concurrent rezone was called to order at 5:42 PM.

Carolyn Johnson, Community Development Planner, gave the staff report. Johnson summarized main points of the staff report and the Development Review Committee's (DRC) recommendation. She addressed one correction on page two (2) of the staff report. She clarified that the site is accessible via Schurman Way, not Dike Access Road. Johnson clarified that concerns regarding transportation concurrency raised in the staff report are not unique to the subject site. In explaining the 2012 land use inventory completed by staff, Johnson explained that land considered somewhat restricted by critical areas did not mean the land was undevelopable.

The DRC recommended against the proposal because of conflicts between the proposal and the stated goals of the Comprehensive Plan.

The meeting was opened to statements by the proponent at 5:56 PM [5:55:47 PM](#)

Mark Fleischauer, the Applicant and Co-Manager for Liberty Evans LLC, testified in support of the proposal. Fleischauer testified that he disagreed with the recommendation of the staff report. He explained that Liberty Evans purchased the property from the Schnitzer Investment Corporation in December 2010 and immediately paid all due System Development Charges (SDCs) and Local Development Charges (LDCs). He explained that Schnitzer was never able to attract tenants or employers to the site. Fleischauer explained Liberty Evans' active role in promoting industrial development in Woodland since 1999. He explained that the development concept is to construct concrete tilt-ups on the portion of the subject property that would remain Light Industrial and to continue the development of commercial uses along Dike Access Road. Their original request was to rezone approximately 6 acres. This was reduced based on feedback from staff and the Planning Commission.

The area to be reclassified was reduced to 3.4 acres to better match up with the north-south boundaries of the Highway Commercial property on the west side of Schurman Way (i.e. Les Schwab). He went on to state that 1) the staff report affords undue attention to comments in opposition and brushes aside comments and documentation in support, 2) ignores the track record of Liberty Evans with regards to industrial development, and 3) considered transportation concurrency when that was an issue that should be addressed during site plan review process. He went on to say that based on site plans shared with staff and development concepts that the project is compatible with the economic development goal of making Woodland the commercial center for Cowlitz County. He went on to say that the proposal is measured and that there is a vast surplus of industrial lands within city limits. He stated that the proposal actually facilitates light industrial development by making the parcel more cost competitive and that the proposal supports far more provisions of the Comprehensive Plan than it conflicts with.

The meeting was opened to public comment at 6:02 PM. [6:02:38 PM](#)

Don Work, an employee of American Paper Converting, spoke in support of the proposal saying it was reasonable and that adequate facilities were needed to attract industrial employers. The lack of commercial amenities has prevented American Paper Converting from attracting some employees. He stated that the site had good freeway visibility and was proximate to other commercial areas. He explained the subject site as being part of a commercial corridor into the industrial district.

Nelson Holmberg, Executive Director Port of Woodland, spoke in opposition to the proposal. Holmberg read the Port of Woodland's mission statement and explained that the Port would not support the rezoning of industrial land. He explained that the subject land is "shovel ready" unlike other sites and that industrial jobs are family-wage jobs.

Darlene Johnson, PO box 1808, Woodland, Co-owner of Woodland Truck Lines, spoke in opposition to the proposal. She expressed a concern for the loss of future family wage jobs. She said that there was a strong feeling that land south of Dike Access should remain industrial.

Skip Urling, PO Box 1213, Longview, spoke in support of the proposal. Urling said that if the city really wants to become the commercial and tourist center of southern Cowlitz County, then commercial uses must be easily accessible. He said that the subject site is easily accessible and visible from the freeway. In response to comments that the jobs that would be created by the rezoned commercial land would be minimum wage jobs, Urling said that he did not think it was accurate to speculate that the jobs to be created would all be minimum wage. He said that the market is favorable right now for the commercial development of the land and that the proposal should not wait another four years for consideration.

The public comment portion of the hearing was closed at 6:13 PM. [6:13:22 PM](#)

The Planning Commission began their deliberation at 6:14 PM. [6:13:37 PM](#)

- Commissioner Watt asked Don Work to clarify what he meant by "amenities".

- Don Work clarified that when American Paper Converting has guests come to Woodland, they feel like they need to take them to the golf course or to Vancouver for a meal. He said that an upscale restaurant is needed in Woodland close to the industrial area.
- Commissioner Watt went on to ask Work to specify if he was talking only about a restaurant.
 - Work said that we was talking about a restaurant or upscale commercial development.
- Commissioner Trevena said that her concern was with access. Specifically, her concern was for having personal vehicle traffic coming onto Schurman Way and mixing with heavy truck traffic. She said that the existing commercial land on Dike Access is accessible via Dike Access whereas the subject site is accessible via Schurman Way. She also said that when the proposal is measured against the goals of the Comprehensive Plan, the inconsistencies are significant. She said that the most glaring inconsistency was with the goal of using existing commercial properties before rezoning new commercial properties and with the goal of preserving prime industrial land.
- Commissioner Watt said that she thought it was significant that the subject site is serviced and ready to develop whereas other industrial lands within the city are not.
- Commissioner Simpson said that he saw both sides of the proposal. He said that the proposal would only be changing 3 acres and that having services close to industrial uses is important.
- Richard Rosentredor, American Paper Converting, asked where the undeveloped industrial land was located in the city. He said that nothing else should be developed in south Woodland because of heavy traffic at exit 21. He said that the rezone my ease traffic at Exit 21 by directing more towards Exit 22.
- Commissioner Trevena asked Fleischauer if access would be off of Schurman Way.
 - Mark Fleischauer said that access was something that could be worked out at the time of site plan approval and that it wasn't a rezoning question.
- Commissioner Simpson asked if there was right of way from the subject property to Dike Access.
 - Fleischauer said that there was currently no right of way onto Dike Access.
- Commissioner Watt asked about the WSDOT comment letter regarding the difficulty of implementing a traffic improvement.
 - Fleischauer said that that was something that would be addressed during the site planning process.
- Commissioner Trevena said that the issue for her was still access being off of Schurman Way rather than Dike Access. She said that the Commission didn't want to turn away development and jobs in these hard times but that it was a decision that cannot be undone.
- Paul Klein, Port of Woodland, asked if commercial property on the east side of the freeway had been considered by the developer.
- Judy Grant, Topper Industries, said that the restaurants in town are adequate for her business which also has out-of-town guests visit.

Commissioner Trevena moved to deny the application per the staff report and submit the recommendation to the City Council. The motion was seconded by Commissioner Watt. The motion passed unanimously.

Commissioner Trevena moved to adjourn. Commissioner Watt seconded the motion. The motion passed unanimously.

The Meeting was Adjourned at 6:32 PM. [6:32:11 PM](#)

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

DRAFT

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Regular Meeting
7:00 p.m.

Thursday, November 15, 2012

Woodland Community Center
782 Park Street, Woodland, Washington

Present: Chair David Simpson
Commissioner Sharon Watt
Commissioner Nancy Trevena

Absent: Commissioner Murali Amirineni

Also Present: Secretary JoAnn Heinrichs
Community Development Planner Carolyn Johnson
Public Works Director Bart Stepp

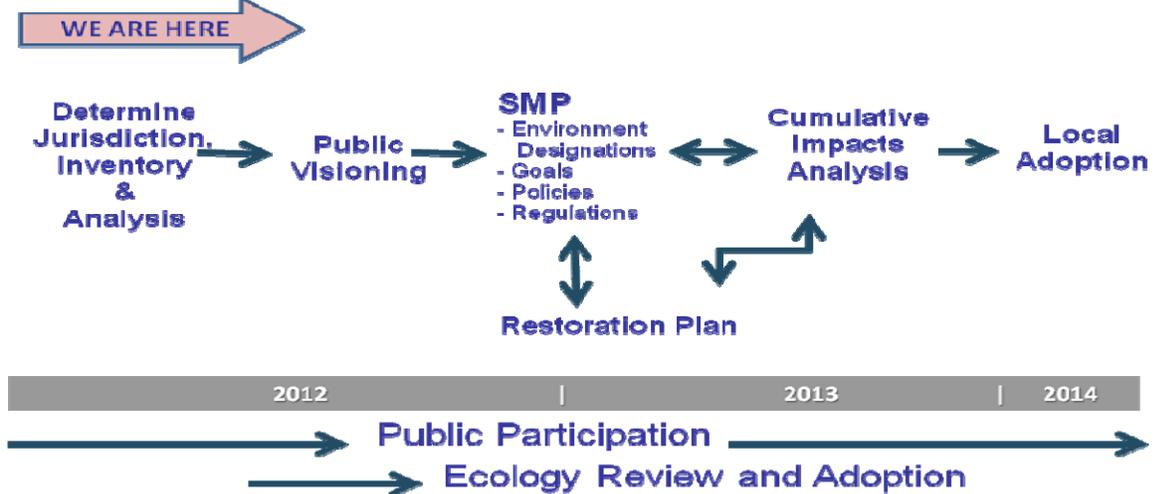
Shoreline Presentation [7:06:46 PM](#)

Consultant Presentation on 2014 Shoreline Master Management Program Update

Carolyn introduced Derek Chisholm, consultant.

- Derek represents the Cities of Woodland and Castle Rock.
- Topics being covered:
 - Scheduling
 - Jurisdiction
 - Inventory Analysis
 - Visioning Topics
 - Process
 - Governing Principles
 - Structure of the SMP
 - Constitutional Issues/Existing Development

Required Steps:



- Inventory data sets reviewed: zoning, Comprehensive Plan, land use intentions the city may have along with recent building permits effecting shorelines. Most of the information was pulled data sets from the state and federal government. Data can be found on the CD.
- Restoration opportunities will be addressed, partially for mitigation purposes.
- This is a State Department of Ecology plan that is implemented at the local level.
- Water dependent use vs. Water related use vs. Water enjoyment use vs. Non-water oriented use, is a big part of the conversation. Public access is a very high priority.
- The goal is: No matter how much you develop, you will have no net loss of the ecological function of the shoreline.
- Draft of this plan will be available in April. The plans need to match up with the intentions.
- After we have done then they will do a No Net Loss Analysis. It may come back that more ecological uplift is needed, or how other shoreline enhancements and modification could be managed or where weak points may be.
- If anyone needs to contact me, my phone number is 971-322-7942.

Questions:

- Dave Simpson: Woodland, will our plan supersede the county's plan? Will we have input for the county portion? What happens to property outside the UGB that the county may deem natural, and we annex in that portion, is there some way to change it?
 - Derek Chisholm: Inside the city you have complete control, in the UGB you have a great deal of control, but it is somewhat negotiated in Cowlitz County. The county seems to be open to discussion about borderland areas. No net loss analysis will be specific to Woodland, and the county's will be specific to the county.
- Carolyn Johnson: Substantial development goes to PH, How would the physical barriers be address.
 - Derek Chisholm: Berm seems to be one of the problem issues.
- Existing/nonconforming use, will it be part of code?
 - Derek Chisholm: You cannot make a nonconforming use more nonconforming.
- What is the best tool to use to contact and get information?
 - Derek: Email will work fine. Written comments will be part of the record.
- Marilee McCall: Concern about provision of public access potentially through private property. Will the city be building trails on public land, it seems to be an issue.
- Water dependent use, we would like to put something on our property. Hired consultants, and do not want any more changes made.
 - Derek: Have your hired professionals look into the new regulations coming out [8:10:18 PM](#)

Call to order [8:21:30 PM](#)

Approval of Minutes

Commissioner Trevena moved to accept the September 20, 2012 minutes as written, Commissioner Watt seconded the motion. Passed unanimously.

Public Hearings

1. Proposed Comprehensive Stormwater Ordinance, LU #212-909. [8:23:10 PM](#)

Staff report given by Community Development Planner Carolyn Johnson. The draft ordinance will be used to address inconsistencies in our code. La Center's stormwater ordinance was adapted for Woodland's proposed ordinance. The Planning Commission expressed concerns about the impacts of the proposed ordinance on single family home construction. The concern was for any regulation that would require someone constructing a single family home to hire an engineer to develop a stormwater report and plan. Instead, the City will create white sheets/drawings that contain pre-approved storm water designs that home owners can use. Staff also clarified that the draft ordinance did not create any conflicts with Woodland's Critical Areas Ordinance.

Chairperson Simpson: Dave Simpson asked a question about the applicability of "daisy chaining" development or small, piecemeal projects that do not trigger the threshold for stormwater review but that, when considered cumulatively, have an impact. Simpson asked if this needed to be addressed in the ordinance.

Bart Stepp, Public Works Director: The 1992 Stormwater Manual does address some of this under guidance for Redevelopment.

Chairperson Simpson: Would this be triggered through a building permit?

Bart Stepp, Public Works Director: Yes, we will be looking at each small piece through the permitting process.

OPENED PUBLIC COMMENT AT 8:32 PM.

Jeff Richter: What is the prescriptive stormwater system for a standard or larger lot? Would the city be giving direction? I also think the thresholds are very low.

Bart Stepp, Public Works Director: Stepp explained that different systems would work such as a dry well or swale. Stepp explained that the City would have drawings explaining different pre-approved treatments that could be used to meet code requirements.

Jeff Richter: Businesses will have to hire an engineer if they want to pave.

Bart Stepp, Public Works Director: Established businesses will already have a stormwater system in place. If the existing system can manage additional runoff from new impervious surfaces, no change/upgrade would be required.

Commissioner Trevena: questioned why WMC 15.12.020 set a threshold level for Single Family Dwellings of 2,000 square feet of new impervious surfaces while the threshold for commercial and industrial was lower, 1,000 square feet.

Bart Stepp, Public Works Director: Stepp explained that the difference was due to the difference in uses and the greater potential for impacts from industrial and commercial users. One example given was the use of chemicals.

Darlene Johnson: It sounds good but it is burdensome. When you impede or take time in processing applications, it affects businesses, and reduces the amount of jobs. I also think the thresholds are too low.

Bart Stepp, Public Works Director: explained that the draft ordinance did not set new or different thresholds from what is currently used. He stated that the 1992 Manual is the simplest/easiest manual in the state and that in many other cities and counties the 2005 Manual must be met.

Jeff Richter: If a coffee shop wants to put pavement around it, they would need engineering. They would have additional costs trying to meet this ordinance.

Bart Stepp, Public Works Director: Yes, but it would not be a large cost.

Jeff Richter: We need to know the costs when we come in to apply for a permit. We need prescriptive information. What does the ordinance require in terms of low impact development? The Department of Ecology (DOE) seems to be pushing this.

Bart Stepp, Public Works Director: You could utilize low-impact development (LID) to meet code requirements. DOE is pushing LID because it is the only way to meet newer policies of pre-industrial runoff in some areas.

Jeff Richter: With a dry well, does the stormwater go into the ground or go into some other system that can take the stormwater?

Bart Stepp, Public Works Director: It goes into the ground. Because Woodland is so flat, it is hard to get storm systems that can be pumped to either the river or the lake. The High School, for example, will have a subterranean piping system that detains water. It will hold the runoff and release it at a proper rate.

Jeff Richter: Would ponds be something that a single family residence would have to implement?

Bart Stepp, Public Works Director: A single family residence would not be required to construct a stormwater pond. They may have to install a dry well or some other system. If you can show your runoff is not leaving the site, that will solve the problem.

Chairperson Simpson: Possibly rain gutters or a French drain system.

Bart Stepp, Public Works Director: Keep in mind that subdivisions already have storm water systems in place, it would only be larger single lots, a half acre or larger.

Darlene Johnson: Does it trigger anything if you redo your roof?

Bart Stepp, Public Works Director: No, if you have an existing roof, you do not have to worry about triggering stormwater requirements when re-roofing.

CLOSED PUBLIC COMMENT PERIOD AT 8:42 PM

Chairman Simpson stated that the proposed ordinance will not change existing development requirements. He stated that SEPA is also a vehicle for mitigating impacts.

Commissioner Watt moved to send the Comprehensive Stormwater Ordinance to City Council as written. Commissioner Trevena seconded the motion. The motion passed unanimously. A *Do-Pass* recommendation will be forwarded to the City Council.

2. Electric Vehicle Infrastructure, LU #212-921 [8:55:29 PM](#)

Staff report given by Carolyn Johnson. The ordinance makes electric vehicle charging stations an outright permitted use in some zones, and integrates electric vehicle infrastructure into the parking requirements of the WMC. The Ordinance includes definitions related to electric vehicle infrastructure.

Discussion:

- Commissioner Trevena pointed out a section of the proposed ordinance that did not make sense. The definition for “electric vehicle charging station—public” included several examples, one of them being multi-family apartment lots. The example was confusing because generally, if not always, these would be restricted to apartment residents and their guests. The decision was made to strike that specific example from the definition.

Open Public Comment: [9:03:02 PM](#)

Close Public Comments. [9:03:14 PM](#)

Commissioner Trevena moved to send the Electric Vehicle Infrastructure ordinance to City Council deleting the “non-reserved parking in multi-family parking lots” from the definition for Electric Vehicle Charging Station –Public section. Commissioner Watt seconded the motion. Passed unanimously.

ADJOURN

Commissioner Trevena moved to adjourn to our next regularly scheduled meeting on October 18, 2012, Commissioner Watt seconded the motion. Passed unanimously.

JoAnn Heinrichs, Planning Commission Secretary

Date

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MEMORANDUM

DATE: January 8, 2013
TO: Woodland Planning Commission
FROM: David Sherrard, Parametrix
Derek Chisholm, Parametrix
SUBJECT: Regulatory Approach Options – First Memorandum

We propose to provide the Planning Commission with a series of Technical Memoranda to address the framework of decisions needed to implement the 2003 Shoreline Guidelines WAC 173-26 as part of the Shoreline Master Program (SMP) update.

In our November 2012 memorandum we provided an overview of the following:

1. Schedule
2. Shoreline Master Program Planning (SMP) Process
 - a) Local Jurisdiction and State (Ecology) Roles
 - b) Relation to Comprehensive Plan and Zoning
3. Basic Goals of the SMP
 - a) Use Preference – Water Oriented Uses
 - b) Public Access
 - c) Maintenance and Enhancement of Ecological Processes
4. Structure of the SMP
 - a) Shoreline Environment Designations
 - b) Modification Regulations
 - c) Use Regulations
 - d) Critical Areas
5. Constitutional Issues/Provisions for existing development

Issues to be discussed in the January, February and March memos include:

January 2013 – This Memo

1. Structure of the Shoreline Master Program – Relation to Comprehensive Plan
2. Provisions for Shorelines of Statewide Significance
3. Water Oriented Uses
4. Public Access

February 2013

5. Maintenance and Enhancement of Ecological Processes
6. Mitigation of Cumulative Impacts
7. Shoreline Geographic Designations

March 2013

8. Critical Areas
9. Vegetation Management
10. Bulk/Dimensional Requirements
11. Administrative provisions and provisions for existing development

More detailed discussion of each of the issues for the January memo is provided below.

1. Relationship of the Shoreline Master Program to the Comprehensive Plan and Development Regulations

SMA Guidelines

The 2003 Shoreline Guidelines (WAC 173-26-191 (2)(b); WAC 173-26-211(3); WAC 173-26-221; WAC 173-26-251) allow:

- a) Adoption of a separate SMP as a stand alone document containing policies and regulations
- b) Adoption as a package of separate policies and regulations in various sections of the Comprehensive Plan and Development Code. The most significant requirement of this approach is the ability to clearly designate shoreline regulations and procedures from other non-shoreline provisions and drafting clear provisions for assuring Ecology review and approval of all amendments.

Note: Although Cowlitz County and the cities in the county are not jurisdictions in which conformance with all provisions of the Growth Management Act are applicable, anywhere the statute references requirements of the Shoreline Management Act (SMA), those provisions are applicable. This is also true in other areas of the GMA, such as Critical Areas.

Existing SMP

Policies and regulations that govern the land under the jurisdiction of the state SMA currently are found in two places:

- a) The existing SMP.
- b) Regulations found in the Zoning Code provide for allowed land uses in various zoning districts that cover the same geographic areas as the SMP. In most cases the zoning regulations are more extensive and specific than the SMP.

Options

- a) Keep the existing system – This approach is not recommended due to the complexity and the potential for confusion and overlap.
- b) Provide one self-contained Shoreline Master Program – This approach is not recommended because of the many cases where shoreline jurisdiction cuts across

properties and also because of the desirability of integrating shoreline policies and regulations into an integrated vision and integrated set of regulations.

- c) Provide the entire policy framework in the Comprehensive Plan and the entire set of regulations in the Zoning Code.

Recommendation: Option (c) is the recommended approach. There would be a separate chapter in the Comprehensive Plan that would contain all policies, and all regulations would be in the Zoning or Land Use Codes (likely in Title 15 and 17).

2. Provisions for Shorelines of Statewide Significance

The Lewis River in Woodland qualifies as a Shoreline of Statewide Significance (SSWS). It is listed as such in WAC 173-18-120 (34).

SMA Guidelines:

- a) Shorelines of Statewide Significance (relevant to Woodland) are defined in statute (RCW 90.58.020) as:
 - (iv) Those lakes, whether natural, artificial, or a combination thereof, with a surface acreage of one thousand acres or more measured at the ordinary high water mark;
 - (v) Those natural rivers or segments thereof as follows:
 - (A) Any west of the crest of the Cascade range downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more,
 - (vi) Those shorelands associated with (i), (ii), (iv), and (v) of this subsection (2)(f);
- b) The following specific direction is provided for implementing policies for preference to uses in the following order:
 - (1) Recognize and protect the statewide interest over local interest;
 - (2) Preserve the natural character of the shoreline;
 - (3) Result in long term over short term benefit;
 - (4) Protect the resources and ecology of the shoreline;
 - (5) Increase public access to publicly owned areas of the shorelines;
 - (6) Increase recreational opportunities for the public in the shoreline;
 - (7) Provide for any other element as defined in RCW 90.58.100 deemed appropriate or necessary."
- d) The SMA calls for a higher level of effort in implementing its objectives on shorelines of statewide significance. RCW 90.58.090(5) states: "The department shall approve those segments of the master program relating to shorelines of statewide significance only after determining the program provides the optimum implementation of the policy of this chapter to satisfy the statewide interest." WAC 173-26-251(2) further states that optimum implementation involves special emphasis on statewide objectives and consultation with state agencies. The State's interests may vary, depending upon the geographic region, type of shoreline, and local conditions. Optimum implementation may

involve ensuring that other comprehensive planning policies and regulations support Shoreline Management Act objectives. Because shoreline ecological resources are linked to other environments, implementation of ecological objectives requires effective management of whole ecosystems. Optimum implementation places a greater imperative on identifying, understanding, and managing ecosystem-wide processes and ecological functions that sustain resources of statewide importance.

- e) For shorelines of statewide significance master program provisions shall establish development standards that ensure the long-term protection of ecological resources of statewide importance. Standards shall consider incremental and cumulative impacts of permitted development and include provisions to insure no net loss of shoreline ecosystems and ecosystem-wide processes. (WAC 173-26-251(3)(d)(i)).

Existing:

The 1977 Shoreline Master Program in the *Overall Goals* section on page 2 lists the first 6 statutory criteria. Reference is made to Shorelines of Statewide Significance (SSWS) in the following:

- Forest management (page 6) – references the limitations on clear cutting established in RCW 90.58.150.
- Ports and Water-Related Industry (page 8) – references statewide needs for port services
- Public Access (page 17) – references SSWS as having specific requirements
- Forest Practices (page 37) – references the limitations on clear cutting established in RCW 90.58.150.

Options: The following options are available:

- a) The SMP can employ a separate overlay of additional criteria for Shorelines of Statewide Significance.
- b) Separate regulations can be developed for areas defined as Shorelines of Statewide Significance that recognize and incorporate the additional criteria for those areas.

Recommendation: Pursue both options to the extent feasible.

- A set of general criteria would require consideration on a project level at permit review.
- Some use and modification subsections would require additional criteria for Shorelines of Statewide Significance. This will largely apply to water-oriented uses and public access, discussed below.

3. Water Oriented Uses

SMA Guidelines: Preferred uses are addressed in a number of provisions:

- a) The statute in RCW 90.58.020 provides a preference for uses that are “unique to or dependent upon use of the state’s shoreline.”
- b) The SMA Guidelines in WAC 173-26-020 and .201(2)(d) provide an explicit hierarchy of preference for uses that are particularly dependent on shoreline location or use in the following:

- Water dependent uses are those that “cannot exist in any other location and are dependent on the water by intrinsic nature of its operation”. Examples of water-dependent uses include shipyards and dry docks, ferry terminals, waterborne cargo terminals, marinas, log booming, and aquaculture.
 - Water-related uses are those not intrinsically dependent on a waterfront location but whose operation cannot occur economically without a shoreline location. Examples include vessel parts and equipment manufacture, container shipping yards, seafood processing plants, marine salvage yards and similar uses.
 - Water enjoyment uses provide the opportunity for a significant number of people to enjoy the shoreline. They must be located, designed and operated to assure the public’s ability to enjoy the physical and aesthetic qualities of the shoreline and they must be open to the public with shoreline space devoted to public shoreline enjoyment. Examples include parks, fishing piers, museums, restaurants (depending on design) interpretive centers and resorts (depending upon design).
 - Non-water-oriented uses have no functional relationship to the shoreline and are not designed to enhance the public’s enjoyment of the shoreline.
- c) WAC 173-26-201(2)(d) requires that a SMP:
- Reserve appropriate areas for water dependent uses (including harbor areas, and other areas that have reasonable commercial navigational accessibility and necessary support facilities such as transportation and utilities) unless the local government can demonstrate that adequate shoreline is reserved for future water dependent and water related uses; or that there are no navigable waters, or that such areas are not compatible with ecological protection and restoration objectives;
 - Reserve areas for water-related and water-enjoyment uses that are compatible with water-dependent uses and ecological protection and restoration objectives;
 - Limit non-water oriented uses to those locations where either water-oriented uses are inappropriate or where non-water-dependent uses demonstrably contribute to the objectives of the SMA.
- d) WAC 13-26-211(5)(d) contains the following provisions:
- Master programs should require that public access and ecological restoration be considered as potential mitigation of impacts to shoreline resources and values for all water-related or water-dependent commercial development unless such improvements are demonstrated to be infeasible or inappropriate. Where commercial use is proposed for location on land in public ownership, public access should be required.
 - In regulating uses in the "high-intensity" environment, first priority should be given to water-dependent uses. Second priority should be given to water-related and water-enjoyment uses.
 - Limit nonwater-oriented uses to those locations where the above described uses are inappropriate or where nonwater-oriented uses demonstrably contribute to the objectives of the Shoreline Management Act. [Note – those objectives are public access or ecological restoration. See WAC 173-26-241(3)(d)].
- e) If an analysis of water-dependent use needs as described in WAC 173-26-201(3)(d)(ii) demonstrates the needs of existing and envisioned water-dependent uses for the planning

period are met, then provisions allowing for a mix of water-dependent and nonwater-dependent uses may be established. If those shoreline areas also provide ecological functions, standards must be applied to assure no net loss of those functions.(WAC 173-26-211(5)(d)(iii)(A))

- f) Nonwater-oriented uses should not be allowed except as part of mixed use developments. Nonwater-oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline. Such specific situations should be identified in shoreline use analysis or special area planning, as described in WAC 173-26-200 (WAC 173-26-211(5)(d)(iii)(A))
- g) Master programs should prohibit nonwater-oriented commercial uses on the shoreline unless they meet the following criteria:
- i) The use is part of a mixed-use project that includes water-dependent uses and provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration; or
 - ii) Navigability is severely limited at the proposed site; and the commercial use provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration.

In areas designated for commercial use, nonwater-oriented commercial development may be allowed if the site is physically separated from the shoreline by another property or public right of way.

(WAC 173-26-241(3)(d))

- h) Land use policies and regulations should protect preferred shoreline uses from being impacted by incompatible uses. The intent is to prevent water-oriented uses, especially water-dependent uses, from being restricted on shoreline areas because of impacts to nearby nonwater-oriented uses. To be consistent, master programs, comprehensive plans, and development regulations should prevent new uses that are not compatible with preferred uses from locating where they may restrict preferred uses or development. (WAC 173-26-211(3)(b))
- i) Single-family residences are identified as an appropriate shoreline use by the statute in RCW 90.58.020. Multi-family residential use is not a preferred use and is not water-dependent or water oriented.

Existing SMP:

The existing SMP policies include the preference for “water dependent” use in:

- Commercial policies in the Economic Development subsection (page 6) – provides a preference statement similar to the statute
- Port and water related industry (page 8) - contains a provision that piers should not interfere with other water-dependent uses but does not provide a preference for “water dependent” uses.
- Landfill regulations (pages 19 and 44) – provide a priority for water-dependent uses and for public uses.
- Commercial regulations for the “urban” district (page 32) provides for an emphasis on water-dependent uses. Conservancy and Rural districts provide an exception to setbacks for water-dependent uses.

- Shoreline works and structures (page 57) are prohibited on conservancy shorelines, except where they do not substantially change the character of that district and where they are a necessary part of a project which is clearly dependent on a location near or adjacent to a body of water.

Options: The 2003 Shoreline Guidelines include detailed criteria for water-dependent and other uses. The way the city frames these criteria is quite flexible.

- a) The SMP must include the preference hierarchy for water-dependent, water-related, water-enjoyment and non-water-oriented uses for all but single-family uses. This means that future non-water-dependent uses would not be allowed on navigable waters without a component of water-related or water enjoyment use or other “public benefit” such as ecological restoration or public access.

Areas where this policy will have the most application include vacant and under-developed parcels. For example:

- i) *The western, outer shoreline of Horseshoe Lake, especially the northern end, has vacant properties with different zoning designations including C-1 Central Business District and HDR High Density Residential. (Reach 8)*
- ii) *Areas near the State Airport are vacant, have a modicum of highway exposure, and have commercial zoning. Other commercial properties along Goerig Street N are also vacant. (Reach 11 and 12)*

- b) In areas where navigation is limited, it is incumbent on the SMP to identify those areas and indicate the types of water-related and water-enjoyment uses that should be evaluated prior to allowing non-water-dependent uses.

In Woodland, this would apply to areas with vacant property around Horseshoe Lake. Should we also add a bullet about the limited potential for industrial use on the Lewis River, navigability, etc.

- c) Water-oriented uses may be practical in areas designated for commercial or recreational uses. Water-enjoyment use must be open to the general public and the shoreline-oriented space within the project must be devoted to the specific aspects of the use that fosters shoreline enjoyment.
- d) Uses at or near the water/land interface must be developed in a manner compatible with ecological protection (no net loss). Practically speaking, this means development likely would be required to provide mitigation if they alter ecologically important features of the shoreline. This expense may work against encouraging water oriented use and lead to development of uses that turn their back on the shoreline, unless specific incentives are provided in the SMP.

This will be addressed in more detail at the February meeting when we address “no net loss” of ecological functions.

- e) Criteria for Shorelines of Statewide Significance are likely to require reserving land adjacent to the water to exclusive water-dependent uses.

This relates to areas with water access and the potential for water-dependent use, of which there are few in Woodland, due to the lack of industrially zoned shoreline properties.

Recommendation:

- a) Provide the appropriate criteria in the SMP for water dependent uses for commercial and industrial uses consistent with WAC 173-26-241(3)(d) and (3)(f) as well as other provisions for specific uses.
- b) As part of the SPM update, distinguish by specific Shoreline Environmental Designation or by geographic identification areas where water-dependent uses are the exclusive use allowed.
- c) As part of the SPM update, distinguish by specific Shoreline Environmental Designation, or by geographic identification, areas where water-dependent uses are not likely to be practical. The areas that may be appropriate for application of this policy include those around Horseshoe Lake, and the Low Density Residential area south of McCracken Road (Reach 15).
- d) Evaluate upland zoning to determine whether they are consistent in the range of uses allowed.

Evaluate the following areas for consideration of mixed use with a water enjoyment component:

- i) Areas near and north of the State airport, along the Lewis River (Reaches 7 and 11)*
- ii) The small commercially zoned area on the west of Horseshoe Lake (behind Coffee Cove Café and the other uses in the buildings east of 2nd Street - Reach 10)*

If the Planning Commission should wish to consider these areas, amendment of the Comprehensive Plan and upland zoning should also be considered.

4. Public Access

SMA Guidelines

The 2003 Shoreline Guidelines have multiple provisions for public access. The most important include:

WAC 173-26 221(4) Public access.

- (a) Applicability. Public access includes the ability of the general public to reach, touch, and enjoy the water's edge, to travel on the waters of the state, and to view the water and the shoreline from adjacent locations. Public access provisions below apply to all shorelines of the state unless stated otherwise.
- (b) Principles. Local master programs shall:
 - (i) Promote and enhance the public interest with regard to rights to access waters held in public trust by the state while protecting private property rights and public safety.
 - (ii) Protect the rights of navigation and space necessary for water-dependent uses.
 - (iii) To the greatest extent feasible consistent with the overall best interest of the state and the people generally, protect the public's opportunity to enjoy the physical and aesthetic qualities of shorelines of the state, including views of the water.
 - (iv) Regulate the design, construction, and operation of permitted uses in the shorelines of the state to minimize, insofar as practical, interference with the public's use of the water.

- (c) Planning process to address public access. Local governments should plan for an integrated shoreline area public access system that identifies specific public needs and opportunities to provide public access. Such a system can often be more effective and economical than applying uniform public access requirements to all development. This planning should be integrated with other relevant comprehensive plan elements, especially transportation and recreation.

The planning process shall also comply with all relevant constitutional and other legal limitations that protect private property rights.

Where a port district or other public entity has incorporated public access planning into its master plan through an open public process, that plan may serve as a portion of the local government's public access planning, provided it meets the provisions of this chapter. The planning may also justify more flexible off-site or special area public access provisions in the master program. Public participation requirements in WAC 173-26-201 (3)(b)(i) apply to public access planning.

At a minimum, the public access planning should result in public access requirements for shoreline permits, recommended projects, port master plans, and/or actions to be taken to develop public shoreline access to shorelines on public property. The planning should identify a variety of shoreline access opportunities and circulation for pedestrians (including disabled persons), bicycles, and vehicles between shoreline access points, consistent with other comprehensive plan elements.

- (d) Standards. Shoreline master programs should implement the following standards:

- (i) Based on the public access planning described in (c) of this subsection, establish policies and regulations that protect and enhance both physical and visual public access. The master program shall address public access on public lands. The master program should seek to increase the amount and diversity of public access to the state's shorelines consistent with the natural shoreline character, property rights, public rights under the Public Trust Doctrine, and public safety.
- (ii) Require that shoreline development by public entities, including local governments, port districts, state agencies, and public utility districts, include public access measures as part of each development project, unless such access is shown to be incompatible due to reasons of safety, security, or impact to the shoreline environment. Where public access planning as described in WAC 173-26-221 (4)(c) demonstrates that a more effective public access system can be achieved through alternate means, such as focusing public access at the most desirable locations, local governments may institute master program provisions for public access based on that approach in lieu of uniform site-by-site public access requirements.
- (iii) Provide standards for the dedication and improvement of public access in developments for water-enjoyment, water-related, and nonwater-dependent uses and for the subdivision of land into more than four parcels. In these cases, public access should be required except:
- (A) Where the local government provides more effective public access through a public access planning process described in WAC 173-26-221 (4)(c).
- (B) Where it is demonstrated to be infeasible due to reasons of incompatible uses, safety, security, or impact to the shoreline environment or due to constitutional or other legal limitations that may be applicable.

In determining the infeasibility, undesirability, or incompatibility of public access in a given situation, local governments shall consider alternate methods of providing public access, such as off-site improvements, viewing platforms, separation of uses through site planning and design, and restricting hours of public access.

- (C) For individual single-family residences not part of a development planned for more than four parcels.
- (iv) Adopt provisions, such as maximum height limits, setbacks, and view corridors, to minimize the impacts to existing views from public property or substantial numbers of residences. Where there is an irreconcilable conflict between water-dependent shoreline uses or physical public access and maintenance of views from adjacent properties, the water-dependent uses and physical public access shall have priority, unless there is a compelling reason to the contrary.
- (v) Assure that public access improvements do not result in a net loss of shoreline ecological functions.

WAC 173-26-211(5)(d) "High-intensity" environment. (ii) Management policies.

- (A) In regulating uses in the "high-intensity" environment, first priority should be given to water-dependent uses. Second priority should be given to water-related and water-enjoyment uses. Nonwater-oriented uses should not be allowed except as part of mixed use developments. Nonwater-oriented uses may also be allowed in limited situations where they do not conflict with or limit opportunities for water-oriented uses or on sites where there is no direct access to the shoreline. Such specific situations should be identified in shoreline use analysis or special area planning, as described in WAC 173-26-200 (3)(d).

If an analysis of water-dependent use needs as described in WAC 173-26-201 (3)(d)(ii) demonstrates the needs of existing and envisioned water-dependent uses for the planning period are met, then provisions allowing for a mix of water-dependent and nonwater-dependent uses may be established. If those shoreline areas also provide ecological functions, apply standards to assure no net loss of those functions.

- (D) Where feasible, visual and physical public access should be required as provided for in WAC 173-26-221 (4)(d).

WAC 173-26-211(5)(d) "Shoreline residential" environment. (ii) Management policies.

- (B) Multi-family and multi-lot residential and recreational developments should provide public access and joint use for community recreational facilities.

WAC 173-26-241(3)(d) Commercial development.

Master programs should require that public access and ecological restoration be considered as potential mitigation of impacts to shoreline resources and values for all water-related or water-dependent commercial development unless such improvements are demonstrated to be infeasible or inappropriate. Where commercial use is proposed for location on land in public ownership, public access should be required. Refer to WAC 173-26-221(4) for public access provisions.

Master programs should prohibit nonwater-oriented commercial uses on the shoreline unless they meet the following criteria:

- (i) The use is part of a mixed-use project that includes water-dependent uses and provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration; or

- (ii) Navigability is severely limited at the proposed site; and the commercial use provides a significant public benefit with respect to the Shoreline Management Act's objectives such as providing public access and ecological restoration.

Similar provisions for industrial development are provided in WAC 173-26-241(3)(f) Industrial development.

WAC 173-26-241(3)(j) Residential development.

New multi-unit residential development, including the subdivision of land for more than four parcels, should provide community and/or public access in conformance to the local government's public access planning and this chapter.

173-26-251 Shorelines of statewide significance. (3)(c)(iii)

Base public access and recreation requirements on demand projections that take into account the activities of state agencies and the interests of the citizens of the state to visit public shorelines with special scenic qualities or cultural or recreational opportunities.

Existing SMP

Policies and regulations for public access in the Shoreline Master program (SMP) are found in:

Public access subsection (page 17) – policies include:

1. To retain existing public access and develop additional access where such will not endanger life or property nor interfere with the rights inherent with private property.
2. Such access should not have an adverse effect on unique or fragile natural features, nor alter ecological systems of the area.
3. Future roads, when built paralleling shorelines, shall provide multiple point access to the shoreline wherever possible to ease concentration.

Public access is mentioned in a variety of sections, but specific requirements are notably absent. Shoreline, except for retaining existing public access. Typical are provisions for residential development (page 15) which includes “Subdividers should be encouraged to provide public pedestrian access to the shorelines.”

Existing Plans An important additional consideration is the public access plans that have been prepared for various areas:

- *I did not see any specific area plans, nor did I see reference to such in the City of Woodland Park and Recreation Plan. The Plan does include objectives of completing a plan for Horseshoe Lake park (by 09) and for the City owned property along the Lewis River (by 08) If these were completed plans, we could assess how they designed new water access.*

Other public access opportunities not included in existing park and recreation plans, but with potential for enhancing public access include:

- *The limited areas of high density residentially zoned property along Horseshoe Lake and the Lewis River (south of Cherry Blossom Lane). Multi-family residential use is not a preferred use or a water-dependent use and is subject to the requirements for public access for development of more than four units in WAC 173-26-241(3)(j).*

Options

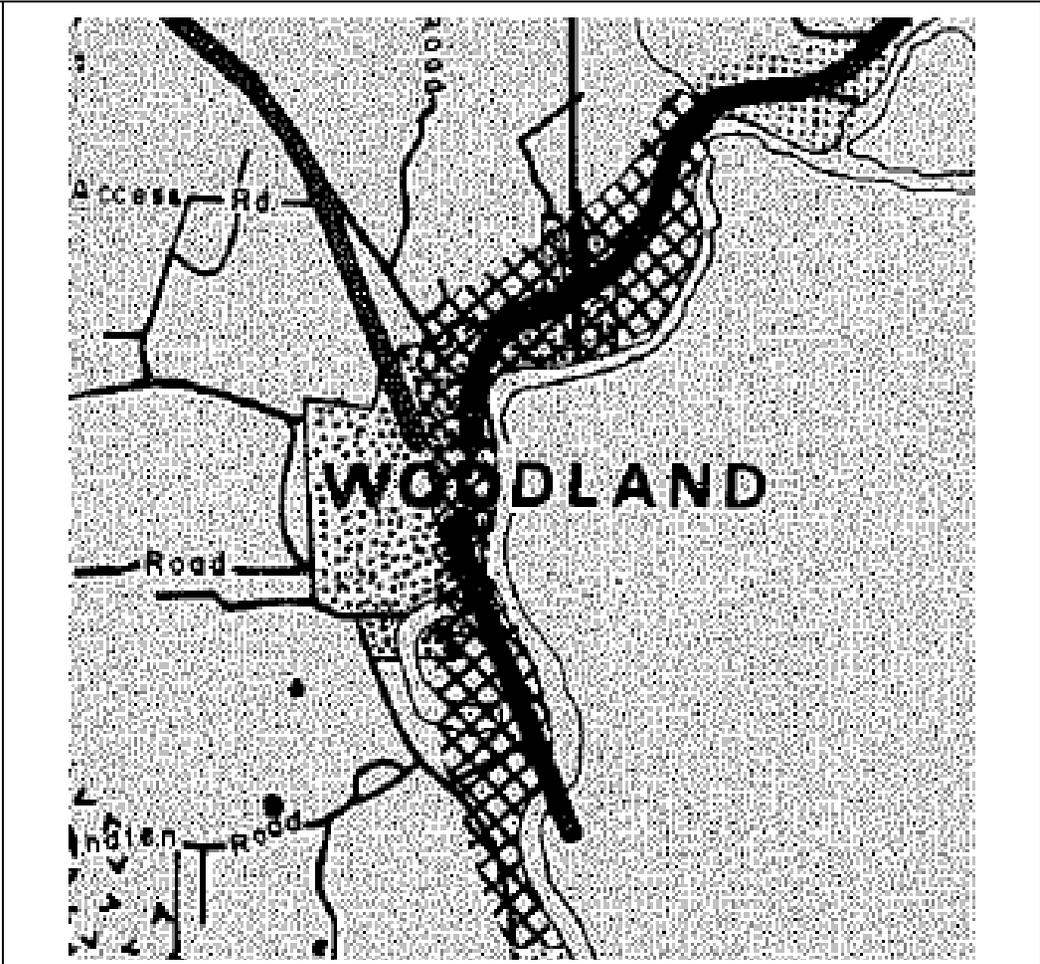
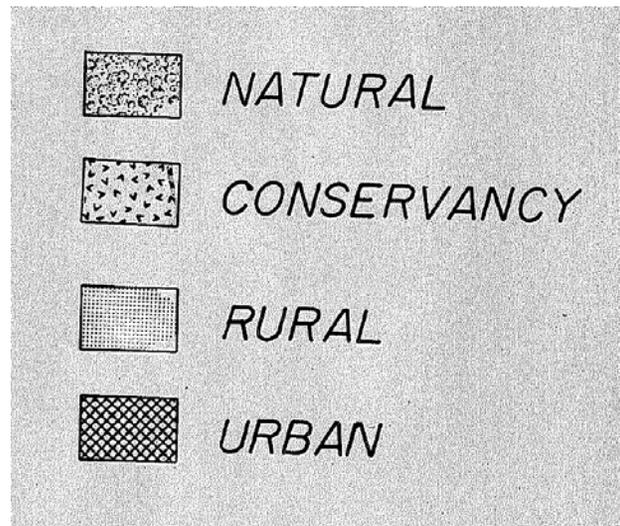
Two options are proposed for consideration:

- a) Establish public access as part of review of new development. This approach is consistent with the new Shoreline Guidelines, except for the provisions in 173-26-251(3)(c)(iii) mandating public access and recreation requirements be based on demand projections.
- b) Provide an integrated plan for a shoreline area public access system that identifies specific public needs and opportunities to provide public access as provided as an option in WAC 176-23-221(4)(c). This approach is discussed in more detail below.

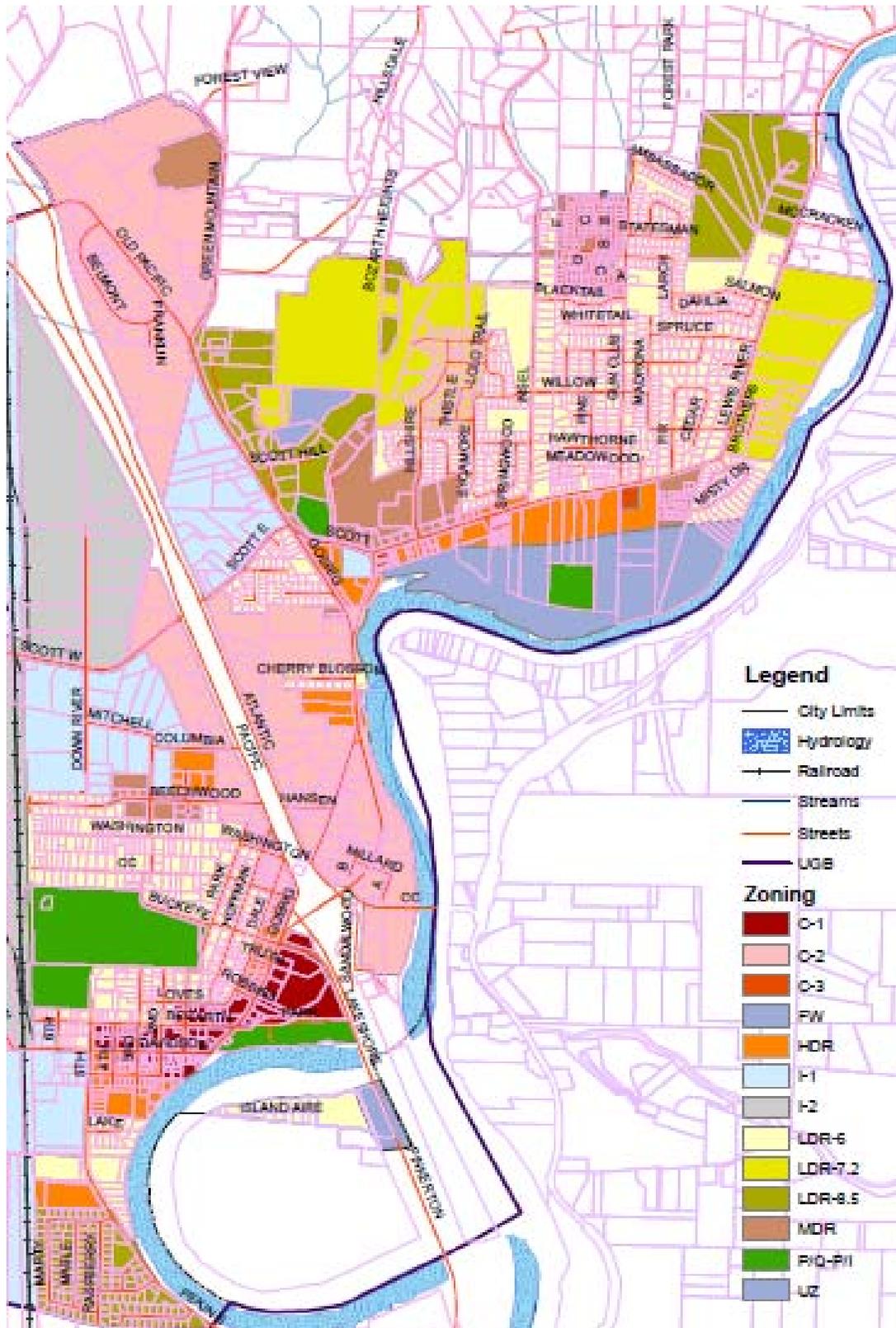
Recommendation

- a) Provide general regulations that meet the public access requirements for water-dependent use for commercial and industrial use in WAC 173-26-241(3)(d) and (3)(f) as well as other provisions for specific uses such as multi-family residential.
- b) Develop guidance for the type of public access that is appropriate on a reach-by reach basis. This will serve, in part, as an integrated plan for a shoreline area public access system that identifies specific public needs and opportunities to provide public access as provided as an option in WAC 176-23-221(4)(c). This approach would also specify the type of public access expected of private development (particularly non-water-dependent use) and address whether public access in a particular area should be visual access, a continuous corridor along the waterfront, and the extent to which shoreline ecological enhancement should be incorporated.
 - *The City of Woodland Park and Recreation Plan documents the results of a Park and Recreation Survey. Trails and other passive recreation were very popular in the survey results. Also, many participants indicated a desire for increased access to the Lewis River.*
 - *Land in the Lewis River floodplain that is in City ownership.*
- c) Provide a reach-by-reach designation of the appropriate balance between public access and ecological preservation and restoration. This will be especially important for “non-water dependent” uses to provide specific guidance to meet the requirement for public access and/or ecologic restoration pursuant to WAC 173-26-241(3)(d). This will avoid uncertainty for applicants and the city in review of future applications.

ATTACHMENT A – EXISTING SMP MAP



ATTACHMENT B – EXISTING ZONING



ATTACHMENT C EXCERPTS FROM CITY OF WOODLAND PARK AND RECREATION PLAN

Goals

1. Provide for year round use of walking, biking and jogging trails throughout Woodland.
2. Provide and encourage adequate boat launch and handicapped fishing access sites at Horseshoe Lake and on the Lewis River and other regional facilities.
4. Provide additional public access to the banks of the Lewis River.

Objectives

3. Repair and upgrade the boat launch at Horseshoe Lake Park by 2009.
9. Develop a Lewis River shoreline trail and access maintenance program.
12. Develop a walking, biking and jogging trail system around Horseshoe Lake Park and throughout the city through construction of additional trail phases from 2007-2012.

September 20, 2012 Workshop Results

Question 1: Without reviewing the list of uses, brainstorm 3 businesses or uses you'd like to see downtown. Then, go through the proposed changes and see if the uses you've identified are listed as permitted uses.

1. Bakeries (permitted under draft code)
2. **Daycare (draft ordinance lists this as an administrative conditional use)**
3. **Drive-through restaurants / fast food (not permitted under current code and listed as a conditional use in draft code)**
4. Family recreation (permitted under draft code)
5. **Gas station/service station (not permitted under current code and listed as a conditional use in draft code)**
6. Hardware stores (permitted under draft code)
7. Library and city facilities (permitted under draft code)
8. Micro breweries and restaurants (permitted under draft code)
9. National chain restaurants (permitted under draft code)
10. **Residential, live-work units, flex space, mixed use (Code allows for residential units above but doesn't address other types of live-work arrangements)**
11. Retail, antiques, etc. (permitted under draft code)

Question 2: Read through the list of conditional uses proposed. Discuss the conditional uses listed and whether or not you feel they are appropriate.

1. All listed "conditional uses" should be listed as "permitted" uses
2. Wireless communication facilities should need to go through design review (note: City of Woodland does not currently have a design review process in place)
3. Wholesale sales should be a permitted use
4. Daycare should be a permitted use
5. Towing should be a prohibited use
6. (Wholesale) lumber and building yards should be listed as prohibited
7. Land consumptive uses and uses that don't bring people downtown could be a reason for requiring a conditional use permit.

Question 3: Without reviewing the list of prohibited uses, brainstorm 3 businesses/uses that you would absolutely not want to locate downtown. Then, go through the proposed list of prohibited uses to see if the ones you've identified are listed.

1. Any commercial use should be listed as a "permitted" use
2. **Drug treatment facilities (not prohibited under draft code)**
3. Kennels (prohibited under draft code)
4. Marijuana-related businesses (prohibited under draft code)
5. Ministorage (prohibited under draft code)
6. Sexually oriented businesses, strip clubs, etc. (prohibited under draft code)

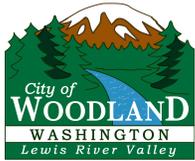
7. **Some manufacturing uses should be allowed as a permitted use i.e. high tech, start ups, small operations, etc. (besides artisanal manufacturing this is not permitted under draft code)**

Question 4: Working individually, read through the list of permitted uses paying attention only to those in **red font**. Identify any uses that don't seem to be a good fit for downtown. Share your thoughts with the group.

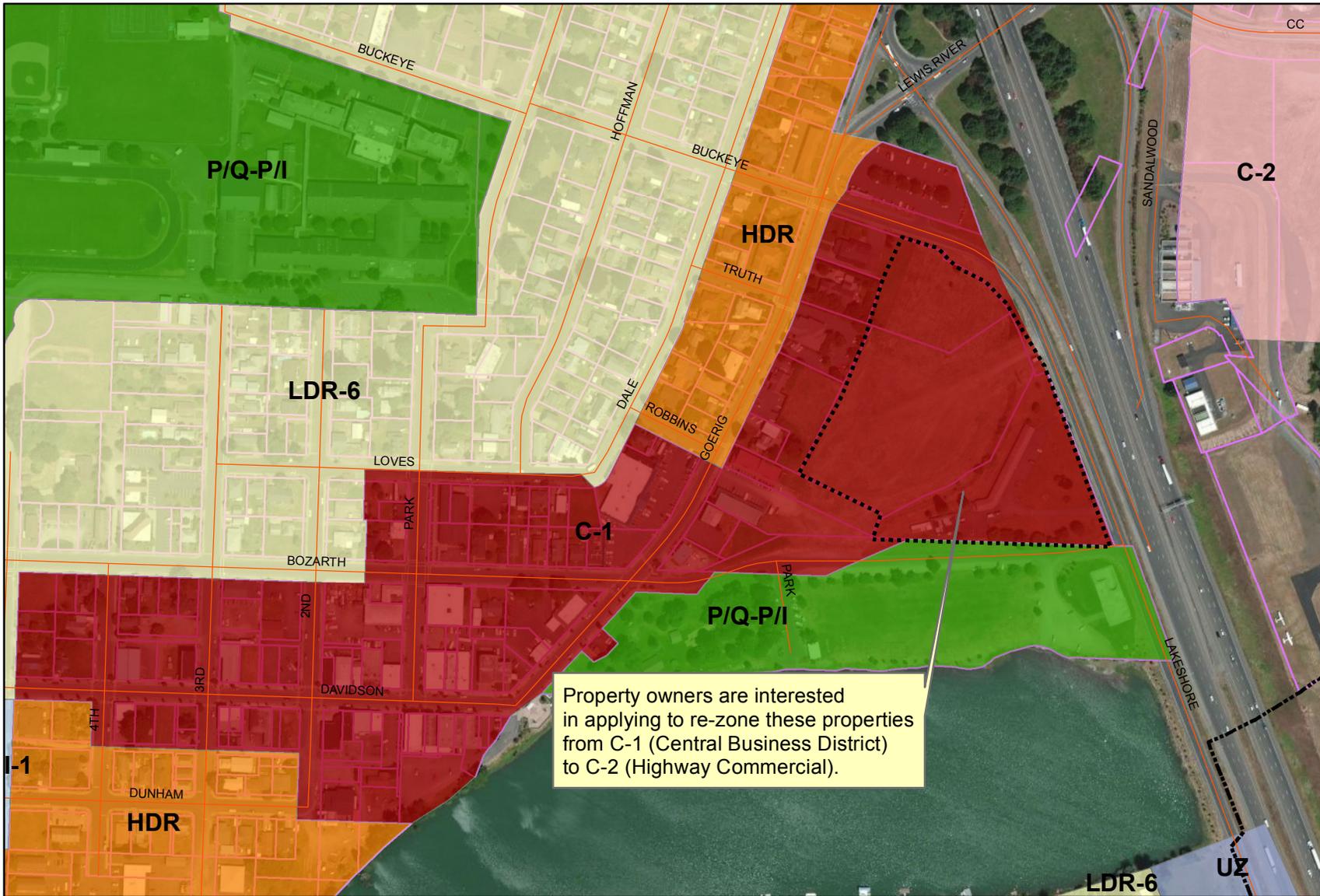
1. Shelters should be a "Conditional Use" or "Prohibited Use"
2. Large scale recycling centers should not be allowed
3. The event center threshold should be raised above the 200 person limit for a permitted use
4. Make a threshold limit for manufacturing based on square footage or number of employees so that it can be a permitted use. Make manufacturing above that threshold a conditional use.

Question 5: As a group, brainstorm uses that are most appropriate or ideally located downtown as opposed to other commercial areas in the City. See if you can develop a list of 3 or 4.

1. 2nd story offices
2. Art and artisanal goods
3. Bakeries
4. Brew pub
5. Coffee shops
6. Government facilities and public offices
7. Jewelry stores
8. Lakefront restaurant
9. Live/work spaces
10. Offices
11. Restaurants, wine, good chefs



Woodland Zoning Map - January 2013

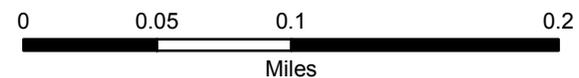


Legend

Zoning

- C-1
- C-2
- C-3
- FW
- HDR
- I-1
- I-2
- LDR-6
- LDR-7.2
- LDR-8.5
- MDR
- P/Q-P/I
- UZ

Disclaimer: The City of Woodland, WA, assumes no legal liability or responsibility for accuracy and completeness of this map. This map is to be used as a reference tool only. It is not a survey and the property and lines are not to be construed as being accurate.



STAFF REPORT – Amending the Allowed, Conditionally Allowed, and Prohibited Land Uses in the C-1 District (Central Business)

January 10, 2013

SUMMARY

On September 20, 2012, the Planning Commission held a public workshop attended by eleven people. The outcomes of this workshop session are included in this packet. A number of the suggestions made were incorporated into the proposed draft (see yellow highlighted text). Also highlighted in yellow are other changes suggested by staff.

Some ideas that came out of the workshop have not yet been incorporated into the draft. Direction from the Planning Commission is needed on the following items that were discussed at the workshop:

1. *Drive-through restaurant, fast food* – During the workshop, someone mentioned that they would like to see fast food restaurants with drive-through windows allowed in the C-1 District. The current code prohibits the use and the proposed code changes would make it a conditional use. As per the Comprehensive Plan, in the Downtown Commercial District, “discouraged uses are those that are land consumptive such as warehouses, automobile sales lots, and individual business parking lots that diminish the area’s compactness and convenience as an integrated shopping goods and services area. Also discouraged are uses that are strictly automobile-access oriented, such as **drive-in restaurants** and gas stations, as opposed to pedestrian oriented.” Staff recommends that this use either: 1) continue to be listed as a prohibited use, or 2) be listed as a conditional use. Staff could support drive-through fast food restaurants being listed as a conditional use because conditional uses must show that design is “compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design (page 1-41).” With the possible rezone in the Gateway, there would be areas near downtown where fast food restaurants were outright permitted uses.
2. *Gas station/service station* – During the workshop, someone mentioned gas stations as being a use they would like to see in the C-1. The current code prohibits the use and the proposed code would make it a conditional use. Staff recommends that this use either: 1) continue to be listed as a prohibited use, or 2) be listed as a conditional use. Staff would support this use being listed as a conditional use because conditional uses must show that design is “compatible generally with the surrounding land uses in terms of traffic and pedestrian circulation, building and site design”. As per the Comprehensive Plan, in the Downtown Commercial District, “discouraged uses are those that are land consumptive such as warehouses, automobile sales lots, and individual business parking lots that diminish the area’s compactness and convenience as an integrated shopping goods and services area. Also discouraged are uses that are strictly automobile-access oriented, such as drive-in restaurants and **gas stations**, as opposed to pedestrian oriented (page 1-41).” Also, with the possible rezone in the Gateway, there would be areas near downtown where gas stations would be outright permitted uses.

3. *Wholesale sales* – During the workshop this was listed as a use someone would like to see in the C-1. This use is not currently listed in the C-1 code section and would be looked at as a prohibited use today. Wholesale is not a use that would attract shoppers, residents, or tourists downtown and the Comprehensive Plan discourages this use in the C-1. As per the Comprehensive Plan, in the Downtown Commercial District, “discouraged uses are those that are land consumptive **such as warehouses**, automobile sales lots, and individual business parking lots that diminish the area’s compactness and convenience as an integrated shopping goods and services area. Also discouraged are uses that are strictly automobile-access oriented, such as drive-in restaurants and gas stations, as opposed to pedestrian oriented (page 1-41).”

4. *Manufacturing* – During the workshop it was mentioned that some manufacturing uses should be permitted (i.e. high tech, start ups, mall operations, etc.). It was mentioned that a threshold limit based on square footage or employment could be set and that anything above that level would need a conditional use permit.

Permitted Uses

- ~~1. Art galleries*~~
2. Artisanal/craft shop
3. Arts and cultural facilities, institutions, and businesses such as museums, theaters, art galleries, and art studios
4. Automatic teller machines (ATM)
5. Automobile sales (Indoor)
6. Bakeries with retail service
7. Banks and financial services
8. Bed and breakfast inns
- ~~9. Commercial recreation and entertainment facilities*~~
10. Community clubs, fraternal societies, and other places of assembly for membership groups ~~and memorial buildings~~
11. ~~Community~~ Public and commercial recreation ~~swimming pool~~ facilities, gyms, and sports complexes
- ~~12. Dance studios*~~
13. Daycare center
14. Drive-through lane, when associated with a financial institution or pharmacy
15. Electric vehicle charging stations
16. Entertainment facilities such as indoor theaters and playhouses
17. Event center, ~~200~~ 300 person occupancy
18. Existing, legally established, automotive repair and towing business located at 535 Park Street
19. Existing, legally established, machine and fabrication shop located at 400 2nd Street
20. Farm and garden stores
21. Farmers' markets, bazaars, and open air markets
22. Funeral homes and mortuaries
23. Grocery stores, delicatessens, butcher shops, and indoor markets selling food and farm products
- ~~24. Health spas*~~
25. Hardware and building supply stores (retail)
26. Hotels and hostels
27. Laundry and dry cleaning operations (retail and self)
- ~~28. Libraries*~~
29. Live-work units
30. Medical clinics and offices
31. Microbreweries, microdistilleries, and microwineries
32. Motorcycle, scooter, bicycle, and other small motorized or non-motorized means of transportation (indoor and outdoor sales)
- ~~33. Museums*~~
- ~~34. Newspaper offices*~~
35. On-site hazardous waste treatment and storage facilities as an accessory use to any activity generating hazardous waste and lawfully permitted in this zone, provided that such facilities must meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210 as now or hereafter amended.
36. Outdoor eating and/or drinking areas associated with an indoor facility ~~are permitted pursuant to state law~~
37. Outdoor storage of product when:
 - a. Accessory to a permitted use on site,
 - b. Storage area does not exceed 50% of the area of the permitted use on a square foot basis, and
 - c. Storage areas is located behind buildings and screened by landscaping or an architectural wall at least six feet in height. If appropriate, some viewing of activity may be allowed through gaps in screening.
38. Personal and business services
39. Pet stores and animal grooming businesses
40. Plant nurseries
41. Printing shops
42. Professional and business offices
43. Public and private off-street parking facilities
44. ~~Public Government~~ and quasi-public buildings and uses such as post offices, libraries, and government offices
45. Public parks and open spaces, ~~courtyards~~
46. Public transportation facilities such as bus stations, train stations, and transit shelters
- ~~47. Public utility offices*~~
48. Recycling collection point
49. Religious institutions ~~Churches~~
50. Repair shops for small equipment and items ~~Appliance and repair~~
51. Restaurants and cafes and other eating and drinking establishments ~~except for drive-in and fast food restaurants.~~
52. Retail stores establishments, less than 50,001 sf

~~53. Shelters, Temporary Housing, Emergency~~

- 54. Signs and outdoor advertising displays pursuant to Chapter 17.52
- 55. Taverns and liquor establishments
~~Establishments selling alcoholic beverages by virtue of a class C, D, E, F or H liquor license issued by the state;~~
- 56. Upholstery and furniture repair
- 57. Veterinary offices and clinics without outdoor animal runs

58. Uses similar to the above that are not otherwise listed in this chapter

RESIDENTIAL

- 59. Dwelling units; provided residential uses are located above a permissible C-1 commercial use and adequate off-street parking is provided pursuant to Chapter 17.56. **Lobbies for residential uses on upper floors may be located on the ground floor;**
- 60. Single-family dwellings existing at the time of

passage of the ordinance codified in this title shall be allowed to remain, and any additions or improvements thereto shall meet the standards of the LDR-6 district

- 61. **Home occupations provided they are accessory to single-family dwellings and meet the requirements of WMC 17.16.100**

*Redundant use covered under a broader category/title

Conditional Uses – Administrative

~~1. Day care center~~

- 2. Public utility uses except electrical substations and transfer facilities and power-generating units; and
- 3. **Vending stands and kiosks**

Conditional Uses – Hearing examiner

- 1. Automobile diagnostic and repair facilities, major and minor repairs; **and towing businesses**
- 2. Automobile sales (Outdoor);
- 3. Automobile service stations (gas station) and car washes;
- 2. Drive-through restaurant, fast food
- 3. Event center, greater than ~~200~~ **301** person occupancy;
- 4. Farm machinery sales and services;
- 5. Hospital, psychiatric facility ~~sanitarium~~, rest home, home for the aged, nursing home, or convalescent home
- 6. Schools, public, parochial, private, vocational, technical, business and others, nonprofit or operated for profit;
- 7. **Shelters, Temporary Housing, Emergency Housing; and**
- 8. Wireless communication facilities

Prohibited Uses

1. Animal kennel, commercial/boarding;
~~Dog kennels and the outdoor housing of dogs when associated with a veterinary office or clinic~~
2. Animal shelter;
3. Any use whose operation constitutes a nuisance by reason of smoke, fumes, odors, steam, gases, vibration, noise hazards or other causes readily detectable beyond property lines;
- ~~4. Automobile and light and/or heavy truck repair facilities;~~
- ~~5. Automobile, motorcycle, and boat dealerships and servicing establishments~~
- ~~6. Bowling alleys;~~
7. Collective garden, medical marijuana;
8. Commercial dispatch and maintenance facilities;
- ~~9. Drive-in and fast food restaurants;~~
10. Drug treatment facilities;
11. Junkyards and wrecking yards;
12. Laundry/dry cleaning (industrial);
13. Lumber yards and other building material sales that sell primarily to contractors (wholesale);
14. Manufacturing and production, except those specifically listed as permitted uses in this chapter; ~~and except those establishments permitted before the passage of this ordinance~~
15. Storage facilities, such as self-storage or recreational vehicle storage businesses
16. Outdoor sales of ~~vehicles~~, boats, campers, motor homes, and mobile homes; ~~and related equipment~~
17. Recreational vehicle park;
18. Recycling center or plant;
19. Sand, soil, gravel sales and storage;
20. Sexually oriented businesses;
21. Storage, distribution and warehousing when such use is not a part of and not essential to a permitted use; also, when it is proposed to be independently sited within the C-1 district or independently owned and operated within a permitted structure, i.e. using a second floor of a building;
22. Towing; and
23. Wholesale businesses

Temporary Uses – Administrative

1. Agricultural stands;
2. Mobile vending carts;
3. Parking lot sales that are not ancillary to the indoor sale of similar goods and services; and
4. Uses similar to the above to be located on a temporary basis in the C-1 District

New Definitions

“Animal Shelter” means a place where dogs, cats or other stray or homeless animals are sheltered. Activities and services may include kenneling, animal clinic, pet counseling and sales, as well as animal disposal.

“Artisan/craft shop” means a retail store selling art glass, ceramics, clothing, jewelry, paintings, sculpture, and other handcrafted items, where the facility includes an area for the crafting of the items being sold.

“Electric vehicle charging station” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

“Event center” means a building used primarily by groups for celebratory events, meetings, and other events. Typically food service and alcohol are associated with this use.

“Laundry/dry cleaning (Industrial)” means a business supplying bulk laundry services, such as linen and uniform services on a rental or contract basis. May also include cleaning carpets and upholstery.

"Live-work unit" means a structure or portion of a structure: (1) that combines a commercial or manufacturing activity that is allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household; (2) where the resident owner or employee of the business is responsible for the commercial or manufacturing activity performed; and (3) where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.

“Manufacturing and production” means firms involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firm or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

“Microbrewery, microdistillery, or microwinery” means a small-scale business located in a building where the primary use is for restaurant, retail, or tasting room, and which specializes in producing limited quantities of wine, beer, or other alcoholic beverage.

“Wholesale sales” means firms involved in the sale, lease, or rent of products primarily intended for industrial, institutional, or commercial businesses. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.

“Wrecking yard” means the dismantling or disassembling of motor vehicles, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete, or wrecked vehicles or their parts.

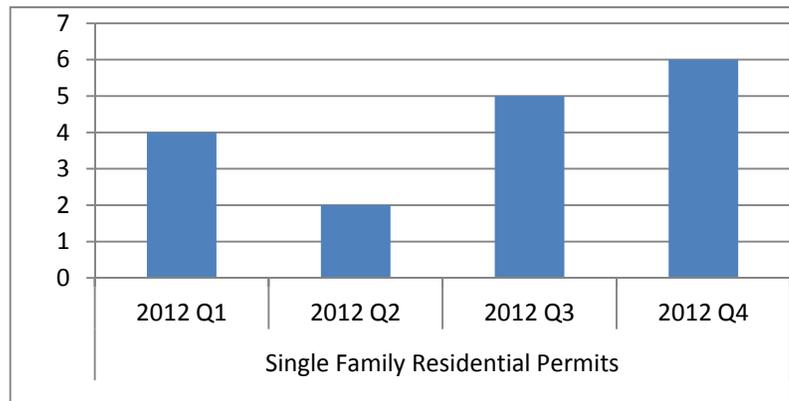
Building & Planning

4th Quarter Report 2012

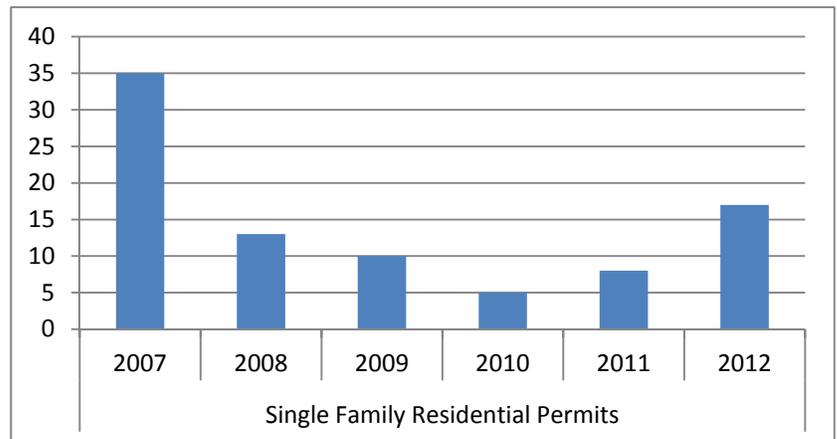
This report summarizes department activity for the months of October, November and December 2012. The Building and Planning Department is a division of Public Works and is staffed by JoAnn Heinrichs, Permit Clerk; Webb Wilbanks, Building Official; and Carolyn Johnson, Community Development Planner.

Our quarterly report will provide you with information about current development trends in the City of Woodland.

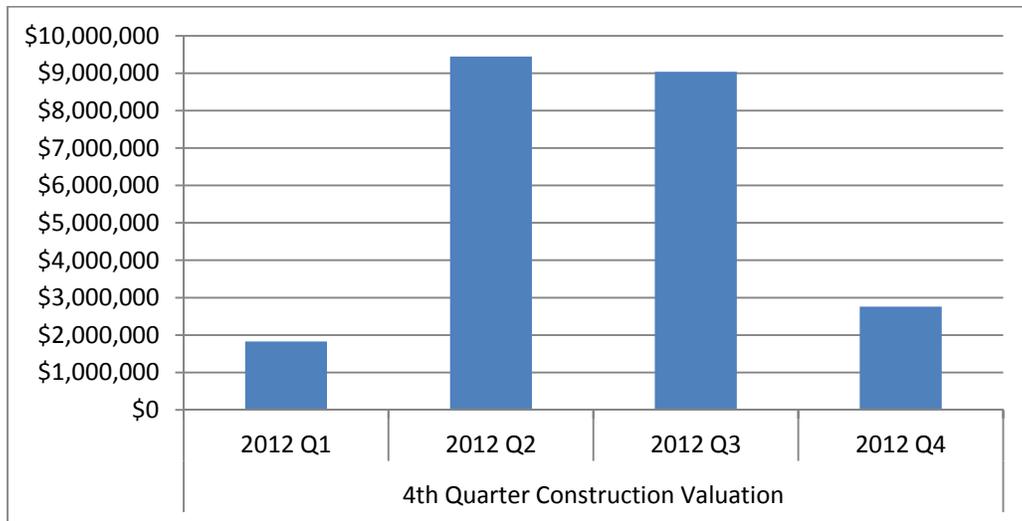
Within the past year, the City of Woodland has issued 17 single-family residential building permits.



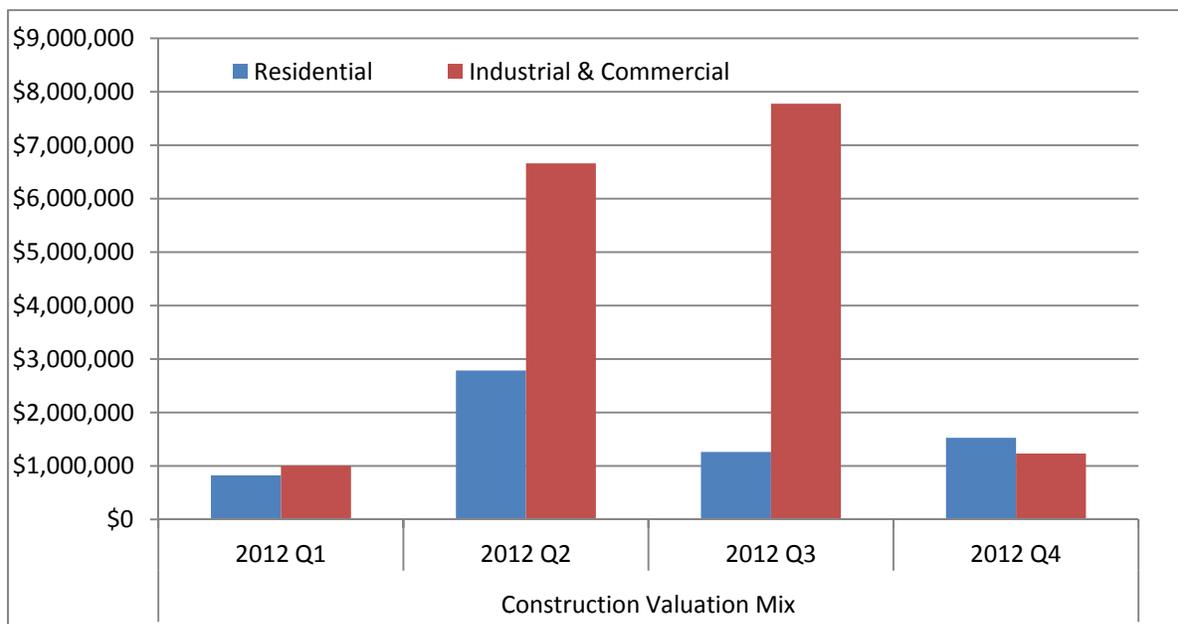
The trend in single family construction over the past six years is shown in the chart below. In 2007, 35 new single family homes were permitted. This number dropped significantly the following year and continued dropping until 2011 when permits numbers began ticking upwards. 2012 saw the highest number of new home starts since 2007.



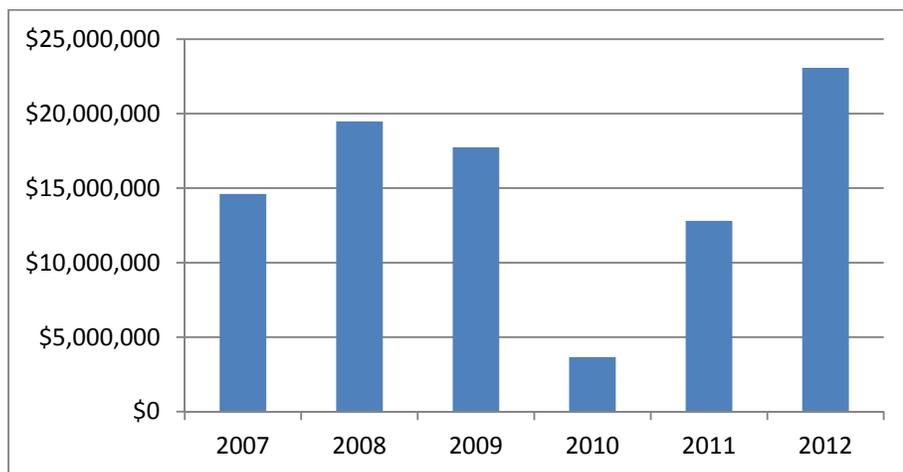
The chart below shows construction valuation trends by quarter for 2012.



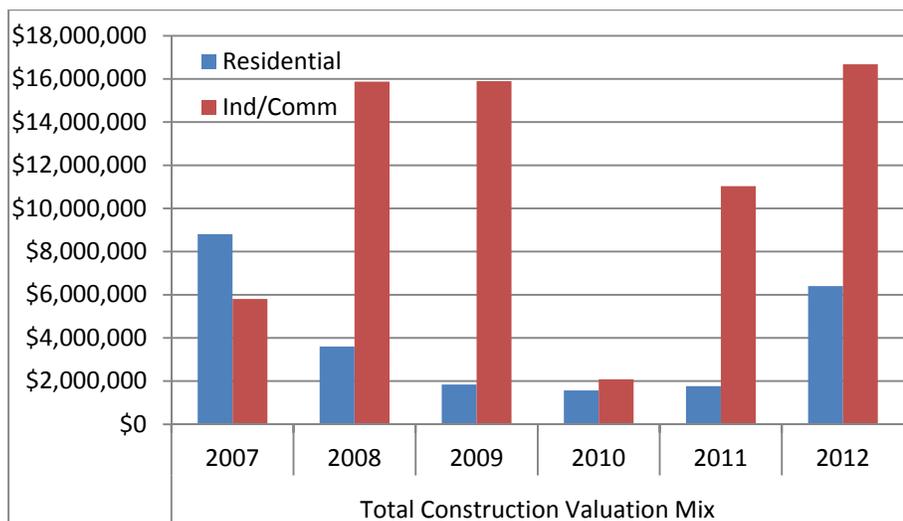
The split between residential and industrial/commercial construction in 2012 is shown below.



Construction value over the last six years is shown below. The increase in 2012 is largely due to large industrial projects such as the Columbia Colstor and Mac Chain expansions.

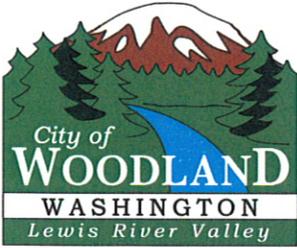


The share of residential and industrial/commercial construction valuation over the last six years is shown below.



A number of important development and zoning code updates went to City Council in the 4th Quarter. The Council approved amendments to the city's pet and domestic animal code and an ordinance amending the city's SEPA and Administrative appeal procedures. The Council also approved first readings of an electric vehicle infrastructure ordinance and a comprehensive stormwater ordinance, paving the way for their passage in January 2013.

The Planning Commission had a busy 4th quarter. The Commission moved two ordinances forward to Council with do-pass recommendations, hosted a public meeting on the Shoreline Master Program update, and hosted a training course focused on local land use planning. The Commission also welcomed Deborah Deans to the group. Deans has filled the vacant seat previously held by Jim Yount.



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Clerk-Treasurer
(360) 225-8281

Planning
(360) 225-1048

January 2, 2013

RE: Planning Commission and City Council Joint Session Meeting

Dear Council Members and Commissioners,

Our annual joint session meeting of the City Council and Planning Commission will be held February 21, 2013 at 6:30 PM at the Woodland Community Center. The purpose of the joint session meeting is to set the Planning Commission's 2013 priority work items.

Attached for your review is a report explaining progress to date in accomplishing our 2012 priority work items. Also for your review is a list of proposed 2013 work items. This list contains those items that are mandatory, incomplete 2012 work items, and newly proposed work items.

During 2012, I received one citizen request that the zoning code be amended to include tougher standards for residential yard maintenance and upkeep, for placing limits on the number of vehicles parked in front of homes, for restricting the placement of garbage and recycling receptacles, and for requiring all surfaces used for parking to be paved. This item is **not** currently included in proposed 2013 priority work items but can be added at the Council's discretion.

Please let me know if you have any questions or would like additional information.

Thank You,

Carolyn Johnson

Exhibits:

1. Progress Report on 2012 Priority Work Items
2. Proposed 2013 Priority Work Items
3. Appendix A – Future Work Items

cc:

City Council
Planning Commission
Mayor Laseke
Public Works Director, Bart Stepp

Progress Report on 2012 Planning Commission Work Items

1. Shoreline Master Program (SMP) Update (ONGOING UNTIL 2014)

- The City received a \$50,000 grant to update its SMP by June 2014. Consultant work products must be reviewed by staff and the Planning Commission. It is estimated that five of the Planning Commission's agendas in 2013 will include Shoreline issues.

2. Comprehensive Plan and Map Amendments (COMPLETED)

- The city is required to consider proposed comprehensive plan amendments annually. In 2012, the City received one application, the Liberty Evans Proposal. The Planning Commission's recommendation went to Council on Dec. 17, 2012.

3. Amend Code To Address Electric Vehicle Battery Charging Stations (COMPLETED)

- The City Council approved the first reading of the ordinance on Dec. 17, 2012.

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

- Staff is recommending that this land use file be cancelled. There is still a need to set expiration periods, however staff is proposing this be accomplished through the drafting of a comprehensive site plan review ordinance that, amongst other things, addresses the expiration period for approvals, revisions, and extensions. Variance expiration would be handled as a separate land use application.

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

- The Planning Commission made a recommendation against the passage of a historic preservation ordinance on Oct. 1, 2012.

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

- City Council approved pet and domestic animal code revisions on Oct. 1, 2012 but asked that the Planning Commission come back with a recommendation on beekeeping.

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

- 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. An ordinance has been drafted but a legal review is needed before taking the ordinance any further.

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

- City Council approved this code amendment on Nov. 17, 2012.

Non-negotiable 2012 Work Items

2011 Work Items

9. Revise Woodland’s Critical Areas Ordinance to Address Department of Ecology Concerns (NO PROGRESS TO DATE)

- 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) (IN PROCESS)

- In the latter part of 2012, the Planning Commission reviewed a proposed list of revised downtown uses and a well attended public workshop was held to get feedback on the proposed list. Staff has been in discussions with property owners in the Gateway about long-term development plans and zoning. Once the Planning Commission is comfortable with a draft ordinance, staff will go through the SEPA process and set a public hearing date.

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

- The City Council approved a BLA ordinance on Aug. 20, 2012.

12. Stormwater Ordinance (COMPLETED)

- The City Council approved a first reading of a comprehensive stormwater ordinance on Dec. 17, 2012.

13. Sign Code Review (NO WORK TO DATE)

- Council approved review on May 7, 2012 to address vehicles used as signs. In addition, staff has become aware of a number of conflicting or confusing provisions of the sign code that should be clarified. This includes provisions related to: the size of “for sale” / “for lease” signs, the location of special event signs, signs in the right of way, and off-premise commercial signs.

Proposed 2013 Work Items

1. Shoreline Master Program (SMP) Update

- The City received a \$50,000 grant to update its SMP by June 2014. Consultant work products must be reviewed by staff and the Planning Commission. The City's consultant made one presentation to the Planning Commission in 2012. It is estimated that five of the Planning Commission's agendas in 2013 will include Shoreline issues.

2. Comprehensive Plan and Map Amendments

- The city is required to consider proposed comprehensive plan amendments annually. It is currently unknown if the City will see amendment proposals in 2013.

3. Review and Provide a Recommendation on the Ad Hoc Committee's List of Expanded Uses for the C-1 (Central Business) District

- In the latter part of 2012, the Planning Commission reviewed a proposed list of revised downtown uses and held a well-attended public workshop where the City got feedback on the proposed list. Staff has been in discussions with property owners in the Gateway about long-term development plans and zoning. Once the Planning Commission is comfortable with a draft ordinance, staff will take a draft ordinance through the SEPA process and set a public hearing date.

4. Revise Woodland's Critical Areas Ordinance to Address Department of Ecology Concerns (NO PROGRESS TO DATE)

- 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.

5. Sign Code Review

- Council approved a review of the sign code on May 7, 2012. The purpose of the review is to address vehicles used as signs. In addition, staff has become aware of a number of conflicting or confusing provisions of the sign code that should be clarified. This includes provisions related to: the size of "for sale" / "for lease" signs, the location of special event signs, signs in the right of way, and off-premise commercial signs. Although this was added to the list of 2012 work items, no work has been done on this item to date.

6. 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.

Non-negotiable 2013 Work Items

Committed to Completing in 2013

7. Comprehensive Site Plan Review Ordinance

- For all intensive purposes, the City has been operating without a site plan review ordinance. The current code says little to nothing about what site plan approval is, when it is required, submittal requirements, the approval process, the expiration period on approvals, revisions to approved plans, and approval extensions. Site plan approval is the most common land use process in the City of Woodland and there is a need to address the inadequacies of the current code.

8. Expiration on Approved Variances

- The code is currently silent on the period for which variance approval extends. This issue was first brought up in 2010.

9. Beekeeping Amendment to the Pet and Domestic Animal Code

- City Council approved pet and domestic animal code revisions on Oct. 1, 2012 but asked that the Planning Commission come back with a recommendation on beekeeping within city limits.

10. Subdivision Phasing After Preliminary Approval

- During the 2012 Joint Session, Commissioner Simpson asked that subdivision phasing after preliminary approval be added to the list of possible 2013 work items. Review would entail looking at the provisions in WMC 16.14.030 that allows for the modification of an existing subdivision plan to allow phasing.

Appendix A – Future Work Items

1. Update WMC Title 12, Streets and Sidewalks, Particularly Chapters 12.06, 12.10, 12.14, and 12.16
2. Develop Standards for Solar Panels and Wind Turbines
3. Repeal Without Replacement the Condominium Code (WMC 16.20)
4. Adopt Annexation Ordinance
5. Develop Flag Lot Standards
6. Review Code on Accessory Structure in Residential Zoning Districts to Allow Sheds/Accessory Structures in Side Yards
7. Adopt Landscaping Standards for Commercial and Residential Zoning Districts
8. Define “Legal Lot”
9. Clarify Lot Frontage Requirements