WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting - 7:00 PM

Thursday, June 20, 2013

Council Chambers
100 Davidson Avenue

CALL TO ORDER – 7:00 PM

APPROVAL OF MINUTES

- May 16, 2013 Meeting Minutes

WORKSHOP

1) Site Plan Review/Approval Ordinance
    - Staff Report
    - Review Revised Draft Ordinance

2) Comprehensive Plan Text Changes – 2013 proposed
    - Schurman Trial Run Trust Rezone
        i. Discussion on which commercial classification
    - Neighborhood Commercial Zoning District
    - City Council initiated language on auto-oriented uses in the Central Business District
        i. Review draft language

3) Announcement of the new Planning Commission member

ADJOURN

cc: Post (City Hall Annex, Library, Post Office, City Hall)
City of Woodland website
Planning Commission (5)
City Council (7)
Mayor
Department Head

WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting – 7:00 PM
Thursday, May 16, 2013

Woodland Community Center
782 Park Street, Woodland, Washington

Present:	Commissioner Sharon Watt Commissioner Nancy Trevena Chair David Simpson Commissioner Murali Amirineni Commissioner Deborah Deans
Also Present:	Community Development Planner, Amanda Smeller Community Development Planner, Carolyn Johnson Public Works Director, Bart Stepp

CALL TO ORDER 7:06 PM
The meeting was called to order at 7:06 PM.

HONORING COMMISSIONER TREVENA'S SERVICE
Bart Stepp awarded Commissioner Trevena with a certificate of award honoring her seven years on the Planning Commission.

APPROVAL OF APRIL 18, 2013 MEETING MINUTES

- A misspelling of the work "plan" on page 1 was pointed out as a needed correction. With this correction, Commissioner Watt made a motion to approve the minutes. This motion was seconded by Commissioner Trevena and passed unanimously.

SITE PLAN REVIEW ORDINANCE
Carolyn Johnson gave the staff report. The Commission discussed options for binding site plan (BSP) thresholds, potential benefits to developers, and potential costs to the community, including:

- Having staff-level (administrative) decisions limits the politicization of development.
- BSPs allow land division without improvements being constructed (roads and utilities), a big cost savings.
- Staff and the Commissioners raised concern about too much authority being placed on staff for projects that have to potential to greatly impact the community.
- The Commission discussed that decisions being made at the DRC level are not immune from sway as two of the four DRC members are subordinates of the Public Works Director.
- The Commission addressed the fact that without a public hearing before the Commission, people may feel there is a lack of due process.
- The Commission discussed the difficulty in setting a size threshold given that impacts

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are use dependent.

- Commissioners voiced both a need to be developer friendly and a desire to look out for the long-term sustainability of the community.
- The Commission discussed that a benefit of having something go before the PC is having a panel interpret the code and Comprehensive Plan rather than leaving approval decisions up to staff.
- The Commission said that staff should always have the option of referring a BSP (administrative) to the PC. Staff confirmed that the draft code does allow for staff to take a BSP to the Planning Commission for review if needed but that if the code specifies that a certain decision is administrative, the City cannot subjectively change the decision making authority.
- The Commission discussed how BSPs could be particularly beneficial for industrial land division.

At the end of the discussion, the Commission seemed to prefer Option 3 (bifurcating the approvals) with a threshold size of 5 acres. The Commission also made a number of other observations about the draft code including needed corrections to inconsistencies and errors with item numbering, corrections to several typos, and needed updates to the table in Section 19.08.030.

It was decided that the draft code would be revised and reviewed again at the Commission's June 20th meeting.

SIGN CODE AMENDMENTS

The Commission reviewed proposed code amendments starting with vehicles and trailers used as signs. The Commission asked that staff change the bullets under this item (Item K, page 3) so that the ideas within the first two bullets were combined and to make the statement read "Violation shall be evidenced by either of the following . . . . or . . . .".

On page 9, Item 9, the Commission asked staff to amend language to state "Where the sidewalk immediately at the front of said business is six-feet wide or greater, an A frame sign may be situated in the public sidewalk as long as forty-four inches of pedestrian travel area or current ADA standard, whichever is greater, is maintained at all times."

With those two changes, Commissioner Trevena moved to send the draft ordinance to Council. Commissioner Watt seconded the motion. The motion passed unanimously. After the ordinance goes through the SEPA process and a public hearing is held, staff will forward the ordinance to Council.

ADJOURNMENT 8:56 PM

A motion to adjourn the meeting was made, seconded and unanimously approved at 8:56 PM.

_____ _____

Carolyn Johnson, Community Development Planner Date

These minutes are not a verbatim record of the proceedings.

DRAFT

Staff Report: Site Plan Review Ordinance

To: Planning Commission
From: Amanda Smeller, Community Development Planner
Date: June 10, 2013
RE: Revisions to the draft Site Plan Review Ordinance

Revisions made since the May 16, 2013 Planning Commission Meeting

The Commission made the decision to select Option 3 in relation to Binding Site Plans to bifurcate approvals. This means the City Council would approve the land division portion of the Binding Site Plan (BSP) and staff would administratively approve any proposed improvements. The draft has been updated to reflect this choice.

Minor changes to numbering, grammar and spelling were made as well.

Discussion

During the May 16 meeting, the Commission discussed a threshold for allowing a BSP and determined that five acres would be appropriate. This is reflected in the updated draft. However, after the workshop, Commissioner Deans contacted the Planning Department to discuss other threshold options. Commissioner Deans asked about the possibility of a different type of threshold, perhaps related to cost, rather than size. Staff offers an additional option depending on if the project deemed minor or major (this would need defining).

Attachments:
Updated draft Site Plan Ordinance

SITE PLAN REVIEW - DRAFT ORDINANCE

1. Repeal Old Section WMC 17.84.130– Site plan review and decision procedures – Development proposals.

2. Repeal Old Section WMC 16.19 – Binding Site Plans.

3. New Ordinance to be added to WMC Title 19 – Development Code Administration.

NEW ORDINANCE (Text to be added as a new WMC Chapter) capitalization

Chapter 19.10 Site Plan Review

Sections:

19.10.010 Purpose.
19.10.020 Applicability.
19.10.030 Exemptions.
19.10.040 Site plan review types and procedures.
19.10.050 Submittal requirements.
19.10.060 Criteria for site plan approval.
19.10.070 Final site plan review.
19.10.080 Appeal.
19.10.080 Preliminary site plan approval / Final civil plan approval.
19.10.090 Modifications to approved site plan.
19.10.100 Compliance required and expiration.
19.10.110 Completion prior to occupancy.
19.10.120 Phasing.

19.10.010 Purpose.

The purpose of site plan review is to ensure compatibility between new developments, existing uses, and future developments in a manner consistent with the goals and objectives of the comprehensive plan, the Woodland Municipal Code, and city[1] development standards in order to create healthful and safe conditions. Site plan review is required according to the provisions of this chapter in order to

[1] Woodland's code publisher has decided not to capitalize the word "city" regardless of if it is referring to the city as a governmental organization or to the city as a geographic area.

promote developments that are harmonious with their surroundings and maintain a high quality of life for area residents. Site plan review is required for all developments as specified in this chapter.

19.10.020 Applicability.
The provisions of this chapter shall apply to all changes of use, new construction, and expansion or alteration of a land use unless expressly exempted by this chapter. No use shall be established, no structure erected or enlarged, and no other improvement or construction undertaken except as shown upon an approved plan that is in conformance with the requirements set out in this chapter.

19.10.030 Exemptions.
The following are exempt from the site plan review provisions of this chapter unless otherwise classified as a Type I or II site plan review or a binding site plan:

A. New construction of or modification to existing single-family detached and duplex residential dwellings within an approved plat.

B. Modifications to the interior of an existing structure that does not change the use or the degree of a use.

C. Subdivisions, short plats, boundary line adjustments, and lot consolidations subject to WMC Title 16.

D. The installation or replacement of underground utilities.

E. Any change in commercial or industrial land use to another commercial or industrial land use permitted in the applicable zoning district.

F. Landscaping or landscape alterations, unless such landscaping or alterations would modify or violate a condition of approval or landscaping requirements.

G. Normal or emergency repair or maintenance of public or private buildings, structures, landscaping, or utilities.

H. New parking lots having ten (10) or fewer parking spaces.

I. On-site utility permits, e.g., sewer hook-ups, water hook-ups.

J. Comprehensive plan[2] map and text amendments and associated zoning changes and site-specific rezoning requests not associated with any other land use permit.

K. Fire and life safety permits.

L. Other development determined by the development review committee to be exempt because it does not result in an appreciable increase in land use activity or intensity or in adverse off-site impacts,

[2] Woodland's code publisher has decided not to capitalize "comprehensive plan".

does not trigger review under the adopted stormwater ordinance, and because the city can assure the development complies with applicable standards without site plan review.

19.10.040 Site plan review types and procedures.

A. Except for exempt activities listed in WMC 19.10.030, site plan reviews shall be classified and processed as follows:

1. Type I Site Plan Review. Type I site plan reviews are typically relatively minor in nature, consistent with the zoning of surrounding land uses, and do not have a substantial impact on the natural and built environment. Type I applications are approved by the public works director[3] or his/her designee without public notice and without a public hearing. A pre-application conference is not required unless requested by the applicant. The following are classified as Type I site plan reviews:

    a. Changes in use of an existing structure or site not exempt under WMC 19.10.030.

    b. Any development or change of use that will result in thirty (30) or fewer PM peak trips and that requires payment of a traffic impact fee. Trips shall be based on the latest edition of the International Transportation Engineer's *Trip Generation Manual* or substantial evidence by a professional engineer licensed in the State of Washington with expertise in traffic engineering.

    c. New construction or expansions of existing construction that does not exceed any of the following:

        i. Four thousand (4,000) square feet of additional floor area,

        ii. Twenty (20) new parking spaces, or

        iii. Four (4) new multifamily residential units, except as provided for in WMC 19.10.030.

2. Type II Site Plan Review. Type II site plan reviews are typically more substantial in nature and may have potential incompatibility with surrounding zoning or land uses or may have a more substantial impact on the natural and built environment. Type II reviews are approved by the development review committee[4] with public notice and an opportunity for comment. A pre-application conference is required. The following are classified as Type II site plan reviews:

    a. Any development which is not listed as a Type I site plan in subsection (A)(1) of this section or listed as exempt under WMC 19.10.030.

[3] Woodland's code publisher has decided not to capitalize "public works director".
[4] Woodland's code publisher has decided not to capitalize "development review committee".

b. Any development subject to SEPA pursuant to WMC Chapter 15.04 (Environmental Policy).

c. Any development or change of use that will result in thirty-one (31) or more PM peak trips, based on the latest edition of the International Transportation Engineer's *Trip Generation Manual*, or substantial evidence by a professional engineer licensed in the State of Washington with expertise in traffic engineering.

3. Binding Site Plan Reviews. A binding site plan functions as an alternative to dividing commercial or industrial property through the platting process. A binding site plan is required for any proposal which involves the division of commercial or industrial property for the purposes of sale, lease, or transfer of ownership without completing the platting process pursuant to WMC Title 16 and RCW Chapter 58.17.

   a. There are two types of binding site plans:

      i. Binding site plan – New developments. This type of binding site plan includes all applications to create legal lots in conjunction with a new development. Any binding site plan of this type less than five (5) acres[5] in size shall be administratively approved by the development review committee. Land division associated with any binding site plan of this type five (5) acres or greater in size shall first be approved by city council with a recommendation by the planning commission[6] (preliminary binding site plan approval). Following preliminary approval of the proposed land division, staff shall administratively approve proposed site improvements.

      ii. Binding site plan – Existing developments. This type of binding site plan includes all applications to create legal lots in conjunction with an existing development or when no development is proposed. Any binding site plan of this type that is less than five (5) acres shall be administratively approved by the development review committee. Any binding site plan of this type five (5) acres or greater shall be approved by city council with a recommendation by the planning commission.

   b. A pre-application conference is required for all binding site plan applications. Binding site plans shall be completed consistent with the requirements and provisions of RCW 58.17.035 and this chapter and shall be valid for the same period as a Type I or II site plan.

[5] The Commission was leaning towards recommending a 5-acre threshold at the May 2013 meeting.
[6] Woodland's code publisher has decided not to capitalize "planning commission".

c. Revisions to a binding site plan are permitted so long as any revisions are made through the site plan review process and are consistent with the regulations in effect at the time of application for revisions. If a binding site plan expires or is vacated, the parcel boundaries shall return to the original configuration. Vacation of a binding site plan shall require the signatures of all current owners of the parcels involved.

B. If a site plan review is part of an overall application that is subject to a higher approval authority, site plan review shall be considered in conjunction with the overall application by that higher review authority.

17.143.050 Submittal requirements.

A. Applicants shall submit the information:

1. A completed land-use application.

2. Written narrative and phasing plan, if applicable, that includes a description of uses, types of structures proposed, hours of operation, abutting properties, proposed access, frequency of deliveries, and construction schedule including project phasing.

3. Payment of all applicable application fees.

4. Five (5) copies of an existing conditions plan drawn to scale on a sheet no larger than twenty-four inches by thirty-six (24x36) inches and one reduced eleven-by-seventeen-inch (11x17) copy showing the following (not required for Type I reviews):

a. Vicinity map showing location of subject site within the city and the surrounding existing street system.

b. Property boundaries, dimensions, and size of the subject site.

c. Graphic scale of the drawing and the direction of true north.

d. Zoning and uses of subject site and of properties adjacent to the subject site.

e. Current structural setbacks.

f. Location of on-site driveways and access points within 100 feet of the subject site.

g. Location of existing on-site structures and the approximate location of existing structures within 100 feet of the site.

h. Location of existing aboveground electrical, telephone or utility poles, and traffic control poles.

i. Location of existing fire hydrants.

j. Location, centerline, and dimensions of existing public rights-of-way and easements on-site and within 100 feet of the site.

k. Locations, centerlines, and dimensions of existing private streets on-site and within 100 feet of the site.

l. Approximate on-site slopes and grades within 100 feet of the site.

m. Approximate location of significant natural conditions such as rock outcroppings; floodplain and floodway boundaries; drainage patterns and courses; slopes in excess of fifteen percent; unstable ground; high seasonal water table or impermeable soils; areas of severe erosion potential; areas of weak foundation soils; areas of significant wildlife habitat; and areas known to have historic, cultural, or archaeological resources.

5. Five (5) copies of a site plan drawn to a minimum scale on a sheet no larger than twenty-four inches by thirty-six (24x36) inches and one reduced eleven-by-seventeen-inch (11x17) copy. The site plan shall at a minimum indicate the following:

a. Property boundaries, dimensions, and size of the subject site.

b. Location, dimensions, and height of proposed buildings and location and dimensions of existing buildings to remain on site.

c. Proposed building setbacks.

d. Proposed project-phasing boundaries, if applicable.

e. Legend indicating total site area, the total square footage of proposed buildings or structures including percentage of total site area, the total square footage amount of impervious area including percentage of total site area, the total square footage amount of on-site landscaping including percentage of total site area, the total amount of dedicated parking area including percentage of total site area, the proposed number of parking spaces including the number of standard parking spaces, the number of compact parking spaces, the number of handicapped-accessible parking spaces, and the required number of parking spaces.

f. Location of proposed access points including vehicular driveways and designated pedestrian access points.

g. Location and dimensions of proposed on-site parking areas including required parking landscaping islands and indicating whether proposed parking is standard,

compact, or handicapped-accessible. On-site drive aisles and circulation areas shall be indicated including their dimensions.

h. Location and dimensions of proposed on-site pedestrian connections between the public street and buildings, between on-site buildings, and between on-site buildings and on-site or off-site parking areas.

i. Location and size of off-site parking areas, if applicable, including details on the number and type of off-site parking spaces and existing or proposed drive aisles and circulation areas including dimensions.

j. Locations, centerlines, and dimensions of proposed on-site public or private streets and public and private easements.

k. Location, centerlines, and dimensions of proposed dedications, and identification of proposed frontage improvements including roadway improvements, curb and gutter installation, landscaped planter strip installation, and public sidewalk installation.

l. The location and dimensions of loading and service areas, recreational or open space features, aboveground utilities, location of fences and signs, and the size and location of solid waste and recyclable storage areas.

m. Specialized site treatments including but not limited to pedestrian plazas, bicycle parking, and outdoor seating areas.

n. Environmental features including critical areas and their buffers, the ordinary high water mark, shorelines jurisdiction, the 100-year floodplain, and floodway location.

o. Applicants for binding site plan shall also show proposed lots including dimensions and total acreage.

6. If applicable, a preliminary utility plan indicating the proposed location, size, connection points to existing public systems, and terminus points for sanitary sewer, water, and stormwater drainage and control. Public and private easements for sanitary sewer, water, and stormwater shall also be indicated.

7. If applicable, stormwater information shall be provided in conformance with WMC Chapter 15.12.

8. If applicable, a preliminary grading and erosion control plan shall be provided consistent with WMC Chapter 15.10.

9. If applicable, a preliminary landscape plan shall be submitted at the time of application for site plan review. The preliminary landscape plan need not include the detail required for final

approval, although areas of proposed landscaping must be shown. Final civil plan approval cannot be given until a final landscape plan is submitted and approved. The final plan shall show the location of proposed vegetation, the common and botanical name of the proposed vegetation, the initial planting size (height or gallon) and the mature planting size, and proposed methods of irrigation, if any. Landscaping proposed in and around buildings, on the perimeter of the site and within proposed parking areas shall be indicated. In addition, street trees or other forms of landscaping within the public rights-of-way shall be indicated.

10. If applicable, architectural elevations, showing north, south, west and east elevations and specifying a measurable scale, structural dimensions, and structural heights.

11. If applicable, lighting plan indicating the location, height, and type of proposed exterior lighting fixtures (pole-mounted or wall-mounted). Photometric point or curve detail shall be provided for the subject site, abutting properties, and abutting public streets or rights-of-way at final civil plan review.

12. A certified document, typically a title report that is provided by a title company and issued within the last 60 days that details all encumbrances, easements, and ownership (not required for Type I site plan reviews).

13. If applicable, a State Environmental Policy Act (SEPA) checklist.

14. Completed critical areas identification checklist.

15. Signed agreement to reimburse the city for professional services used in the processing of applications for site plan review and site inspections.

16. If applicable, a traffic study.

17. Any additional items requested by the city during the pre-application conference.

19.10.060 Criteria for site plan approval.

A. In approving site plans, it shall be the responsibility of the planning official[7] to review each plan for compliance with all provisions of this chapter and any other applicable regulations that may affect the final plan as submitted or revised. The planning official shall coordinate review with the public works director, building official[8], staff or contract fire professionals, and the city's reviewing consultants.

B. In reviewing a site plan for approval, the planning official shall find that all of the following have been met:

[7] Woodland's code publisher has decided not to capitalize "planning official".
[8] Woodland's code publisher has decided not to capitalize "building official".

1. The proposal does or can comply with all applicable land use and development standards including but not limited to landscaping and screening requirements, parking and loading standards, frontage improvements, design standards, sewer and water standards, stormwater and erosion control standards, and critical areas standards, with or without conditions of approval. If compliance cannot be achieved by imposing conditions of approval, the application shall be denied.

2. All conditions of any applicable previous approvals have been met.

3. Proposed phasing plans comply with the requirements of WMC 19.10.120 and any necessary performance bonds or other suitable securities per WMC 19.10.110 have been secured.

19.10.070 Preliminary site plan approval / Final civil plan approval.

A. Where a site plan is issued subject to conditions that require the submittal of additional materials or changes to existing plans (preliminary approval), the planning official may require that the applicant submit for final civil plan approval to determine if the revised plans comply with the conditions of approval. If so required, the proponent must submit final civil construction drawings for review and approval. Unless waived by the public works director, the final civil plan set shall include the following elements:

1. Overall site plan that is substantially the same as that preliminarily approved.

2. Final grading plan.

3. Final stormwater plan and report pursuant to WMC Chapter 15.12.

4. Erosion control plan pursuant to WMC Chapter 15.10.

5. Final landscaping plan.

6. Final utilities plan.

7. Additional information as required by the public works director or his/her designee.

B. In addition to the requirements of a standard final civil plan submittal, a final binding site plan application shall also contain a survey prepared and stamped by a land surveyor or engineer licensed in the state of Washington showing land division lines, area of the lots created expressed in square footage, property addresses, future buildings, setbacks, parking areas, roads, stormwater detention, and other proposed site improvements. The name of the proposed development, the land use number, and the title “Binding Site Plan” shall be at the top of the plan along with the following statement:

The use and development of this property must be in accordance with the plan as represented herein or as hereafter amended, according to the provisions of the binding site plan regulations of the city of Woodland. The roads and utilities shown on this plan need not have been constructed and/or installed at the time that the property subject to this plan is divided. No permit required to build permanent structures upon any portion of this property, other than for site preparation (including grading and infrastructure installations), shall be issued until the roads and utilities necessary to serve that portion of this property have been constructed and installed or until arrangements acceptable to the city of Woodland have been made to ensure that the construction and installation of such roads and utilities will be accomplished.

In addition, the following information shall appear on the face of binding site plan survey:

DEDICATION:

We, the undersigned owner(s) of interest in the land hereby divided by use of a binding site plan, hereby declare this drawing to be the graphic representation of the binding site plan made hereby, and do hereby dedicate to the use of the public forever, all streets and avenues not shown as private hereon and dedicate the use thereof for all public purposes not inconsistent with the use thereof for public highway purposes, and also the right to make all necessary slopes for cuts and fills upon the lots shown thereon in the original reasonable grading of said streets and avenues, and further dedicate to the use of the public all easements and tracts shown on this short plat for all public purposes as indicated thereon, including but not limited to parks, open spaces, utilities and drainage unless such easements or tracts are specifically identified on this binding site plan as being dedicated or conveyed to a person or entity other than the public, in which case we do hereby dedicate such streets, easements, or tracts to the person or entity identified and for the purpose stated.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s) this _____, day of _____, 20____.

(Signed) _____

_____

_____

STATE OF WASHINGTON)

) ss

COUNTY OF COWLITZ)

THIS IS TO CERTIFY THAT on _____ the day of _____ 20_____, before me, the undersigned, a Notary Public, personally appeared _____, to me known to be the person(s) who executed the foregoing dedication and acknowledged to me that (he/she/they) signed and sealed the same as (his/her/their) free and voluntary act and deed for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year last above written.

_____

NOTARY PUBLIC in and for the State of Washington, residing at_____

CITY OF WOODLAND:

Examined and Approved:

This _____ Day of _____, 20_____.

(Signed) _____

Public Works Director

AUDITOR:

Filed for Record at the Request of:_____

This _____ Day of 20____, and Recorded in Volume _____ of _____, on Page _____ Records of Cowlitz County, Washington.

(Signed) _____

Cowlitz County Auditor

(Signed) _____

Deputy Auditor

TREASURER:

I hereby certify that the taxes on the land described hereon have been paid to date.

Dated: _____

(Signed) _____

SURVEYOR:

I hereby certify that the Binding Site Plan shown herein and known as _____ is based on actual survey and land division in Section(s) _____, Township _____ North, Range _____, W.M., city of Woodland, Cowlitz County, Washington, and that the

distances, courses and angles are shown thereon correctly and that proper monuments have been set.
_____ (Seal)
Professional Land Surveyor

C. Prior to decision, the planning official may refer site plans for development proposals to the planning commission for review and comment and shall make such referral when requested by the planning commission or as the planning official or public works director deems appropriate.

D. Approved binding site plans shall be filed with the county auditor at the applicant's expense and three (3) copies of the recorded document shall be returned to the planning department. All lots or parcels created through the binding site plan procedure shall be legal lots of record.

19.10.080 Appeal.
Appeal procedures for administrative decisions are set forth in WMC 19.06 and 19.08.

19.10.090 Modifications to approved site plan.
A. No approved site plan shall be modified or amended except after reapplication for site plan review and approval. The determination of the application type (Type I or Type II site plan review) for site plan modifications will be based upon the criteria in WMC 19.10.040.

19.10.100 Compliance required and expiration.
A. All development of the property for which a site plan was approved shall conform to the approved site plan and any conditions imposed thereon unless amended or replaced by a subsequent city approval.

B. An approved site plan (without phasing) shall be null and void if:

1. Complete building permit applications for all proposed structures are not submitted to the Woodland Building Department within three (3) years of site plan review approval.

2. Construction does not commence within four (4) years of site plan review approval.

C. A site plan review approval with a phasing plan shall be null and void if the applicant fails to meet the conditions and time schedules specified in the approved phasing plan.

D. Once expired, an applicant must re-apply for site plan review and receive approval before further development of the site proceeds. Expiration of site plan approval shall not apply to applicants with complete applications before the effective date of this ordinance, _____ (Month Day, Year). The public works director or his/her designee may approve up to two, one-year extensions if:

1. There have not been any substantial changes in the laws governing the development of the site with which lack of compliance would be contrary to the changed laws;

2. Approved building permits have been issued to the applicant; and

3. The applicant has pursued development in good faith where good faith is evidenced by progress on final permitting, surveying, engineering, and construction of improvements.

19.10.110 Completion prior to occupancy.

A. All required public and site improvements and other conditions of site plan approval shall be met prior to occupancy of any site unless required sooner as a condition of approval provided that completion and occupancy may be accomplished in phases if approved by the public works director or his/her designee as part of the site plan review process. Incomplete items may be secured by the issuance of a performance bond or other suitable security as a condition of approval to secure an applicant's obligation to complete the provisions and conditions of the approved site plan.

B. For binding site plans, the roads and utilities shown on the plan need not be constructed and/or installed at the time the property is divided. However, no permit required to build permanent structures upon any portion of the property, other than for site preparation (including grading and infrastructure installations), shall be issued until the roads and utilities necessary to serve that portion of the property have been constructed and installed or until arrangements acceptable to the city have been made to ensure that the construction and installation of such roads and utilities will be accomplished.

19.10.120 Phasing.

A. Upon written request, the public works director or his/her designee may approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than eight (8) years without reapplying for site plan review.

B. The criteria for approving a phased site plan review application shall be as follows:

1. All public facilities necessary to serve a phase shall be completed prior to or with the development of the phase.

2. The development and occupancy of any phase is not dependent on the use of temporary public facilities. A temporary public facility is any facility not constructed to the applicable city standard.

3. The phased development shall not result in requiring the city, other property owners, or latecomers, to construct public facilities that were required as part of the approved development proposal.

4. Repeal and Replace Old Section WMC 19.08.030 – Review and appeal authority.

19.08.030 - Review and appeal authority.

The following table describes development permits and the final decision and appeal authorities. All applicable administrative appeals shall be exhausted prior to initiation of judicial review. All judicial appeals shall be made to county superior court in accordance with RCW 36.70.C except comprehensive plan policy decisions or updates which may be appealed to the State Growth Management Hearings Board and final shoreline permit actions which may be appealed to the Shoreline Hearings Board. As per WMC 19.06.050, appeal of the city's procedural SEPA decision or threshold determination shall be consolidated with a hearing or appeal on the underlying governmental action in a single simultaneous hearing before the hearing examiner and any further appeal shall be made to *Cowlitz or Clark* Ccounty Ssuperior Ccourt. When decision making authority rests with the city council, appeal shall be to the county superior court. Appeal procedures for decisions and interpretations of the fire chief and building official are set forth in WMC 14.48.

Key:	R	=	Recommendation to Higher Review Authority	D	=	Decision
	OP	=	Open Record Predecision Hearing	SR	=	Staff Recommendation with Staff Report
	C	=	Closed Record Appeal Hearing	A	=	Appeal Decision
	ORH	=	Open Record Hearing			

	Public Works Department Staff	Development Review Committee	Hearing Examiner	Planning Commission	City Council
ZONING					
ADMINISTRATIVE CONDITIONAL USE PERMITS	D		A (ORH)		
CONDITIONAL USE PERMITS		SR	D (OP)		A (C)
MINOR MODIFICATION TO APPROVED CONDITIONAL USES AND ADMINISTRATIVE CONDITIONAL USES		D		A (ORH)	
ADMINISTRATIVE TEMPORARY USE PERMITS	D		A (ORH)		
MAJOR VARIANCE		SR	D (OP)		A (C)
MINOR VARIANCE		D		A (ORH)	
SITE SPECIFIC ZONE CHANGES		SR		R (OP)	D
ZONING TEXT AMENDMENT (DEVELOPMENT REGULATION CHANGES)		SR		R (OP)	D
AREA WIDE MAP AMEND		SR		R (OP)	D
COMPREHENSIVE PLAN					
COMPREHENSIVE PLAN TEXT AMENDMENT		SR		R (OP)	D
COMPREHENSIVE PLAN MAP AMENDMENT		SR		R (OP)	D
LAND DIVISION					

RE-PLAT	SR		D (OP)		A (C)
PLAT VACATION	SR		D (OP)		A (C)
BOUNDARY LINE ADJUSTMENT	D				A (ORH)
PRELIMINARY PLAT		SR		R (OP)	D
VARIANCE RELATED TO PRELIMINARY PLAT		SR		R (OP)	D
PHASING AND EXPIRATION EXTENSION OF APPROVED PRELIMINARY PLAT		D			A (ORH)
SHORT PLAT	D				A (ORH)
VARIANCE RELATED TO SHORT PLAT		SR			D (OP)
FINAL PLAT		SR		R	D
PLANNED UNIT RESIDENTIAL DEVELOPMENT		SR		R (OP)	D
BINDING SITE PLAN *(UNDER 5 ACRES)*	~~D~~	*D*	*A (ORH)*		~~A (ORH)~~
BINDING SITE PLAN (5 ACRES OR LARGER)		*SR*		*R (OP)*	*D*
ENVIRONMENTAL					
CRITICAL AREAS PERMIT	D		A (ORH)		
SEPA PROCEDURAL DETERMINATION					
1. DNS	D		A (ORH)*1		
2. MDNS	D		A (ORH)*1		
3. DS/EIS	D		A (ORH)*1		
SHORELINES					
SUBSTANTIAL DEVELOPMENT PERMIT		SR	D (OP)*2		
CONDITIONAL USE PERMIT		SR	D (OP)*2		
VARIANCE		SR	D (OP)*2		
EXEMPTION	D		A (ORH)*2		
EXTENSION OF SHORELINE RELATED PERMIT	D		A (ORH)		
SITE PLAN REVIEW					
TYPE I SITE PLAN REVIEW	*D*		*A (ORH)*		
TYPE II SITE PLAN REVIEW		*D*	*A (ORH)*		
~~COMMERCIAL~~		~~D~~			~~A (ORH)*3~~
~~INDUSTRIAL~~		~~D~~			~~A (ORH)*3~~
~~MULTI FAMILY~~		~~D~~			~~A (ORH)*3~~

~~OTHER USES~~		~~D~~			~~A (ORH)[*3]~~
~~MOBILE HOME PARK~~		~~D~~			~~A (ORH)[*3]~~
OTHER					
BUILDING/GRADING/FILL PERMIT W/SEPA	Building Official				
SIMILAR USE DETERMINATION		SR		D	A (ORH)
FLOODPLAIN DEVELOPMENT PERMIT	D[*4]		A (ORH)		
APPEAL OF ENFORCEMENT ACTION PER WMC 17.92		SR	A (ORH)		
APPEAL OF ADMINISTRATIVE DECISIONS UNRELATED TO SEPA OR ENFORCEMENT ACTION PER WMC 17.92		SR	D (OP)		A (C)
APPEAL OF DECISIONS RELATED TO TAKINGS OR SUBSTANTIVE DUE PROCESS RELATED ISSUES AS OUTLINED IN WMC 17.81.095		D	A (ORH)		
WAIVER OF VIOLATION AS OUTLINED IN WMC 17.81.020.C			D (OP)		

[*1] See WMC 19.06.040 and 19.06.050

[*2] Appeals of the hearing examiner's decisions shall be reviewed by the Shoreline Hearings Board. Shoreline conditional use permits and variances must also be approved by the Department of Ecology.

[*3] Unless the appeal includes SEPA related matters in which case appeal is to hearing examiner as set forth in WMC 19.06.050

[*4] Preferably the city's floodplain manger.

Staff Report: Neighborhood Commercial Designation/
Schurman Trial Run Trust Rezone

To: Planning Commission
From: Amanda Smeller, Community Development Planner
Date: June 5, 2013
RE: Neighborhood Commercial Designation: Uses/Options & Schurman Trial Run Trust Rezone

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Summary

In April 2013, the City received a request to rezone a property located at 1654 Lewis River Road from High Density Residential (HDR) to Commercial. The applicant did not specify which type of commercial they are seeking to rezone to. The property abuts both Neighborhood Commercial and Highway Commercial properties.

The Planning Commission approved the furtherance of this rezone. The subject property is currently for sale, and consists of a single-family residence and a commercial building which has been historically used as a beauty shop. The applicant is requesting the property be divided into two lots, as Lewis River Road bisects the property, and to rezone the east lot to Commercial. This is the portion of the property with the existing commercial building. The property is exempt from the short plat process, and can be divided to create two parcels under WMC 16.32.020: Any property divided into two or more parts by any public roadway, rock bluffs, dikes and/or any stream where mean annual flow is twenty cubic feet per second or greater. Therefore, the property can already be considered two separate lots, and the lots can be "created" by recording deeds with the Cowlitz County Auditor's Office.

It needs to be determined what type of Commercial zone district this parcel should be rezoned to: Highway Commercial or Neighborhood Commercial. Currently, Highway Commercial has many more allowable/conditional uses.

There has been much interest in the property in the last few years, with requested uses including café/restaurant (indoor/outdoor), dog grooming, Fish First office space, artist space with outdoor sales, and retail bakery shop.

Neighborhood Commercial Zone

While reviewing the Neighborhood Commercial zoning district, staff noted that there are currently very few outright allowed uses and only a few conditional uses. The current code reads as follows:

17.40.020 – Permitted Uses

The following uses only are permitted in the C-3 district; all other uses are not permitted or are permitted as a conditional use pursuant to this chapter:

1. Grocery and convenience items stores;
2. Signs, pursuant to Chapter 17.52;

3. Single-family dwelling units detached or attached at ground level to the C-3 use shall observe the LDR-6 district standards; dwelling units which are above the C-3 use shall observe C-3 standards for setbacks, yard area, and lot coverage;
4. Electric vehicle infrastructure

17.40.025 – Conditional Uses – Administrative

Vending stands or kiosks (e.g. espresso stands) to be situated in the neighborhood commercial district (C-3) requires an administrative conditional use permit approval from the director per Chapter 17.72.

17.40.030 – Conditional Uses – Hearing Examiner

The following uses in the neighborhood commercial district (C-3) require conditional use permit approval from the hearing examiner per Chapter 17.72:

1. Churches;
2. Fire stations, pursuant to Chapter 17.68;
3. Libraries

17.40.040 – Accessory Uses

Accessory uses shall observe the accessory use standards of the residential zone in which the C-3 use is located or nearest to.

17.40.050 – Prohibited Uses

The following uses are specifically not permitted in the C-3 district:

a. Drive-in and fast food restaurants;
b. Motor vehicle service stations and repair facilities.

Options to address the Neighborhood Commercial Designation:

Option 1: Add additional permitted uses
Option 2: Add additional conditional uses, both hearing examiner and administrative
Option 3: Add a combination of permitted and conditional uses
Option 4: Eliminate the Neighborhood Commercial zoning district and the Comprehensive Plan designation.

Note: Options 1-3 allow for review of dimensional requires, such as building size, height and lot coverage, if the commission would like to do so. Currently, no C-3 use can occupy more than three thousand square feet of floor area.

<u>Options 1 – 3</u>

The following are some of the uses currently allowed in either the Downtown Commercial or Highway Commercial zoning districts that **may be** suitable for allowable/conditional use in the Neighborhood Commercial District.

1. Art galleries, libraries and museums (libraries are currently conditional use)
2. Banks and financial services;
3. Community clubs, fraternal societies, and memorial buildings;
4. Cultural entertainment facilities such as indoor theaters and playhouses;
5. Government and quasi-public buildings;

6. Newspaper offices;
7. Personal services (define? Limit? Include beauty and barbershops, or should they be their own listing?)
8. Professional and business offices (means offices maintained and used as a place of business conducted by persons engaged in recognized professions, and others whose business activity consists primarily of services to the person as distinguished from the handling of commodities)
9. Public parks and open spaces, courtyards;
10. Public and private off-street parking facilities;
11. Public utility offices;
12. Restaurants and cafes except for drive-in and fast food restaurants. Outdoor eating and/or drinking areas associated with an indoor facility are permitted pursuant to state law;
13. Retail stores (Define? Limit?);
14. Shops for custom work or repair or the making of custom articles where such activity does not produce noise, objectionable odors, dust or chemical waste discharges. Uses may include printing shops, upholstery and furniture repair, craft shops, bakeries with retail service, laundry and dry cleaning operations, and appliance repair;
15. Churches (currently Conditional Use)
16. Bed and breakfast inns;
17. Commercial recreation and entertainment facilities;
18. Dry cleaning and pressing, except those using volatile or combustible materials and chemicals or using high pressure steam tanks or boilers;
19. Funeral homes, mortuaries and living quarters for owners or a resident manager only (living quarters are to be within the funeral home or mortuary);
20. Grocery stores (Currently Conditional Use)
21. Nurseries, greenhouses, yard and garden supplies;
22. Pet stores;
23. Police and fire stations (fire stations currently conditional use)
24. Real estate offices;
25. Restaurant and hotel supply;
26. Veterinary offices and clinics with no outside animal runs; dog grooming facilities;
27. Vending stands/kiosks (Currently Administrative Conditional Use)

Other jurisdictions Neighborhood Commercial District, allowable uses (some), which may be suitable to add to Woodland's permitted/conditional uses:

City of Longview:

1. Pharmacy/drug store
2. Variety/sundries store (would this be like a convenience store?)
3. Snacks, e.g. ice cream parlor, bakery

They include provisions as to the size limitations based on use (ex: Sales is 5000 square feet, personal service is 2000 square feet, etc.)

City of Battle Ground:

1. Day Care Centers
2. Public & semi-public buildings and uses

3. Recreational facilities of a non-commercial nature, including parks, playfields, and golf courses
4. Retail bakeries
5. Utilities, communication facilities, such as telephone exchanges, electric substations and public television stations

City of La Center:

1. Home Occupations
2. Bed & Breakfast establishments
3. Self-service laundries, dry cleaning, including pressing, alteration, garment and accessory repair, excluding industrial cleaning services
4. Barber & Beauty shops
5. Clothing rental establishments
6. Mortuaries
7. Ambulance services
8. Civic, social, fraternal, charitable, labor and political organizations (less than 5,000 square feet)

<u>Option 4: Eliminate the Neighborhood Commercial designation entirely.</u>

Only four properties within the City of Woodland are currently zoned Neighborhood Commercial. One parcel, located at 2000 Lewis River Road, has an existing church onsite. The other three parcels, located at the intersection of Lewis River Road and Scott Road, are under the same ownership and are currently vacant. The church parcel is technically "spot zoning" and is surrounded by residential zones, and a church is currently a conditional use in both the Neighborhood Commercial zone and in residential zones. The three parcels under the same ownership are clustered together on the intersection of Lewis River Road and Scott Road and are mostly surrounded by residential zones, with one larger industrial parcel across the street.

The definition for Neighborhood Commercial in the Zoning Code: Provides for commercial services which, for convenience purposes, are located in or near residential districts. The allowable uses provide for the sale of convenience goods (food, over-the-counter drugs, and sundries).

The definition for Neighborhood Commercial in the Comprehensive Plan: Outlets providing convenience goods and services to residential neighborhoods, as opposed to commercial establishments that serve area-wide shoppers and tourists. These areas provide goods and services sought routinely and regularly, generally more on the basis of convenient location than price. Encouraged uses are small groceries and mini-marts with gas pumps, beauty and barbershops. One policy in the Comp Plan states that Neighborhood Commercial should be clustered near intersections of major and/or secondary arterials or adjacent to existing commercial land uses.

We could choose to eliminate the Neighborhood Commercial zone, and the existing four properties could be zoned to that which they abut. For example, the church parcel would be rezoned to a residential zone. The three clustered parcels could be rezoned to either industrial or High Density Residential.

Staff Report: Amending the Comprehensive Plan to allow for auto-oriented uses in the C-1 zoning district

To: Planning Commission
From: Amanda Smeller, Community Development Planner
Date: June 2, 2013
RE: Council initiated Comprehensive Plan Text Change: Auto-Oriented Uses in the Downtown Commercial district

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SUMMARY

On April 15, 2013, the City Council adopted Ordinance 1263 which amends permitted, conditional and prohibited uses in the Central Business District. Drive-in fast food restaurants were prohibited previously in this section. Drive through facilities (defined as a facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; menu boards; order boards or boxes; and quick-lube or quick-oil change facilities) now require conditional use approval by the Hearing Examiner. Outdoor automobile sales, automobile service stations, gas stations and car washes are now also conditionally allowed by the Hearing Examiner. The previous language read "restaurants and cafes except for drive-in and fast food restaurants" now reads only as "restaurants and cafes and other eating and drinking establishments." A fast food restaurant could now be outright allowed, but the drive-through component still requires a conditional use permit by the Hearing Examiner.

On April 15, 2013, the City Council moved to initiate a Comprehensive Plan Text Amendment that would allow auto-oriented uses, and specifically drive-through facilities, in the Central Business District (C-1).

Under the Comprehensive Plan in the Downtown Commercial District (as it is referred to in the Comprehensive Plan), 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.

OPTIONS

The Zoning code must match the Comprehensive Plan. Ordinance 1263 has been adopted and changes the conditionally allowed uses, which the Planning Commission felt was in compliance with the current Comprehensive Plan. These items include the drive-through facilities of any kind, as well as fast food restaurants, drive-ins, automobile service and gas stations, and outdoor automobile sales lots. Council has expressed interest in drive-through facilities being outright allowed. For this to occur, the Comprehensive Plan needs to be changed.

Staff recommends the obvious option of simply removing the language above that specifically discourages auto-oriented uses, including drive-through facilities and gas stations. The Downtown Commercial District language in the Comprehensive Plan could now read: …"that area west of the Interstate 5 and at or near the historic downtown area. It is oriented towards smaller retail stores; service, financial, insurance, real estate, and professional outlets and officers; municipal and private shared parking garages and lots; pedestrian mall plazas; performing arts and other entertainment and cultural facilities and activities; transportation terminals, mixed use projects; upper story apartment housing; pedestrian walkways linking key facilities. ~~Discourages 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.~~

-OR-

"…that area west of the Interstate 5 and at or near the historic downtown area. It is oriented towards smaller retail stores; service, financial, insurance, real estate, and professional outlets and officers; municipal and private shared parking garages and lots; pedestrian mall plazas; performing arts and other entertainment and cultural facilities and activities; transportation terminals, mixed use projects; upper story apartment housing; pedestrian walkways linking key facilities; eating establishments including fast food and drive-in facilities; and automobile uses such as repair shops and gas stations."

Staff is open to other options as discussed by the Planning Commission.

Attachments:
Ordinance 1263
Section V, Land Use Map, of the Comprehensive Plan showing land use goals and objectives.

CITY OF WOODLAND

ORDINANCE NO. 1263

AN ORDINANCE AMENDING WMC TITLE 17 AS IT RELATES TO PERMITTED, CONDITIONALLY ALLOWED, TEMPORARY, AND PROHIBITED USES IN THE CENTRAL BUSINESS DISTRICT (C-1) AUTHORIZING A PUBLICATION BY SUMMARY.

WHEREAS, at their March 12, 2012 workshop, the City Council confirmed their support for updating the lists of uses in the C-1 zoning district (Central Business District);

WHEREAS, a public hearing was held before the Woodland Planning Commission on February 21, 2013 and, following the hearing, the Commission made a motion to forward the ordinance to the Woodland City Council with an *Affirmative* recommendation;

WHEREAS, pursuant to RCW 35A.11.020 and the Constitution of the State of Washington, Article 11, Section 11, cities have the power to enact regulations in the interest of the health, safety and welfare of their residents;

WHEREAS, all procedural requirements of the Woodland Municipal Code (WMC) for these amendments have been met; and

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Woodland as follows:

1. Repeal and Replace. WMC 17.32.020

a. Old Section WMC 17.32.020 – *The existing code section to be superseded and replaced reads as follows:*

17.32.020 Permitted uses.

The following uses only are permitted in the C-1 district. All other uses are not permitted.

1. Art galleries, libraries and museums;
2. Banks and financial services;
3. Community clubs, fraternal societies, and memorial buildings;
4. Cultural entertainment facilities such as indoor theaters and playhouses;
5. 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
6. Establishments selling alcoholic beverages by virtue of a class C, D, E, F or H liquor license issued by the state;
7. Government and quasi-public buildings;
8. Hotels;
9. Newspaper offices;
10. Personal services;
11. Professional and business offices;
12. Public parks and open spaces, courtyards;
13. Public and private off-street parking facilities;

14. Public utility offices;
15. Restaurants and cafes except for drive-in and fast food restaurants. Outdoor eating and/or drinking areas associated with an indoor facility are permitted pursuant to state law;
16. Retail stores;
17. Shops for custom work or repair or the making of custom articles where such activity does not produce noise, objectionable odors, dust or chemical waste discharges. Uses may include printing shops, upholstery and furniture repair, craft shops, bakeries with retail service, laundry and dry cleaning operations, and appliance repair;
18. 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;
19. Signs and outdoors advertising displays pursuant to Chapter 17.52
20. Churches;
21. Community swimming pool facilities, commercial recreation and entertainment facilities, health spas and dance studios;
22. Bed and breakfast inns;
23. 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.

b. New Section WMC 17.32.020 – *The code section is amended to read as follows:*

17.32.020 Permitted uses.

The following uses are permitted in the Central Business District (C-1). Other uses may require a conditional use or temporary use permit or be prohibited in the C-1 District.

1. Artisanal/craft shop and shops for custom work or repair
2. Arts and cultural facilities, institutions, and businesses such as museums, theaters, art galleries, and art studios
3. Automatic teller machines (ATM)
4. Automobile sales (Indoor)
5. Bakeries with retail service
6. Banks and financial services
7. Bed and breakfast inns
8. Community clubs, fraternal societies, and other places of assembly for membership groups
9. Daycare center
10. 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.
11. Electric vehicle charging stations
12. Entertainment facilities such as indoor theaters and playhouses
13. Event center (300 person occupancy)
14. Existing, legally established, automotive repair and towing businesses established before December 27, 1979
15. Existing, legally established, manufacturing and production businesses established before passage of this ordinance, April 15, 2013
16. Farm and garden stores
17. Farmers' markets, bazaars, and open air markets
18. Funeral homes and mortuaries

19. Grocery stores, delicatessens, butcher shops, and indoor markets selling food and farm products
20. Hardware and building supply stores (retail)
21. Home occupations provided they are accessory to single-family dwellings and meet the requirements of WMC 17.16.100
22. Hotels, motels, and hostels
23. Laundry and dry cleaning operations (retail and self)
24. Live-work units
25. Medical clinics and offices
26. Microbreweries, microdistilleries, and microwineries
27. Motorcycle, scooter, bicycle, and other small motorized or non-motorized means of transportation (indoor and outdoor sales)
28. 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.
29. Outdoor eating and/or drinking areas associated with an indoor facility
30. 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.
31. Personal and business services
32. Pet stores and animal grooming businesses
33. Plant nurseries
34. Printing shops
35. Professional and business offices
36. Public and commercial recreation facilities, gyms, and sports complexes
37. Public and private off-street parking facilities
38. Public and quasi-public buildings and uses such as post offices, libraries, and government offices
39. Public parks, open spaces, and courtyards
40. Public transportation facilities such as bus stations, train stations, and transit shelters
41. Recycling collection point
42. Religious institutions
43. Repair shops for small equipment and items
44. Restaurants and cafes and other eating and drinking establishments
45. Retail establishments, less than 50,001 sf
46. Signs and outdoor advertising displays pursuant to Chapter 17.52
47. 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
48. Taverns and liquor establishments
49. Upholstery and furniture repair
50. Veterinary offices and clinics without outdoor animal runs
51. Uses similar to the above that are not otherwise listed in this chapter

2. Repeal and Replace. WMC 17.32.028

a. Old Section WMC 17.32.028 – *The existing code section to be superseded and replaced reads as follows:*

17.32.028 Conditional uses—Administrative.

The following uses in the central business district (C-1) require conditional use permit approval from the Director per Chapter 17.70:

A. Day care center;
B. Public utility uses except electrical substations and transfer facilities and power-generating units.

b. New Section WMC 17.32.028 – *The code section is amended to read as follows:*

17.32.028 Conditional uses – Administrative.

The following uses in the Central Business District (C-1) require conditional use permit approval from the Public Works Director as per WMC Chapter 17.72.

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

3. Repeal and Replace. WMC 17.32.030

a. Old Section WMC 17.32.030 – *The existing code section to be superseded and replaced reads as follows:*

17.32.030 Conditional uses—Hearing examiner.

The following uses in the central business district (C-1) require conditional use permit approval from the Hearing Examiner per Chapter 17.72:

A. Hospital, sanitarium, rest home, home for the aged, nursing home, or convalescent home.

b. New Section WMC 17.32.030 – *The code section is amended to read as follows:*

17.32.030 Conditional uses - Hearing examiner.

The following uses in the Central Business District (C-1) require conditional use permit approval from the Hearing Examiner as per WMC Chapter 17.72.

1. Automobile diagnostic and repair facilities, major and minor repairs
2. Automobile sales (Outdoor)
3. Automobile service stations, gas stations, and car washes
4. Drive-through facilities
5. Event center, greater than 301 person occupancy
6. Farm machinery sales and services
7. Hospital, psychiatric facility, rest home, home for the aged, nursing home, or convalescent home

8. Schools (public, parochial, private, vocational, technical, business or other schools, nonprofit or operated for profit)
9. Shelters, temporary housing, emergency housing
10. Wireless communication facilities

4. New Section. WMC 17.32.032 – Administrative Temporary Uses

a. New Section WMC 17.32.032 – *The following code section is to be added:*

17.32.032 Administrative temporary uses.

The following uses in the Central Business District (C-1) require temporary use permit approval from the Public Works Director or his or her designee as per WMC Chapter 17.70.

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

5. Repeal and Replace. WMC 17.32.040

a. Old Section WMC 17.32.040 – *The existing code section to be superseded and replaced reads as follows:*

17.32.040 - Prohibited uses.

The following uses are specifically not permitted in the C-1 district:

A. 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;
B. Automobile and light and/or heavy truck repair facilities;
C. Automobile, motorcycle, and boat dealerships and servicing establishments;
D. Bowling alleys;
E. Dog kennels and the outdoor housing of dogs when associated with a veterinary office or clinic;
F. Drive-in and fast food restaurants;
G. Outdoor sales of vehicles, boats, campers, motor homes, mobile homes, and related equipment;
H. Storage or 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.

b. New Section WMC 17.32.040 – *The code section is amended to read as follows:*

17.32.040 Prohibited uses.

The following uses are specifically not permitted in the Central Business District (C-1).

1. Animal kennel, commercial/boarding
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. Collective garden, medical marijuana
5. Commercial dispatch and maintenance facilities
6. Drug treatment facilities
7. Junkyards and wrecking yards
8. Laundry/dry cleaning (industrial)
9. Lumber yards and other building material sales that sell primarily to contractors (wholesale)
10. Manufacturing and production, except those specifically listed as permitted uses in this chapter
11. Outdoor sales of boats, campers, motor homes, and mobile homes
12. Recreational vehicle park
13. Recycling center or plant
14. Sand, soil, gravel sales and storage
15. Sexually oriented businesses
16. Storage facilities, such as self-storage or recreational vehicle storage businesses
17. 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
18. Towing
19. Wholesale businesses

6. Amend. WMC 17.08 - Definitions

a. The following definitions are to be added to WMC 17.08:

17.08.___ **Animal Shelter.** "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.

17.08.___ **Artisan/craft shop.** "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.

17.08.___ **Drive-through facility.** "Drive-through facility" means a facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities may serve the primary use of the site or may serve accessory uses. Examples are drive-up windows; menu boards; order boards or boxes; and quick-lube or quick-oil change facilities.

17.08.___ **Drug treatment facility.** "Drug treatment facility" means a facility that offers inpatient detoxification services and drug rehabilitation counseling. Drug treatment facility does not mean residential structures occupied by persons with handicaps, also known as group homes, where "handicap" is defined by the Federal Fair Housing Amendments Act of 1988 (42 U.S.C. Sec. 3602). Drug treatment facility also does not mean facilities used as meeting space for Alcoholics Anonymous or Narcotics Anonymous meetings.

17.08.___ **Event center.** "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.

17.08.___ **Laundry/dry cleaning (Industrial).** "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.

17.08.___ **Live-work unit.** "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.

17.08.___ **Microbrewery, microdistillery, or microwinery.** "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.

17.08.___ **Wholesale sales.** "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.

17.08.___ **Wrecking yard.** "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.

ADOPTED this 15th day of April, 2013.

CITY OF WOODLAND, WASHINGTON

Approved:

Grover Laseke, Mayor

Attest:

Mari E. Ripp, Clerk / Treasurer

Approved as to form:

William Eling, City Attorney

Urban Growth Area Boundary but outside of the current city limits. This process was conducted according to the countywide planning policies.

- Urban Growth Area - Cowlitz County. The city has had an urban growth agreement with Cowlitz County since 1981. At that time, Clark County also participated in the drafting of an agreement but never implemented it. The agreement between Cowlitz County and Woodland is voluntary, as Cowlitz County is a non-GMA county.

The 1981 growth management program was updated in 2002 when Cowlitz County and the City of Woodland adopted the *Woodland Urban Growth Management Program*. The City and Cowlitz County both adopted the Program as an element of their respective Comprehensive Plans. The City adopted the Program under Resolution No. 458.

The Woodland Urban Growth Management Program was implemented to reflect the concepts of urban growth management and it policies and procedures. Also incorporated are land use classifications within and adjacent to the Woodland Urban Growth Area and Boundary that are consistent between the three jurisdictions.

V. LAND USE MAP

The Land Use Map classifies all land in the City of Woodland (Figure 1-4). The map must be used in conjunction with the goals, objectives, and policies of the plan. It is a symbolic representation of some of the goals, policies, and findings, and defines the areas to which the goals, objectives, and policies speak. The official Land Use Map on which amendments and updates will be shown will be on display at city hall. Specific descriptions of each classification are given below to show the intent of the Land Use Map.

Woodland Planning Area

The Woodland Planning Area is the area within the city's urban growth boundary.

Low Density Residential

The Low Density Residential classification designates areas intended primarily for single-family dwellings with scattered two-family dwellings among the single-family dwellings. Home occupations may be acceptable. The recommended density is up to six dwelling units per gross acre of land. Typical developed conditions result in densities of around four units per acre once streets, right-of-way and other areas are taken into account.

High Density Residential

This classification provides primarily for multifamily dwellings of three or more units, although single-family and two-family dwellings are not discouraged. Manufactured housing parks -- designed according to firm standards for screening, buffering, parking, recreational areas,

distance between units, and other matters may be appropriate when deemed compatible with adjacent property by the City Council. Some home occupations may be acceptable such as professional offices. The recommended residential density is up to 35 dwelling units per gross acre.

Commercial

This plan has one commercial classification but the zoning ordinance will have two commercial districts and one overlay zone. The zoning districts are described below.

The Downtown Commercial District is that area west of the Interstate 5 freeway and at or near the historic downtown area. It is oriented towards smaller retail stores; service, financial, insurance, real estate, and professional outlets and offices; municipal and private shared parking garages and lots; pedestrian mall and plazas; performing arts and other entertainment and cultural facilities and activities; transportation terminals; mixed use projects; upper story apartment housing; and pedestrian walkways linking key facilities. 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.

The Highway Commercial District is mostly oriented to automobile access and convenience. It is intended to accommodate automobile oriented and land-consumptive commercial needs. A wide range of commercial uses and activities are encouraged.

The Neighborhood Commercial Overlay Zone is for outlets providing convenience goods and services to residential neighborhoods, as opposed to commercial establishments that serve area-wide shoppers and tourists. These areas provide goods and services sought routinely and regularly, generally more on the basis of convenient location than price. Encouraged uses are small groceries and mini-marts with gas pumps, beauty and barbershops.

Light Industrial

The Light Industrial classification designates areas for light manufacturing and fabrication; warehousing and storage; wholesale distribution; product processing and packaging; construction and contracting operations; heavy equipment and truck sales, service, and repair; feed and seed stores; building material wholesale and retail sales; laboratory and research operations; veterinary offices and clinics requiring outside animal runs; and offices and institutions serving industrial workers. The overall intent is to provide for light industrial activity free from potentially incompatible activity, services and supplies needed by industry and its workers, and heavy commercial or land consumptive activity.

Heavy Industrial

This classification classifies areas currently used or suitable for heavy industry because of good vehicular access, rail access, or proximity to existing heavy industry. Uses generally should be limited to manufacturing and fabrication, warehousing and storage, wholesale distribution, product processing and packaging, and shipping.

Floodway/Open Space

The Land Use Plan Map shows a Floodway designation. The land designated such is in the Lewis River floodway as shown in the Federal Emergency Management Agency, National Flood Insurance Program, *City of Woodland Flood Boundary and Floodway Map* (Community-panel number 5300350001, revised September 4, 1985). Floodways are extremely hazardous areas due to the velocity of floodwaters that carry debris, potential projectiles, and erosion potential. In order to qualify for the National Flood Insurance Program, the city adopted a Flood Damage Prevention ordinance (Chapter 14.40 WMC). This ordinance prohibits new residential structures and limits other construction to those that will not result in any increase in flood levels during the occurrence of the base flood discharge. In 1999, the City created the Floodway Use District, a zoning district that severely limits the type of land uses that can locate in the floodway.

Due to the physical restrictions to building in the floodway, land uses with low impact on the floodway are encouraged. These include recreation uses such as parks, play fields, archery ranges, golf courses, boat ramps, fishing areas and open space.

Public/Quasi-Public/Institutional

This classification notes most major facilities and tracts that are in public or quasi-public ownership or are operated for a purpose benefiting the public. It includes public parks, public schools, governmental buildings, major utility stations, and cemeteries. Church properties are not differentiated although they are usually considered a public/quasi-public use.

In 2004, the City created the Public/Quasi-Public/Institutional (PQPI) District. This zoning district was designed to recognize the uniqueness of these types of uses and to provide development standards for public, quasi-public, and institutional land uses. Before, the creation of the PQPI most of these uses were placed in the Low Density Residential District or other district where the standards often not a good fit for the use.

Industrial Reserve

This classification is intended to encourage continued agricultural and related uses until a light industrial need is demonstrated. The category is a "holding pattern" intended to discourage encroachment by non-industrial uses. Should development for an industrial purpose be proposed, it must be consistent with the goals, objectives and policies of this plan and urban growth program document.