WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting – 7:00 PM

Thursday, March 20, 2014

Woodland NEW City Council Chambers
200 E Scott Avenue, Woodland, Washington

CALL TO ORDER – 7:00 PM

APPROVAL OF MINUTES

- January 16, 2014 meeting minutes

WORKSHOP

- Sign Ordinance
  - Staff Report
  - Review draft code language

- Accessory Buildings and Uses
  - Staff Report
  - Review draft code language

- Hearing Examiner review of City applications
  - Staff Report
  - Review draft code language

DISCUSSION

- Joint Planning Commission/City Council Goals 2014

- Gateway Rezone
  - Staff Report
  - Map

ADJOURN

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

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Regular Meeting – 7:00 PM

Thursday, January 16, 2014

City Council Chambers
200 E Scott Avenue, Woodland, Washington

CALL TO ORDER
The meeting was called to order at 7:01PM.

PRESENT:	Commissioner Deborah Deans Commissioner David Simpson Commissioner Sharon Watt
ABSENT:	Commissioner Tel Jensen Commissioner Mike Amirenini
STAFF:	Public Works Director Bart Stepp Community Development Planner Amanda Smeller Clerk Jessica Myers

APPROVAL OF November 21, 2013 Minutes
Commissioner Watt made a motion to approve minutes as written. This motion was seconded by Commissioner Simpson and passed unanimously.

WORKSHOP

- Sign Ordinance
  The Commission would like to see a solution to complaint driven infractions for illegal signs. They also would like to see sign information going to new businesses when they apply for a license. Commissioner Watt would like painted sign wording added. Commissioner Simpson would like frontage to be better defined to prevent a 'sign war,' with Commissioner Watt agreeing.

- Clarification of responsibility of permit/sign size
  Commissioners agree that property owner is required to sign permit for sign. Commissioner Watt believes political signs are allowed on public right of way areas. On page 7, next to last paragraph, Commissioner Simpson would like to see for sale or rent signs with only name of real estate and information about the property. Amanda expressed she cannot regulate content of sign. Commissioner Deans thinks page 3 section G is more hassle then it is worth on the real estate signs. Commissioner Simpson would like to see the cost of simple signs to be less money. Simple meaning painted or tarp, no bolts or nuts used in construction. Also, would like to see more encouragement for having murals. Commissioner Deans notes section 3-5 are good, along with page 12. And ok with wording on all of it.

DRAFT

Commissioner Watt would like clarification on 17.52.070. She would like wording to clarify on street frontage wording, not to just say frontage.

DISCUSSION

- Lot sizes
  Staff report was given by Amanda Smeller, stating there is no limit on how many buildings you can have. Comp plan amendment deadline is June 2016. Bart Stepp added that there are a few subdivision plats expiring that are 5 acre pieces.
  Commissioners agreed to leave allowable accessory building sizes for lots less than 12,000 sq ft. Lot sizes larger than 12,000 sq ft Commissioner Simpson would like to see one permanent building up to 2,500 sq ft, with sheds allowed with going through the process of a hearing examiner. Commissioner Simpson asked about a lot size of 1,300 sq ft. Amanda responded that it would be considered a minor variance.

- Review of City projects
  MRSC says we should have some language in our code about city projects and applications. The recommendation was for it to go to a hearing examiner. Maybe add it to chapter 19?

  Back on track for the shorelines, the first draft will be ready in a few months.

- Schedule the Joint Planning Commission/City Council Goals Setting Meeting
  Set for 2/10/14. With City Council wants to discuss the Gateway project. Should it be a C-2? Commission would like to see foot traffic and attraction to downtown area. Commissioner Simpson wants everyone to think about the C-2 zone, and thinks that the re-zone will kill the walk ability.

ADJOURNMENT 9:11 PM

A motion to adjourn the meeting was made by Commissioner Watt, seconded by Commissioner Simpson, and unanimously approved at 9:11 PM.

_____ _____

Jessica Myers, Administrative Clerk Date

These minutes are not a verbatim record of the proceedings.

DRAFT

Staff Report: Sign Ordinance Modifications

Date: February 12, 2014
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Sign Ordinance Modifications

During the January Planning Commission meeting there was discussion regarding murals, clarifying frontage definitions, and allowable content on real estate signs.

Staff researched other city sign ordinances in regards to the discussion items and indicated how those items are handled by several other cities. Staff and the Commission need to determine how we would like to address the items in Woodland's ordinance.

Attorney Eling's civil infraction language has been placed in the body of the ordinance, rather than as an attachment as it was presented last month. The Commission determined this language was acceptable.

The original proposed changes are still highlighted in yellow. There are notes, and examples from other city's sign ordinances, highlighted in gray.

DRAFT ORDINANCE – SIGN CODE AMENDMENTS

Language shown in yellow highlight and *italics* is proposed to be added to the existing code. Language that is ~~struck through~~ is proposed to be removed.

Chapter 17.52 - SIGN REQUIREMENTS

Sections:

17.52.010 - Purpose.

17.52.020 - Applicability.

17.52.030 - General requirements.

17.52.040 - Prohibited signs.

17.52.050 - Definitions.

17.52.060 - Residential (LDR, MDR and HDR) districts.

17.52.070 - Commercial (C-1, C-2 and C-3) districts.

17.52.080 - Industrial (I-1 and I-2) districts.

17.52.090 - Temporary signs.

17.52.100 - Conditional uses.

17.52.110 - Abandoned or illegal signs.

17.52.120 - Maintenance of nonconforming signs.

17.52.130 - Exemptions.

17.52.140 - Permit requirements.

17.52.150 - Review procedures.

17.52.010 - Purpose.

The purpose of this chapter is to create a more attractive economic and business climate while improving the overall quality in the city. It is to promote and protect the public health, safety, welfare and aesthetics by regulating outdoor signs of all types and to encourage the installation of advertising signs that harmonize with buildings, natural settings, neighborhoods, and other signs in the area.

17.52.020 - Applicability.

This chapter applies to all signs that are visible from the public right-of-way, built or altered after the effective date of the ordinance codified in this chapter. No sign, unless exempted by this chapter, shall be constructed, displayed or altered without a sign permit issued by the city.

17.52.030 - General requirements.

A. Sign standards and conditions shall be as follows:

1. The structure and installation of all signs shall comply with the latest adopted edition of the building code and sign code and with all applicable state, county, and city building and fire codes;

2. Awnings, bulletin boards, canopies, display cases and marquees shall be subject to standards outlined in the latest adopted edition of the building code, and shall require, a building permit and inspection by the city building official;

3. All electrically illuminated signs shall have electrical components, connections and installations that conform to all federal, state and local requirements;

4. All signs, including all of their supports, braces, guys and anchors shall be maintained in good repair and in a safe, neat, clean and attractive manner.

5. All sign permit applications shall be signed by the owner of the property, in addition to the applicant. It is the property owner's responsibility to ensure all tenants follow the criteria as outlined in this chapter. Further, for those multi-tenant buildings who must share allowable sign size, it is the property owner's responsibility to ensure all tenants are aware of this criteria and to ensure allowable sign size is divided amongst all tenants.

B. Illumination. The light directed on, or internal to any sign shall be shaded, shielded or directed so that its brightness or glare does not adversely affect the safe vision of drivers or pedestrians to an unreasonable degree. Lighted signs visible from nearby residences shall be shielded in such a way to prevent glare and reduce brightness.

17.52.040 - Prohibited signs.

The following types of signs and advertising displays or structures are not permitted, except as indicated. Prohibited signs are subject to removal at the owner's expense after appropriate notification by the city:

A. Off-premise Signs. Any second party sign that advertises goods, products, services or facilities, or directs persons to a location different from where the sign is installed, and that does not relate strictly to the lawful use of the premise on which it is located. Lawful use is defined as a sign which indicates the business transacted, services rendered, goods sold or produced on the premises, name of the business, and name of person, firm or corporation occupying the premises (exception: off-premise signs as allowed in Section 17.52.070).

B. Flashing, animated, rotating, moving or audible signs.

C. Billboards. Billboards are prohibited in all zones.

D. Signs that Obstruct. Any sign that substantially obstructs free and clear vision of an exit, traffic intersection entrance, traffic sign or signal or constitutes a traffic hazard by reasons thereof.

E. Signs Containing Unwarranted Content. Any sign, which contains statements, words and pictures of an obscene nature.

F. Window signs containing material unrelated to the merchandise for sale or service performed by the person or business on whose premises or property the sign is located; provide, however, on-premises signs may call the attention of the public to public holidays or community events.

G. Miscellaneous Signs and Poster. The tacking, pasting, painting or otherwise affixing of any sign or signs of a miscellaneous character, visible from a public right-of-way, located on exterior walls of any building, barn, shed, tree, pole, post, fence or other structure is prohibited unless otherwise permitted as official sign.

H. Signs which purport to be, or are in imitation of, or resemble an official traffic sign or signal, or which bear the words, "stop," "caution," "danger," "warning," or similar words.

I. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be construed as a traffic-control sign, signal or device, or the light of an emergency or radio equipment vehicle; or which obstruct the visibility of any traffic or street sign or signal device.

J. Signs which, by reason of their size, location, movement or manner of illumination, obstruct the visibility of any aviation flight path.

K. Any sign or advertisement on a vehicle, trailer or cart visible from the public right-of-way and parked for the primary purpose of gaining signage not allowed by this chapter. This provision shall not be construed as prohibiting the identification of a firm or its principal products on a vehicle used in the normal course of business, or preventing the normal travel of fleet vehicles to and from places of employment and employee places of residence. Violation shall be evidenced by either of the following:

i. The vehicle, trailer or cart is parked further than one hundred (100) feet from the space occupied by the business being promoted and such vehicle, trailer or cart is parked for a period exceeding twenty-four (24) consecutive hours; or

ii. The advertising is promoting a business with no valid City of Woodland business license.

L.~~*K.*~~ Any other sign that does not conform to all provisions of this code.

17.52.050 - Definitions.

The following definitions and terms shall be used in the interpretation of this chapter:

"Advertising copy" means any letters, figures, symbols, logos, trademarks or similar devices which identify or promote the sign user or any product or service; or which provides information about the sign user, the premises, the building or the products or services available.

"Awning, retractable" means a hood or cover projecting from, but not a permanent part of, an exterior wall of a building and supported by that wall and that is collapsible, retractable, or capable of being folded against the face of the supporting building.

"Awning, fixed" means a hood or cover projecting from, but not a permanent part of, an exterior wall of a building and supported by that wall, and is held in place with rigid frames and covered with a flexible material.

"Banner" means an on-site sign such as those used to announce an open house, a grand opening or to make a special announcement. Normally, it is constructed of cloth, canvas, or similar material and is without a rigid frame. It will be considered either as a fascia or freestanding sign, depending on the method of attachments, and will have to comply with the normal zone requirements.

"Building code" means the current building code as adopted by the state and Woodlands Municipal Code.

"Building frontage—Primary" means as follows:

1. In a building containing only one business, primary frontage shall be the width, as defined in this section, of that side of the building, which contains the main public entrance to that business.

2. In a building containing more than one business, all of which businesses have their main public entrances on the same side, primary frontage shall be the width, as defined in this section, of that side of the building, which contains those public entrances.

3. In a building containing more than one business, where those businesses have their main public entrances on more than one side of the building, each such side shall constitute a primary frontage. Each primary frontage shall be the width, as defined in this section, of that frontage.

"Building frontage—Secondary" means as follows:

1. In a building containing one or more businesses, and having all main public entrances on one side, one secondary frontage may be designated by the building owner. That frontage shall be the width, as defined in this section, of that side of the building so designated.

"Bulletin board" means a board utilized for posting public notices, i.e. garage sales, for sale, etc.

"Business complex" means two or more commercial businesses on a lot or contiguous lots with common access and parking.

"Canopy" means a freestanding permanent structure providing protection from the elements, such as a service station gas pump island.

"Changing image sign" means any sign that, through the use of moving elements, flashing or sequential lights, lighting elements, or other automated method, results in movement, the appearance of movement, or change of sign image or text. Changing image signs do not include otherwise static signs where illumination is turned off and back on not more than once every twenty-four hours.

"Directional sign" means any sign which is designed and erected solely for the purpose of traffic or pedestrian direction (i.e. menu boards, bank machines, height warning) and which are placed on the property to which the public is directed.

"Facade" means the entire building front or the street sidewall of a building from the grade of the building to the top of the parapet or eaves and the entire width of the building elevation.

"Flashing sign" means an illuminated sign, which changes intensity of lighting and/or switches on and off in a constant pattern or in which lighting is not maintained stationary and constant intensity and color.

"Freestanding sign" means a sign or advertising display which is not supported by a building, but which is supported by one or more upright poles or braces which are in or on the ground.

"Gross area of a sign" means the area within a continuous perimeter enclosing the outer limits of the sign face, but not including structural elements, which are not a part of the display. The gross area of a two-faced sign equals the area of one side. The gross area of a spherical, cubical or polyhedral sign equals one-half the total surface area.

"Marquee" means a permanent roof or hood structure attached to, supported by, and projecting from a building over the public right-of-way or public place. It provides protection from weather elements, but does not include a projecting roof.

"Monument sign" means a sign and supporting structure, which has similar top and bottom dimensions and is constructed as a solid structure or one, which gives the appearance of a continuous, nonhollow, unbroken mass.

"Nameplate sign" means a sign, which indicates no more than the name, address and home occupation of the resident of the premises.

"Off-premise sign" means any sign that draws attention to or communicates information about business establishment (or any other enterprise) that exists at a location other than the location of that which the sign has been placed.

"On-premise sign" means a sign which carries only advertisements strictly related to a lawful use of the premises on which it is located, including signs or sign devices indicating the business transacted, services rendered, goods sold or produced on the premises, name of the business, and name of the person, firm or corporation occupying the premises.

"Outdoor advertising" means all publicly displayed messages such as signs, placards, pennants or posters whose purpose is to provide official or commercial information, direction and advertising.

"Political signs" means a sign that is deemed to include information pertaining to levies, nonpartisan, partisan, initiative and/or referendum elections.

"Projecting sign" means a sign attached to and supported by a wall of a building or structure which projects more than one foot horizontally from the vertical face of a building, awning, canopy or parapet.

"Public or semipublic sign" means a sign, which directs attention to public or semipublic buildings, including but not limited to churches, schools, libraries and hospitals.

"Real estate sign" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

"Roof sign" means a sign or advertising display supported by and erected on or above a roof or parapet of a building or similar structure.

"Sign" means a display or device affixed to the ground, attached to a building, or other structure using graphics, logos, symbols, and/or written copy designed specifically for the display of a commercial or other advertisement to the public.

"Street frontage—Primary" means the property width as measured along the street right-of-way at the primary entrance to the property. In cases of pipestem lots or similar reduction in street right-of-way, the lot width which is most parallel to the primary building frontage.

"Street frontage—Secondary" means the property width at the street frontage that is not the primary frontage as measured along the street right-of-way.

(Note: Port Townsend defines street frontage as a side of a building which contains an entrance open for public use and which side also faces an abutting street.)

"Temporary sign" means a sign that is (1) used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, or (2) is intended to remain on the location where it is erected or placed for a period of not more than thirty days. In case of construction project signs, they may be maintained for the duration of the construction. If a sign display area is subject to periodic changes, that sign shall not be regarded as temporary.

"Wall sign" means a sign attached to and supported by a wall of a building or structure, with the exposed face of the sign parallel to the wall. Any sign placed behind glass, or affixed to a window of a building and located in such a manner as to have an obvious intent to capture interest of persons outside the building, shall be considered a wall sign and shall be treated in the same manner.

"Width" means the horizontal distance measured in a straight line between any two corners of a building, exclusive of corners having an angle of greater than ninety degrees.

"Window sign" means a sign attached to or otherwise obscuring vision, in whole or in part, through a window. It is intended to be viewed by persons outside of the building.

17.52.060 - Residential (LDR, MDR and HDR) districts.

The following signs are permitted in the LDR, MDR and HDR zoning districts with an approved building permit:

A. Public or Semipublic Uses.

1. Public or semipublic use freestanding identification sign and/or bulletin board. Such signs shall not exceed sixty square feet in gross area per face, shall be placed a minimum of ten feet behind all property lines, and shall not be over sixteen feet in height from ground level to sign top. No more than one double-faced freestanding sign shall be allowed per use. Such sign shall be located on the premises of the use to which the sign refers and shall be unobtrusive and in keeping with the character of the neighborhood.

2. Wall, Roof or Projecting Signs. Public or semipublic use, wall, roof or projecting identification sign and/or bulletin board shall not exceed six percent of the building face to which the sign is attached and in no event shall there be more than a total of two signs of either the freestanding, wall, roof or projecting type allowed per use.

B. Residential.

1. A sign advertising a subdivision, housing development or construction thereof; no more than two double-faced signs shall be allowed per subdivision or housing development. Such signs shall be located on the premises, of the use, to which the sign refers and shall be unobtrusive and reflect the character of the neighborhood. Such signs shall not exceed thirty-two square feet, shall be setback a minimum of ten feet behind all property lines, and shall be no more than ten feet in height from ground level. Once all lots or units have been sold or otherwise disposed of, the sign or signs shall be removed by the original owner, property developer, builder or agent.

2. A permanent sign identifying a subdivision, multifamily complex or building, mobile home park or subdivision, or similar housing development and located on the premises of the development. Such sign shall not exceed sixteen square feet in gross area per face, shall be placed a minimum of ten feet from all property lines, and shall not be over ten feet in height from ground level if a wall sign or five feet in height from ground level if freestanding. Each entrance is allowed one sign of either the freestanding or wall type, to a maximum of two per subdivision and/or development. Freestanding signs shall be set in a landscaped setting and designed and constructed of materials compatible with the development and the neighborhood and shall be unobtrusive.

3. For sale, lease or rent signs—Allowable area six square feet, sign shall be located inside property lines as not to restrict site distance and shall be considered a temporary sign to be removed upon the sale, rental or lease of said property. Sign shall be located on property for which the sale, lease or rental is referring. (Zillah language: “One unlighted sign not exceeding six square feet in area pertaining only to the sale, lease, rent or hire of only the particular building, property, or premises upon which displayed…”)

(Port Townsend language: Real estate signs, with permission of the owner, limited to one sign of four and one-half square feet maximum area per sign face on each parcel of property offered for sale in residential zones [is exempt]. In other zones, one sign is allowed up to 16 square feet per sign face on each separate parcel of property offered for sale. Larger real estate signs for future projects or those under construction are considered project signs and must apply for sign permits.

4. Directional signs; for real estate purposes (open house or special sale)—One four square foot sign per function per street frontage, which shall be removed at completion of open house or special sale or a maximum of seven continuous days.

5. Illumination of signs in any residential district shall be limited to ground or sign level flood lighting, illuminating only the sign and not casting glare or light into neighboring properties. With the exception of individual residence nameplates and permanent development identification signs, all lighting of signs shall terminate at ten p.m.

6. Identifying home occupation signs shall not exceed four square feet in gross area, shall be limited to one per property, and shall be set back a minimum of ten feet from all property lines. The style and materials used shall be in keeping with the character of the neighborhood.

17.52.070 - Commercial (C-1, C-2 and C-3) districts.

The following signs are permitted in the C-1, C-2 and C-3 zoning districts with an approved building permit:

A. On-premise Freestanding Signs.

1. Allowable Area. Primary frontage within the C-1 and C-3 districts shall be calculated at one square foot per linear foot of street frontage of the premises up to a maximum of one hundred square feet, provided that premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of street frontage up to a maximum of fifty square feet.

2. Primary frontage within the C-2 district shall be calculated at one square foot per linear foot of street frontage of the premises up to a maximum of two hundred square feet; provided that a premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of street frontage up to a maximum of one hundred square feet.

3. Number of Signs. Each commercial building shall have not more than one freestanding sign to be located either on a primary frontage or a secondary frontage. A business complex shall have not more than two freestanding signs; one sign to be located on a primary frontage and the second sign located on the secondary frontage.

4. Height of Sign. Maximum height in all C-2 districts shall not exceed thirty feet. Businesses or business complexes of 1.5 acres or greater located within five hundred feet of the travel~~ed~~ way of the I-5 corridor

(including off ramps and the frontage roads known as Pacific and Atlantic) may be allowed one freeway oriented sign not to exceed forty-five feet in height. *Such sign must be placed within five hundred feet of the travel way of the I-5 corridor.* Maximum height in C-1 and C-3 districts shall not exceed twenty-five feet.

5. The placement of freestanding signs or pole signs shall be in such a fashion and location as to not unreasonably obstruct the safe vision of motorists and pedestrians, nor unreasonably obstruct the view of signs on adjacent properties.

6. Freestanding or pole signs shall not be located closer than one hundred feet to another freestanding sign along the same side of the street or right-of-way, except if the establishment's lot width would result in less than one hundred feet, the distances between signs shall be the maximum possible.

7. Each freestanding or pole sign shall have a landscaped area twice the size of the sign *face* ~~area~~ *around* ~~at~~ the base of the sign. Pre-existing developments may be exempt from the landscape requirement subject to the approval of the public works director or his or her designee.

8. If more than one business in an area where businesses share the use of a parking lot, structure, parcel or facility, has the need of a freestanding, pole sign, or monument type sign, all signs shall be located together on the same joint use sign.

9. One sandwich board or A frame sign is allowed. The sign shall be situated on the private property of the location of the business or within the *planting strip* ~~right-of-way~~ immediately at the front of said business, and is erected only during hours of operation. *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.* Such signs shall not be placed so as to obstruct traffic or visibility. ~~A minimum of forty-four inches of pedestrian travel area must be maintained at all times.~~

10. For the purpose of informing and directing traffic, on-premises directory signs, menu boards, bank machines and height warning signs are permitted; provided the signs are not oriented to and not intended to be legible from a street or other private property. On-site directory signs shall not exceed thirty-two square feet in area and eight feet in height.

11. For the purpose of informing and directing traffic; on-premise directional signs are permitted; provided the placement of such signs shall be situated in such a way as not to create a vehicle or pedestrian hazard; shall be limited to not more than two signs per business; shall not exceed sixteen square feet in area and eight feet in height.

B. Off-premise Signs.

1. Any second party sign that advertises goods, products, services or facilities, or directs persons to a location different from where the sign is installed and that does not relate strictly to the lawful use of the premises on which it is located may be allowed in the highway commercial (C-2) district provided; such signs shall be unobtrusive in nature; shall not exceed thirty-two square feet in gross area per sign

face; shall be limited to one double faced sign on the premise of either the off-premise type or on-premise type; and shall be subject to written permission by the property owner of said site where the off-premise sign is located. Off-premise signs shall not exceed ten feet in height. Off-premise sign shall be subject to building permit approval.

2. Off-premise signs shall not be posted in state, county or city rights-of-way, on telephone poles, utility poles, bridge abutments, traffic signs or other public structures. Off-premise signs shall not be affixed to or painted on trees, rocks, or other natural features. Such signs shall observe the corner vision requirements and shall be placed in such a manner that does not create any type of traffic hazard. All off-premise signs shall be aesthetically pleasing and unobtrusive in nature.

C. On-premise Wall, Window, Roof Projecting.

1. Allowable Area. Primary frontage within the C-1 and C-3 districts shall be calculated at one square foot per linear foot of building frontage as measured horizontally along the side building elevation at the appropriate frontage, up to a maximum of one hundred square feet total sign area. Primary frontage within the C-2 district shall be calculated at one square foot per linear foot of building frontage as measured horizontally along the side building elevation at the appropriate frontage, up to a maximum of two hundred square feet total sign area; provided that a building elevation with less than thirty-two feet of horizontal length shall be allowed a maximum of thirty-two square feet of sign area. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of building frontage up to a maximum of fifty square feet.

2. Number of Signs. Three per primary frontage; one per secondary frontage; and in no event shall there be more than a total of four wall, roof or projecting signs per business.

3. In any building occupied by more than one business, the maximum sign area on each primary frontage shall be shared proportionally by those businesses whose main public entrance is along that frontage. Where applicable, the sign allowed on the secondary frontage shall be a joint use sign.

4. The maximum sign area per primary frontage may be divided between projecting, wall and first floor window signs. The total sign area per frontage shall be determined by adding together the area for all types of signs.

5. Each business shall be allowed one painted window sign in addition to the maximum number of signs and square footage allowed by this chapter for the limited purpose of identifying the business owner, business name and hours of operation. The sign shall not cover more than six square feet of window area where it is located.

6. For buildings located on or within one foot of the street right-of-way line, projecting signs shall project no more than five feet from the walls to which they are attached.

7. All projecting signs shall be at least ten feet above sidewalks and walkways.

D. Awnings and Canopies.

1. Awnings and canopies shall not be considered signs, except that the area of any awning or canopy, which displays advertising copy, shall be considered a sign.

2. Advertising copy, which appears on any side of an awning, or canopy, which most nearly parallels the side of the building, shall be treated as a wall sign, and shall be subject to all the requirements of this chapter which apply to wall signs affixed directly to a building.

3. Advertising copy which appears on any side of an awning or canopy which is generally perpendicular to the side of the building, shall be treated as a projecting sign, and shall be subject to all of the requirements of this chapter which applies to projecting signs affixed directly to a building. In the event advertising copy appears on two sides of an awning or canopy which are perpendicular to the same wall, those sides shall be considered one projecting sign.

4. Marquees, awnings, and canopies shall not extend further than the curb of the street.

E. Sign Illumination. The light from any illuminated sign shall be shaded, shielded or directed so that the light will not be objectionable to surrounding uses, residential areas and public safety. No sign shall have rotating, flashing or blinking lights or other illuminating device that changes in lights or other illuminating device that changes in light intensity, brightness or color except as follows:

1. In the central business (C-1) district and the highway commercial (C-2) district one changing image sign shall be allowed per business.

2. In the central business (C-1) district and the highway commercial (C-2) district, changing image signs are allowed for alphanumeric messages. Changing image signs may scroll, travel and may not change information more frequently than once every two seconds.

3. In the central business (C-1) district changing image signs shall not exceed eight square feet in area and the lighting of the message area *and lighting of the background* shall not consist of more than one color *each, for a possible two color changing image sign.* The allowed changing image sign area is to be included in the total allowed sign area, not in addition to.

4. In the highway commercial (C-2) district changing image signs shall not exceed fifty percent of the total allowed sign area up to a maximum of thirty-two square feet in area. The lighting of the message area *and lighting of the background* shall not consist of more than one color *each, for a possible two color changing image sign*. The allowed changing image sign area is to be included in the allowed sign area, not in additions to.

5. Rotating barber poles are allowed in all commercial districts.

F. For Sale, Lease or Rent Signs. *No more than one, double-face sign* ~~Allowable area six~~ *thirty-two* square feet *in area shall be allowed. The* sign shall be located inside property lines as not to restrict site distance and shall be considered a temporary sign to be removed upon the sale, rental or lease of said property. Sign shall be located on property for which the sale, lease or rental is referring *and shall be no more than ten feet in height from ground level and more than ten feet from all property lines*.

17.52.080 - Industrial (I-1 and I-2) districts.

The following signs are permitted in the I-1 and I-2 zoning districts with an approved building permit:

A. On-premise Freestanding Signs.

1. Allowable Area. Primary frontage shall be calculated at one square foot per linear foot of street frontage of the premises up to a maximum of two hundred square feet, provided that premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign.

2. Secondary frontage shall be calculated at one-half square foot of sign area for each linear foot of street frontage up to a maximum of one hundred square feet, provided that a premises with less than thirty-two feet of linear street frontage shall be allowed a maximum of a thirty-two square foot sign.

3. Number of Signs. Each industrial business shall have not more than one freestanding business identification sign, located on the primary or secondary frontage. An industrial complex shall have not more than two freestanding signs; one to be located on a primary frontage and the second sign located on the secondary frontage. Entrance, delivery, warning and other strictly directional signs are permitted; provided each sign does not exceed sixteen square feet in area and eight feet in height.

4. Height of Sign. Maximum height shall not exceed thirty feet.

5. The placement of freestanding signs or pole signs shall be in such a fashion and location as to not unreasonably obstruct the safe vision of motorists and pedestrians, nor unreasonably obstruct the view of signs of adjacent property owners.

6. Freestanding or pole signs shall not be located closer than one hundred feet to another freestanding sign along the same side of the street or right-of-way, except if the establishment's lot width would result in less than one hundred feet, the distances between signs shall be the maximum possible.

7. Each freestanding or pole sign shall have a landscaped area twice the size of the sign *face* ~~area~~ *around* ~~at~~ the base of the sign. Pre-existing developments may be exempt from the landscape requirement subject to the approval of the public works director or his or her designee.

8. If more than one business in a complex where businesses share the use of a parking lot, structure, parcel or facility, has the need of a freestanding, pole sign or monument type sign, all signs shall be located together on the same joint use sign.

9. One sandwich board or A frame sign is allowed. The sign shall be situated on the private property of the location of the business or that portion of public right-of-way immediately at the front of said business, and is erected only during hours of operation. Such signs shall not be placed so as to obstruct traffic or visibility. A minimum of forty-four inches of pedestrian travel area*, or current ADA standard, whichever is greater,* must be maintained at all times.

B. On-premises Wall, Window, Roof Projecting.

1. Allowable Area. One square foot per linear foot of building frontage as measured horizontally along a side building elevation, at the appropriate frontage, up to a maximum of two hundred square feet per sign; provided that a building elevation with less than thirty-two feet of horizontal length shall be allowed a maximum thirty-two square foot sign.

2. Number of Signs. One per primary frontage; one per secondary frontage; and in no event shall there be more than a total of two wall, roof or projecting signs per business.

3. In any building occupied by more than one business, the maximum sign area on each primary frontage shall be shared proportionally by those businesses whose main public entrance is along that frontage. Where applicable, the sign allowed on the secondary frontage shall be a joint use sign.

4. Each business shall be allowed one painted window sign in addition to the maximum number of signs and square footage allowed by this chapter for the limited purpose of identifying the business owner, business name and hours of operation. The sign shall not cover more than six square feet of window area where it is located.

C. Awnings and Canopies.

1. Awnings and canopies shall not be considered signs, except that the area of any awning or canopy, which displays advertising copy, shall be considered a sign.

2. Advertising copy, which appears on any side of an awning, or canopy, which most nearly parallels the side of the building, shall be treated as a wall sign, and shall be subject to all the requirements of this chapter which apply to wall signs affixed directly to a building.

3. Advertising copy which appears on any side of an awning or canopy which is generally perpendicular to the side of the building, shall be treated as a projecting sign, and shall be subject to all of the requirements of this chapter which apply to projecting signs affixed directly to a building. In the event advertising copy appears on two sides of an awning or canopy which are perpendicular to the same wall, those sides shall be considered one projecting sign.

4. Marquees, awnings and canopies shall not extend further than the curb of the street.

D. Sign Illumination. The light from any illuminated sign shall be shaded, shielded or directed so that the light will not be objectionable to surrounding uses, residential areas and public safety. No sign shall have rotating, flashing or blinking lights or other illuminating device that changes in lights or other light intensity, brightness or color.

E. For Sale, Lease or Rent Signs. *No more than one, double-face sign* ~~Allowable area six~~ *thirty-two* square feet *in area shall be allowed. The* sign shall be located inside property lines as not to restrict site distance and shall be considered a temporary sign to be removed upon the sale, rental or lease of said property.

Sign shall be located on property for which the sale, lease or rental is referring *and shall be no more than ten feet in height from ground level and more than ten feet from all property lines*.

17.52.090 - Temporary signs.

A. Signs endorsing bond elections, levies, fairs, political signs, little league sign up, and similar activities shall be removed within five days following the election, event and/or last showing of any fair, show or similar activity. It shall be the joint responsibility of the property owner or tenant and the party or parties who initiated the placement of the sign or signs to remove said sign or signs, within five days after the election or event for which the sign(s) are displayed. Failure to comply with this requirement shall be deemed a violation of this chapter and each and every day for which said violation continues shall be deemed a distinct and separate violation (See Section 17.52.130).

B. Political signs shall be deemed to include those pertaining to nonpartisan, partisan, initiative and/or referendum elections. Political signs shall not exceed four feet in height or width and eight feet in length, shall not be placed or situated in such a manner to obstruct or impede the sight distance of those using the public streets and shall not be erected on public right-of-way. (Note: The City of Tacoma's court case dealt with timeframes in placement of political signs, not where they are placed).

C. Outdoor Sale and Temporary Advertising Signs. Individual business establishments may utilize special but temporary advertising signs or displays related only to the services and goods offered by the business. No more than two signs are to be used and the gross areas of each sign will not exceed twenty-five square feet with the total area of all signs, not exceeding fifty square feet, shall be placed in such a fashion and location as to not unreasonably obstruct the safe vision of motorists and pedestrians, and shall not exceed fifteen days unless through an approved temporary use or conditional use permit.

D. Displays utilizing banners, flags, pennants, streamers, twirlers or propellers, strings of light, flares, balloons and similar devices are permitted as seasonal decorations, grand openings or special sales. Such signs may be used for a maximum of thirty consecutive days with no more than three events per year, provided it does not adversely affect the safe vision of drivers, pedestrians or aviation traffic.

E. Beacon and Searchlights. Individual business establishments may utilize special but temporary beacons or search lights for special sales, and/or grand openings and may be used for a maximum of three consecutive days provided it does not adversely affect the safe vision of drivers, pedestrians or aviation traffic.

17.52.100 - Conditional uses.

Signs for all conditional uses in all zoning districts will be permitted as part of the conditional use approval. The sign code applicable to that zoning district, in which the conditional use is approved, shall designate the size, number and location of each sign unless otherwise noted on the conditional use allowed.

~~17.52.110 - Abandoned or illegal signs.~~

~~A. Any abandoned or illegal sign, any sign that exists after a business closes that advertised the closed business, any graffiti placed on a sign, building, parking lot or landscaped area, or any temporary sign that exists after its expiration time, whether located on public property or private property, is hereby declared to be a danger to the health, safety, and welfare of the citizens of Woodland. Any sign that is partially or wholly obscured by the growth of vegetation or weeds or by the presence of debris or litter also presents a danger to the health, safety and welfare of the citizens.~~

~~B. Any such signs as set forth in subsection A of this section are hereby deemed to be a public nuisance. Any such sign shall be removed by the property owner within ten days after notice from the public works director or designee. Any sign, whether located on public property or private property, not removed within ten days after such notice, may summarily be abated by the public works director or designee. Costs of such abatement may be assessed against the property using the procedures established in Woodland Municipal Code Chapter 8.12. Further, failure to remove said sign(s) will cause Section 1.12.020, Civil Infractions, to apply. C. Legal, conforming structural supports for abandoned signs may remain, if installed with a blank sign face and supporting structures are maintained.~~

~~C. Legal conforming structural supports for abandoned signs may remain, if installed with a blank sign face and supporting structures are maintained.~~

WMC 17.52.110 Signs as Public Nuisance

A. The following signs are hereby declared to be a danger to the health, safety and welfare of the citizens of Woodland and not permitted by this Chapter:

1. Any sign illegal under this Chapter or not exempt pursuant to WMC 17.52.030.

2. Any abandoned sign. For purposes of this Chapter, a sign shall be deemed "abandoned" if it is displayed without lawful authority on public property or private property.

3. Any sign advertising a closing of a business still displayed after the closure of the business.

4. Any graffiti placed on a sign, building, parking lot or landscaped area.

5. Any temporary sign displayed after the passing of the temporary condition or event date.

6. Any sign that is partially or wholly obscured by the growth of vegetation or weeds or obscured by the presence of debris or litter.

7. And any sign which impairs the vision of the operators of motor vehicles.

B. All signs described in Section A are hereby deemed a public nuisance. Any such sign, unless subject to summary abatement, shall be removed either by the sign owner or the property owner within five (5) days of oral or written notice from the public works director or the director's designee.

C. Voluntary Correction

1. General. The public works director shall attempt to secure voluntary correction by contacting the person responsible for the violation when practical, explaining the violation and requesting correction.

2. Issuance of Voluntary Correction Agreement. A voluntary correction agreement to abate the violation within a specified time and according to specified conditions may be entered into between the person responsible for the violation and the city acting through the public works director or designee.

a. Right to a Hearing Waived. Upon entering into a voluntary correction agreement, the person responsible for the violation waives the right to an administrative appeal of the violation and of the corrective action.

b. Extension – Modification. An extension of the time limit for correction or a modification of the required corrective action may be granted by the public works director if the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation but unforeseen circumstances render correction under the original conditions unattainable.

c. Abatement by the City. The city may abate the violation if the terms of the voluntary correction agreement are not met or performed in a timely manner.

d. Collection of Costs. If the terms of the voluntary correction agreement are not met the person responsible for the violation shall be responsible to reimburse the City for the cost of abatement.

D. Notice of Civil Infraction

1. Issuance.

a. Except as set forth in Section (b), when the public works director determines that a violation has occurred or is occurring, and is unable to secure voluntary correction, the public works director may issue a notice of civil violation to the person responsible for the violation pursuant to WMC 1.12.020.

b. The public works director may issue a notice of civil violation without having attempted to secure voluntary correction under the following circumstances:

i. When an emergency exists;

ii. When a repeat violation occurs;

iii. When the person knows or reasonably should have known that the action is in violation of a city regulation.

iv. When the sign impairs the vision of operators of motor vehicles

2. Monetary Penalty.

a. The monetary penalty for each violation per day or portion thereof as well as the other relief set forth in WMC 1.12.020 shall be as set forth in WMC 1.12.020:

i. First Violation - Class 4 Civil Infraction;

ii. Second Violation - Class 3 Civil Infraction;

iii. Third Violation - Class 2 Civil Infraction;

iv. Fourth and Subsequent Violations - Class 1 Civil Infraction.

b. Examples.

i. An illegal sign is displayed for three consecutive days. The sign owner could be cited for a first, second and third violation.

ii. An illegal sign is displayed but voluntarily corrected, another illegal sign is displayed a day later but not corrected. The sign owner could be cited for a first violation for the sign displayed a day later.

iii. Three illegal signs are displayed for several days and the sign owner is cited for only one violation for each sign. Each separate sign is a Class 4 infraction.

iv. Three illegal signs are displayed for three (3) days and the sign owner is cited for each day the signs are displayed. The sign owner could be cited for three separate Class 4, Class 3 and Class 2 violations.

3. Continued Duty to Correct. Payment of a monetary penalty pursuant to this chapter does not relieve the person to whom the notice of civil violation was issued of the duty to correct the violation.

E. Abatement by the City [See WMC 8.12]

1. The city may abate a condition which was caused by or continues to be a civil violation when:

a. The terms of voluntary correction agreement have not been met; or

b. A notice of civil violation has been issued and the required correction has not been completed by the date specified in the hearing examiner's order; or

c. The condition is subject to summary abatement in Section F, or;

d. When the sign impairs the vision of operators of motor vehicles.

F. Summary Abatement

Whenever the placement or presence of an unpermitted sign impairs the vision of operators of motor vehicles or causes a condition the continued existence of which constitutes an immediate and emergent threat to the public health, safety or welfare or to the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

In addition to any fine, the person in violation shall reimburse the City for all costs of abatement including costs of enforcement and hearing.

17.52.120 - Maintenance of nonconforming signs.

Except as restricted in specific zoning districts, legally pre-existing nonconforming signs may be maintained, or altered if:

A. Structural revisions or alterations will not increase the sign's nonconformity with the provisions of this chapter.

B. Such alteration or relocation is required because of government action.

C. The sign is not changed to another nonconforming sign.

D. The sign is not reestablished after discontinuance for ninety days or more.

E. The sign is in full compliance with all other ordinances of the city.

17.52.130 - Exemptions.

The following types of signs are permitted without benefit of a building permit, all signs are required to conform to the provision of this chapter.

A. A residential nameplate sign not to exceed two square feet and bearing only the name and address of the occupant.

B. A sign announcing a product is being offered for sale at a reduced price for a limited period, provided that the sign is located within the building where the product is sold, to include the interior surface of windows and doors.

C. Special event signs, provided that all of the following conditions are met:

1. The promoter of the event *receives permission from the Public Works Director or his/her designee that the event meets the following criteria for a special event, 1) the event is open to the general public, and 2) the event has broader benefits related to tourism, promotion of a charitable or civic cause, or fostering community pride and identity. Events such as the Planters Days Festival, the farmers market, the Lilac Festival, and the Tulip Festival are examples of special events;* ~~shall have first met with the public works director or designee to obtain a determination that the proposed sign falls within the definition of a special event sign;~~

2. No such sign shall include moving parts or flashing lights;

3. No such sign shall be erected or displayed more than ten days before the special event it announces; and

4. Special event signs less than 6 square feet in size and no more than 3 feet in height above ground level may be placed in planting strips within the public right-of-way or with permission on private property. Special event signs can also be situated on the public sidewalk where the sidewalk is six-feet wide or greater as long as forty-four inches of pedestrian travel are, or current ADA standard, whichever is greater, is maintained at all times. Signs shall not be placed so as to obstruct traffic or visibility or in street medians or sidewalks within the public right-of-way.

5.~~4.~~ All such signs shall be removed within three days after the conclusion of the event.

D. Temporary signs to indicate that the premises are for sale or rent. Such signs using terms such as quitting business, open for business, for sale, inquire within, for rent, open house, sold, may also include a telephone number and insignia. These signs shall not exceed two square feet.

E. Signs erected by a public official in the performance of his or her duty, on property under the jurisdiction of that official shall be allowed without a permit.

F. Campaign political signs are permissible providing the sign copy is limited to information about a candidate, political party or public issue in a current election campaign. They shall be removed within five days after the applicable election.

G. Public service directional signs for public buildings such as public schools, libraries, hospitals and similar public services facilities placed within public rights-of-way.

H. Signs of a public, noncommercial nature including, but not limited to, safety, direction, danger, and no trespassing.

I. Traffic signs, traffic control devices, traffic signals and markings installed by the city.

J. "No hunting," "no trespassing," "no dumping," "no parking," "private" and other informational warning signs, shall not exceed four square feet in gross area per sign.

K. Plaques, tablets or inscriptions indicating the name of a building, its date of erection, or other commemorative information, which are an integral part of the building structure or are attached flat to the face of the building, which are non-illuminated, and which do not exceed three square feet in surface area.

L. Product Dispensers.

M. Sandwich board or A Frame.

N. Reasonable seasonal decorations within the appropriate public holiday season. However, such displays shall be removed promptly at the end of the public holiday season.

O. The Flag of a Commercial Institution. No more than one flag is permitted per business premises, the flag shall not exceed twenty square feet in surface area, and shall be left loose to fly in the breeze.

P. Sculptures, fountains, mosaics and design features which do not incorporate advertising or identification.

Q. Advertisement on existing theater marquees (freestanding and/or building-mounted).

R. Repair, maintenance and/or modification of existing conforming or pre-existing nonconforming signs; provided the sign's conformance or nonconformance is not structurally altered and/or increased.

(City of Zillah exempts banners/posters and murals of a noncommercial nature).

17.52.140 - Permit requirements.

A. A sign permit shall be required before the placing, erecting, moving, reconstructing, altering or displaying of any sign within the city, unless expressly exempted by Section 17.52.130 of this chapter. Signs requiring permits shall comply with this chapter and all other applicable laws and ordinances.

B. Sign permit applications shall be made on forms provided by the city of Woodland, public works department. The completed application form and plans shall be accompanied by the required fee as set forth from time to time by the Woodland city council by resolution.

17.52.150 - Review procedures.

A. All sign permit applications shall be reviewed to comply with this chapter by the public works director or designee as provided in this section:

1. Name, address and telephone number of sign owners;

2. Name, address and telephone number of sign contractor or erectors;

3. Address of sign by site location;

4. Two site plans showing locations of proposed sign(s);

5. Two plans of the proposed sign with sign style and size included with a scaled design;

6. Type of sign, whether illuminated or non-illuminated;

7. Electrical permit for the sign, if illuminated.

(Note: City of Granite Falls and murals. Murals may be painted or otherwise placed on any building of structure where permitted (permit exemption). However, a rendition of the mural shall be reviewed and approved by the Designated Official prior to placement, to ensure that it is not a mural sign or contains a commercial sign message. Murals containing a commercial sign message shall require a sign permit and shall only be allowed on-premises in the CBD, GC, IR, LI, and I zoning districts. The commercial “display area” of the mural shall be calculated against the allowed signage for the site and/or tenant. “Display

area” means the greatest area of display meant to contain the text, graphics, pictures, lights and other background details to be viewed as signage. Display area shall be measured as the smallest rectangle placed around all that composes the display area…).

Staff Report: Accessory Buildings & Accessory Uses

Date: February 11, 2014
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Accessory Buildings & Accessory Uses

Attached is a draft regarding accessory building size allowances. These changes affect Section 17.16.070(K) of the Low Density Residential code section. The discussion began in December regarding establishing maximum lot sizes in the City. Currently, no zoning designation has a maximum lot size. There are several properties within City limits that are upwards of 2 to 5 acres. These parcels have the same criteria applied to them as 6,000 square foot lots do. We've had several requests from property owners to build a garage or accessory structure on large lots greater than the allowed 1,000 square feet. The Commission decided not to go forward with establishing maximum lot sizes at this time, but rather propose changes to the allowable size for accessory structures.

During the January Planning Commission meeting, there was discussion regarding a property size cut off. It was decided that less 12,000 square foot properties would need to still meet the criteria as currently set out in the code. Properties over 12,000 square feet would be allowed one accessory structure up to 2,500 square feet. The attached draft code reflects this proposed change.

While the subject of accessory buildings and accessory uses was open for amendments, staff added clarifying language and pulled the definitions for accessory uses and accessory buildings apart.

Proposed Changes to Section 17.16.070 Property Development Standards

K. Accessory- Buildings. ~~Uses~~. Accessory- buildings ~~uses~~ shall observe the following:

1. Area.
    a. For properties less than 12,000 square feet, detached ~~G~~garages and carports shall be a maximum of one thousand square feet in floor area. For properties greater than 12,000 square feet, one 2,500 square foot accessory building is allowed. These size limits do not apply to attached garages and carports.
    b. Accessory buildings other than garages and carports shall be a maximum of one hundred fifty square feet in floor area.
2. Setbacks.
    a. Attached. If an accessory building is anywhere attached to the main building by a common wall, roof, floor, or foundation, such accessory building shall be considered part of the main building and shall observe the required yard setbacks thereof. (See subsection (K)(2)(c) of this section for further provisions.
    b. Detached. Detached accessory buildings, except for garages and carports, shall be located in rear yards only and shall be set back five feet from side and rear property lines; or fifteen feet from side property lines of corner lots. Except one accessory building, sixty four square feet or under, may be located up to the nonstreet side and/or rear property line (zero setback). All detached accessory buildings shall be located more than six feet from the dwelling unit.
    c. Garages and carports shall be located in side and rear yards only and shall be set back five feet from side and rear property lines, provided that, on a corner lot, the side setback shall be a minimum of fifteen feet on flanking street side.
3. Height. Accessory structures shall be single story and no more than fifteen feet high. However, accessory structures can be up to a height of twenty feet, provided the building has an additional setback of two feet for each additional foot in height.
4. Number. Any number of accessory buildings are allowed, provided that the maximum lot coverage is not exceeded.
5. Exterior Materials. Attached accessory buildings shall be of the same material as the main building or of exterior materials typical for single-family homes in the neighborhood. Detached accessory buildings shall have a nonglare finish.

~~WMC 17.08.015 – Accessory use building or structure.~~
~~"Accessory use, building, or structure" means a use which is subordinate or incidental to that of the main use, building, or structure on the same lot. Such uses include, but are not limited to, private garages, carports, tool or garden sheds, cabanas, and covered swimming pools unless otherwise noted in this title.~~

Accessory Use: A use which is subordinate in area, extent, or purpose to the principle use on the same lot.

Accessory Building: A building or structure housing an accessory use, such as a detached garage, detached carport, tool or garden sheds, cabanas, and covered swimming pools unless otherwise noted in this title.

Staff Report: Hearing Examiner Review of City Applications

Date: February 12, 2014
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Hearing Examiner review of City projects

During the January Planning Commission meeting, staff and the Commission agreed that it would be best to codify language for the Hearing Examiner to review City project proposals. The draft language is attached and includes amendments in both WMC 19.08.030 and 17.81.020.

Proposed Changes to Section 19.08.030 and 17.81.020

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 County Superior Court. 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. City applications for any project proposal will go before the Hearing Examiner with a staff recommendation and report.

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)		
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)		
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.

WMC 17.81.020 Creation of land use hearing examiner.

The office of Woodland municipal land use hearing examiner, hereinafter referred to as "examiner," is created. The examiner shall interpret, review, and implement land use regulations and policies as provided in this chapter or by other ordinances of the city, including but not limited to the following:

A. Conditional Uses per Chapter 17.72. Applications for conditional uses when the zoning ordinance sets forth the specific uses to be made subject to conditional use permits.

B. Major Variances. A major variance shall be defined as a variance to a measurable zoning standard which does not fall under a category of minor variances as outlined in WMC 17.81.180.A. The examiner shall decide upon application for major variances from the terms of this title; provided that any variance granted shall be subject to such conditions as will assume that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and:

1. That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to other properties in the vicinity and in the same zone in which the subject property is located; and

2. That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated;

3. If such permit for variance is denied, no reapplication shall be made within one year from the date of denial;

4. An approved variance will go with or be assigned to the subject property and shall not be transferable to another property;

5. No use variance shall be granted except for lawfully created pre-existing uses in accordance with WMC 17.60.

C. Violations. Recognizing the fact that a building may be erected in good faith with every intent to comply with the provisions of this title in respect to the location of the building upon the lots and the size and location of required yards, and that it may later be determined that such building does not comply in every detail with such requirements, although not violating the spirit or intent of this title, the examiner may issue a waiver of violation, subject to such conditions as will safeguard the public health, safety, convenience, and general welfare.

D. All appeals regarding SEPA matters, shoreline exemptions and supplemental environmental impact statements.

E. Issuance of replats, plat vacations, shoreline development permits, shoreline conditional use permits and shoreline variances. See also Section 19.08.030 describing decision making and appeal authority of the hearing examiner.

F. Appeals regarding written administrative decisions concerning a land use or environmental permit application as outlined in WMC 19.08.030 or written interpretations of a provision of the Woodland Municipal Code (WMC) issued by the Development Review Committee (DRC) or Public Works Director.

G. All City applications for any type of project proposal.

2014 Planning Commission Work Items

February 10, 2014

Non-negotiable 2014 Work Items

1. **Shoreline Master Program (SMP)**
   - 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 three presentations to the Planning Commission in 2013. In mid-2013, the Project Management Team made a change in consultant, as items were not being completed to the level of acceptance by the City and by the Department of Ecology. By the end of 2013, the project was in process again. It is estimated there will be three to five Planning Commission meetings discussing the update.

2. **Comprehensive Plan and Map Amendments**
   - The City is required to consider proposed comprehensive plan amendments annually. It is unknown at this time if the City will receive any comprehensive plan amendment proposals in 2014.

3. **Comprehensive Plan Periodic Update**
   - The Comprehensive Plan periodic update is due by June 2016. The City must begin the process in early 2014 to be on schedule. The City received a $9,000 grant from the Department of Commerce for the update. City staff have taken part in joint meetings with Clark County and the jurisdictions within.

Committed to Completing in 2014

4. **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.

5. **Non-conforming Uses Zoning Code Text Change**
   - 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 unacceptable 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.

6. **Expiration on Approved Variances**
   - The Planning Commission recommends a three year expiration date with the possibility of a one year extension. The next step is to have a public hearing with the Planning Commission on this proposal before moving forward with a recommendation to the City Council.

7. **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 reviewing provisions in WMC 16.14.030 that allow for phasing after preliminary plat approval.

8. **Amending Multi-family Zoning Standards**
    - Mr. Perry expressed concern during the March 2013 joint session meeting about the quality of apartment housing in Woodland. Specifically, he mentioned parking availability, garages, and the general quality of apartment housing. Mr. Perry will forward the Planning Commission example ordinances that he feels have worked well in other communities.

9. **Low-density Residential Yard Standards**
    - After listening to a citizen's concerns regarding yard maintenance in low-density residential districts, the Council asked that a list of concerns go first through Council Committee and then to the Planning Commission.

10. **Gateway Rezone**
    - At the end of 2013, the City Council expressed interest in this rezone going forward. Staff has sent letters to Gateway property owners requesting any feedback in this proposal.

11. **Accessory Structures**
    - Staff has already begun work on code amendments regarding allowable sizes for accessory buildings in the Low Density Residential zone. During the joint meeting, both the Planning Commission and the City Council expressed interest in continuing this item.

12. **Repeal without Replacement the Condominium Code (WMC 16.20)**
    - The City Council and Planning Commission felt this item was easily achievable for 2014. This involves simply removing WMC 16.20, as it is no longer necessary. The PURD ordinance already in place covers any items removed from WMC 16.20.

13. **Golf Cart Zone**
    - During a January 2014 City Council meeting, a resident requested the City to consider a golf cart zone, which would allow his wife, and other residents, the opportunity to get around town without having to drive a regular vehicle. Both the City Council and the Planning Commission expressed interest in this item going forward.

Proposed 2014 Work Items

Staff Report: Gateway Rezone

Date: March 13, 2014
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Gateway Rezone

The Gateway Rezone is on the 2014 Planning Commission Work Items list, as decided collectively by City Council and the Planning Commission. At the end of 2013, City Council expressed interest in going forward with a rezone of the Gateway district, when the proposal to allow auto-oriented uses in the C-1 district failed.

Staff brought the proposal before Planning Commission in December 2013. The Commission requested additional direction by City Council prior to going forward with review of the proposal.

Since that time, staff sent letters to all Gateway property owners (see attached map, letter, and mailing labels) asking for input in the proposed rezone. Of the 12 letters sent, the City received three responses. The three responses received were from Benno Dobbe, Dan and Carole Heerman and the Woodland Funeral Home. Attached are emails from Benno Dobbe and Dan and Carole Heerman in support of the rezone. I spoke with Ken Dahl, with the Woodland Funeral Home, on the phone where he expressed interest in the rezone.

Those that did not respond include the Washington State Department of Transportation (who owns the Park and Ride parcel where the Chamber of Commerce is located), Columbia Bank, owners of properties that are currently developed with commercial ventures (the site of Kountry Kurls and the dentist), and the two single family home owners.

Staff feels this is a valid proposal to proceed with even though several property owners did not respond. There will be an open house and more notification provided to alert property owners and those in the vicinity of the proposal.

Rezoning all properties within this area will not affect any property negatively. The two bank buildings have drive-throughs, and are currently considered non-conforming as a drive-through is a conditional use in the C-1 zone. Drive-through facilities are outright allowed within the C-2 zone, so these two buildings would become conforming. All the commercial ventures currently occurring on each of the properties would still be allowed in the C-2 zone. Further, the two single-family residences would not be affected as they are currently non-conforming in the C-1 zone, and would remain so in the C-2 zone. Under the current pre-existing uses code, single-family residences are allowed to remain in a commercial zone provided they follow the regulations of the Low Density Residential zone.

-AS

City of WOODLAND
WASHINGTON
Lewis River Valley

P.O. Box 9
Woodland, WA 98674
www.ci.woodland.wa.us

100 Davidson Avenue
fax: (360) 225-1201

Police
(360) 225-6965

230 Davidson Avenue
fax: (360) 225-7336

Mayor's Office
Clerk-Treasurer
(360) 225-8281

Building
(360) 225-7299

Planning
(360) 225-1048

300 East Scott Avenue
fax: (360) 225-7467

Public Works
(360) 225-7999

January 22, 2014

Re: Proposed Gateway Rezone

Dear Property Owner:

The City of Woodland is considering rezoning a portion of the Gateway District from Central Business District (C-1) to Highway Commercial (C-2). Rezoning this portion to C-2 will allow some additional uses that cannot be located within the C-1 zone, including drive-through facilities and other auto-oriented uses. In addition, the C-2 zone has design standards which the C-1 zone does not.

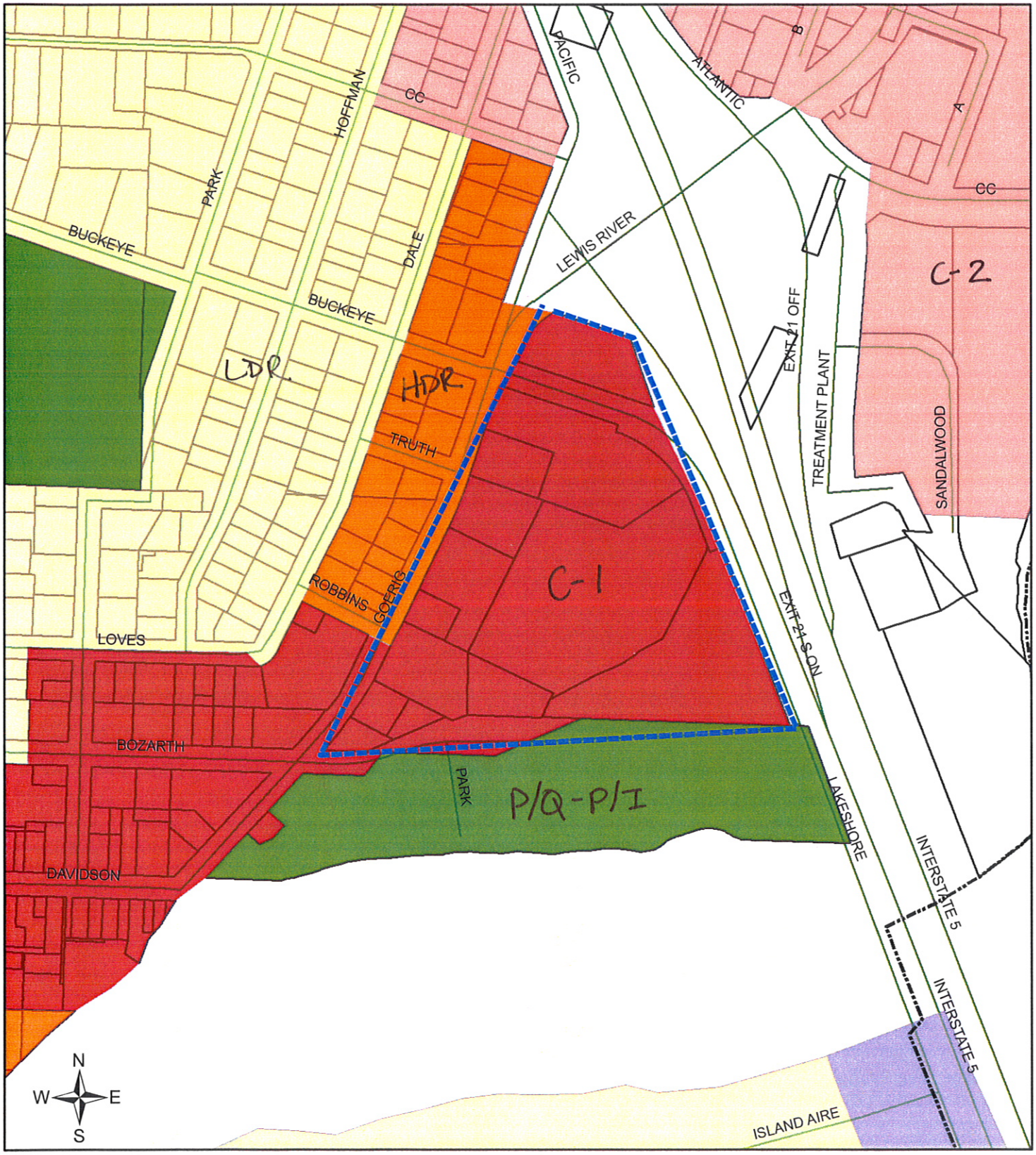
Attached is a current zoning map which highlights the area of potential rezone. The particular properties targeted for rezone have not been confirmed as yet.

If you are interested in learning more and would like to take part in a meeting to discuss this matter, please call (360) 225-1048 or email smellera@ci.woodland.wa.us. Thank you.

Sincerely,

Amanda Smeller
Community Development Planner
Building & Planning

Enc: Zoning Map



0 0.012 0.025 0.05 0.075 0.1 0.125
Miles

Gateway Area: Area of Potential Rezone (C-1 Properties Only)

City of WOODLAND WASHINGTON Lewis River Valley

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.

Legend

- City Limits
- Parcels - Woodland Only
- Street Centerlines

Woodland @ 435 Davidson LLC
1315 NE 134th St
Vancouver, WA 98685

DOT Real Estate Services
PO Box 47338
Olympia, WA 98504-7338

James Berry Trust
2933 Madrona Dr
Longview, WA 98632

David & Sheryl Bozarth
808 Goerig St
Woodland, WA 98674

Columbia Bank
PO Box 2156
Tacoma, WA 98401-2156

Bank of America
Real Estate Assessments
NC1-001-03-81
101 Tryon St
Charlotte, NC 28255

Heermann LLC
39809 NW Cardai Hill Rd
Woodland, WA 98674

Joseph Michael Moore
8884 SE Kingswood Way
Damascus, OR 97089

Daniel & Carole Heermann
39705 NW Cardai Hill Rd
Woodland, WA 98674

Theresa & Thomas Christensen
793 Whalen Rd
Woodland, WA 98674

Jack & Deena Van Dyke
PO Box 1058
Woodland, WA 98674

Benno & Klazina Dobbe
1066 S Pekin Rd
Woodland, WA 98674

Amanda Smeller

From: Benno Dobbe <benno@habf.net>
Sent: Tuesday, January 28, 2014 9:15 PM
To: Amanda Smeller
Subject: Proposed Gateway Rezone

Dear Amanda,

I received your letter dated January 22, 2014 in regards to the Proposed Gateway Rezone.

Since I am very much in favor of improved business activity in that particular area I would appreciate it if you continue to include me in any further updates on this subject.

Thanks, Benno.

Benno A.P. Dobbe
Prtesident and CEO
Holland America Bulb Farms, Inc.
and related entities
1066 South Pekin Road
Woodland WA 98674
Office (360) 225-6575
Fax (360) 225-8806
e-mail benno@habf.net

This electronic mail message is confidential and is intended solely for the use of the recipient(s) named above. If you are not the intended recipient, or a person authorized to forward or otherwise deliver this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this message is prohibited. If you have received this message by mistake, please immediately notify the sender by return electronic mail and delete the original message from your system.

Amanda Smeller

From: Heermann@aol.com
Sent: Thursday, February 13, 2014 9:08 AM
To: Amanda Smeller
Subject: Proposed Gateway Rezone

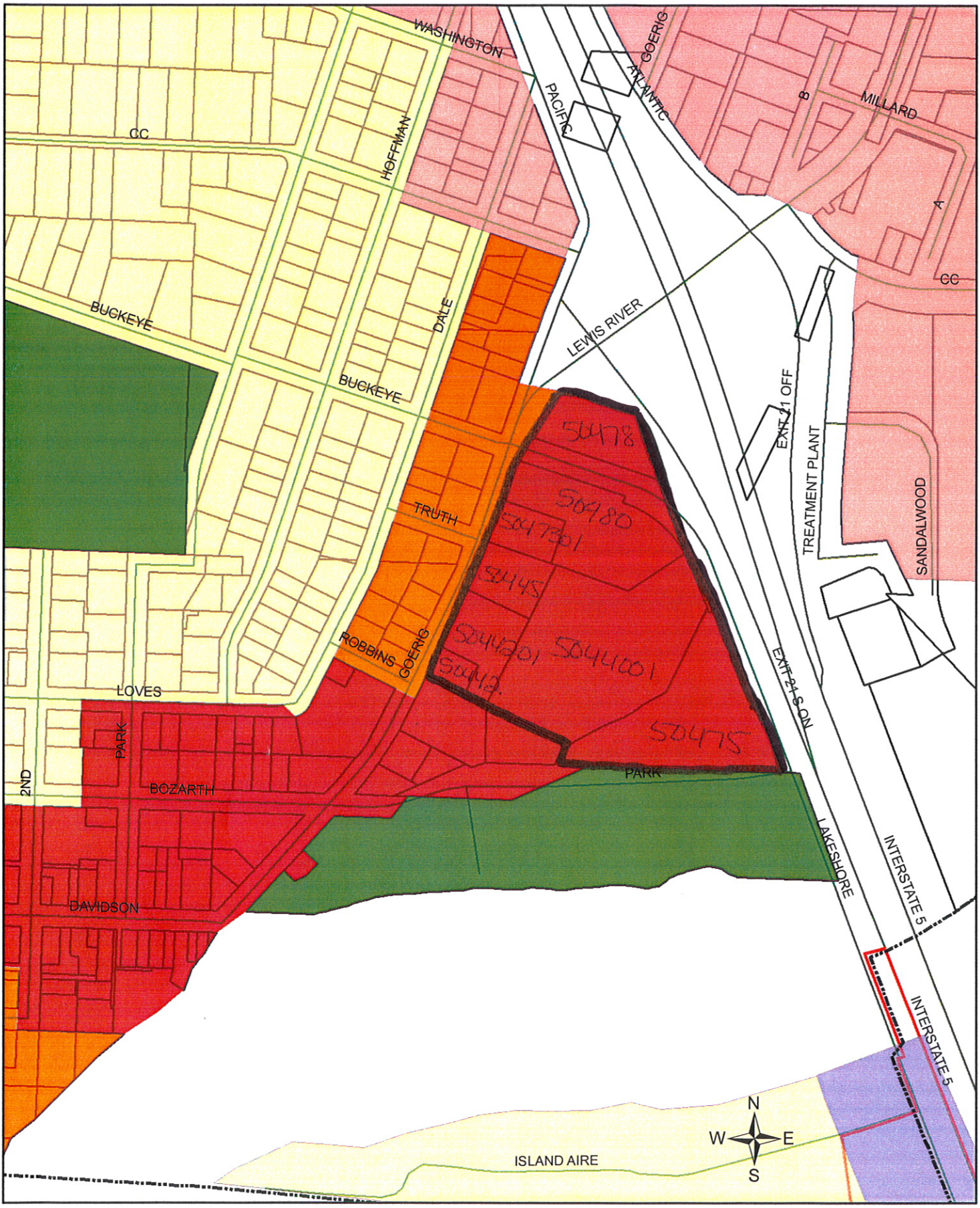
Amanda Smeller
Community Development Planner
Building & Planning

We, Dan and Carole Heermann, are very interested in having our property in the Gateway Rezone.

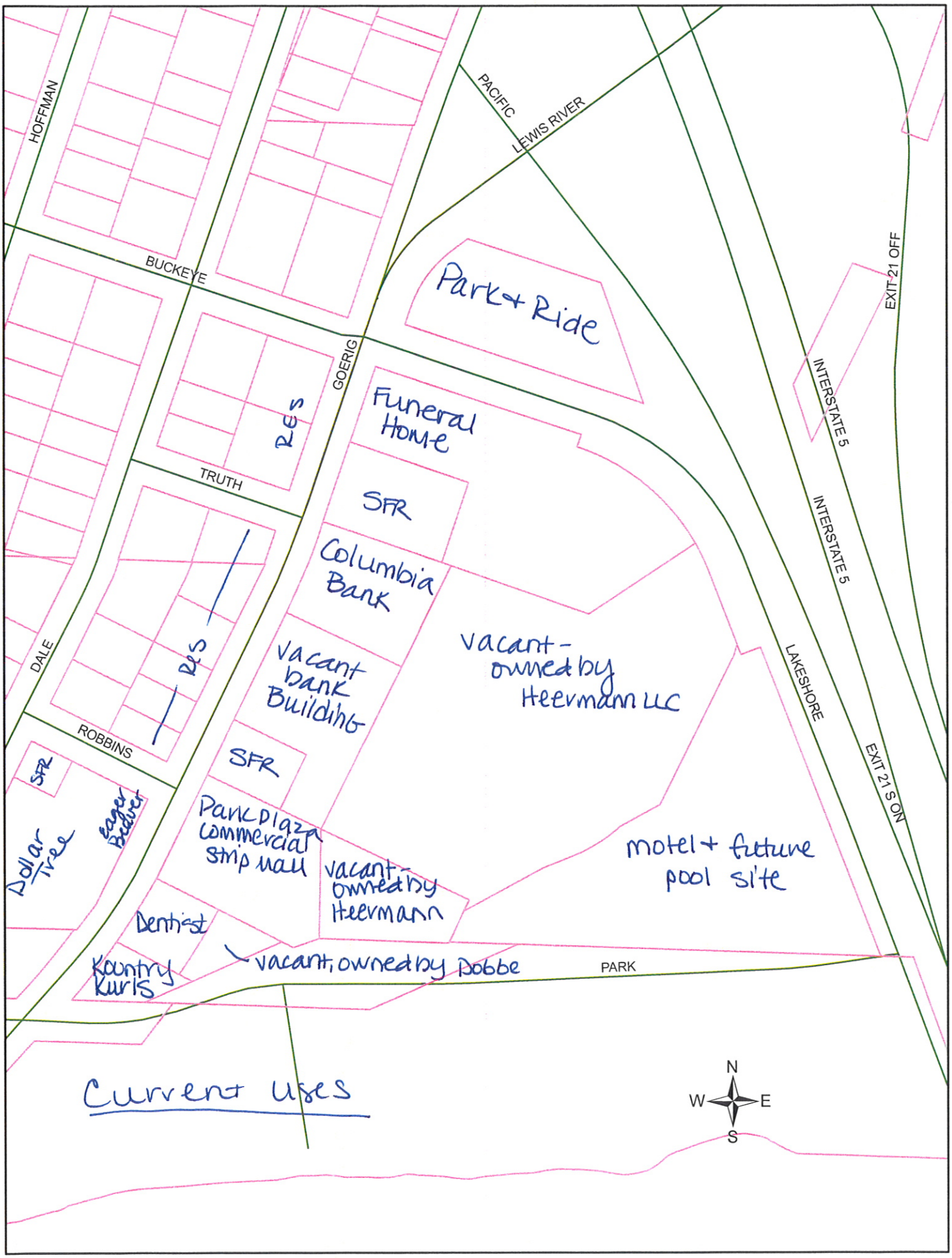
The rezone from C-1 to C-2 would allow us to develop this property as in the past. In years passed, we were overlooked on a rezone application and also a conditional permit for a Kiosk Stand at this location.

We would very much like to continue contributing to the progress of downtown Woodland.

Dan and Carole Heermann
39809 N. W. Cardai Hill Rd.
Woodland, Wash 98674


WASHINGTON
GOERIG
ATLANTIC
PACIFIC
MILLARD
B
A
CC
CC
HOFFMAN
BUCKEYE
BUCKEYE
DALE
LEWIS RIVER
EXIT 21 OFF
TREATMENT PLANT
SANDALWOOD
TRUTH
ROBBINS
GOERIG
LOVES
PARK
2ND
BOZARTH
DAVIDSON
PARK
EXIT 21 ON
LAKESHORE
INTERSTATE 5
INTERSTATE 5
ISLAND AIRE
N
W
E
S
50478
50480
5047301
50445
5044201
5044001
50475

N
W
E
S


HOFFMAN
PACIFIC
LEWIS RIVER
BUCKEYE
GOERIG
TRUTH
DALE
ROBBINS
PARK
LAKESHORE
INTERSTATE 5
INTERSTATE 5
EXIT 21 OFF
EXIT 21 S ON
Park + Ride
Funeral Home
SFR
Columbia Bank
vacant bank Building
SFR
vacant - owned by Heermann LLC
2 es
2 es
SFR
Dollar Tree
eager Beaver
Park Plaza commercial strip mall
vacant - owned by Heermann
motel + future pool site
Dentist
Kountry Kurls
vacant, owned by Dobbe
Current uses
N
W
E
S