

WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting – 7:00 PM

THURSDAY, MARCH 17, 2016

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

CALL TO ORDER – 7:00 PM

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- February 18, 2016 meeting minutes

WORKSHOP/DISCUSSION

- Impact Fee Deferral Program
 - Staff Report
 - Current/draft code
- Non-Conforming Structures in Old Town
 - Staff Report
 - Maps
- Golf Cart Ordinance
 - Staff Report
 - Draft Ordinance

UPDATE

- Project status – Report

ADJOURN

cc: Post (City Hall Annex, Library, Post Office, City Hall)
City of Woodland website
Planning Commission (4)
City Council (7)
Mayor
Department Heads

WOODLAND PLANNING COMMISSION MINUTES

Planning Commission Regular Meeting – 7:00 PM

THURSDAY, FEBRUARY 18, 2016

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

Roll Call.

Present: David Simpson, Tel Jensen, Sharon Watt, Paula Bosel, Amanda Smeller (Not voting), Bart Stepp (Not voting), Kasey Smith (Not voting).

CALL TO ORDER – 7:03 PM

APPROVAL OF MINUTES

- January 21, 2016 meeting minutes - **Motion:** , **Action:** Agenda Approval, **Moved by** Paula Bosel, **Seconded by** Sharon Watt.
- Motion passed unanimously.

PUBLIC HEARING

- C-1 Parking Standards (LU #215-937) – Report given by Amanda Smeller
 - Public Comment opened: 7:06pm
 - Comments made by Tom Golik, Dave Simpson responded to his comments
 - Comments made by Jeff Leuthold, Bart Stepp responded to his comments
 - Public Comment Closed: 7:14pm

Motion: Send code to City Council for review and approval, Moved by Sharon Watt, Seconded by Paula Bosel.

Motion passed unanimously.

WORKSHOP/DISCUSSION

- Comprehensive Plan Update
 - Staff Report given by Elizabeth Decker
 - Draft plan – Staff recommends commission to approve and send to City Council.
 - Sharon Watt gave comments on grammatical errors

Motion: Send to City Council with minor changes, Moved by Paula Bosel, Seconded by Sharon Watt.

Motion passed unanimously.

- Variances / Non-Conformities
 - Staff Report given by Amanda Smeller
 - Staff and Commission discussed options for changes to the code to allow older home renovations without the need for a variance.
 - Dave Simpson would like more information on how many homes this code would affect.

UPDATE

- Project status – Report given by Amanda Smeller



**Motion: , Action: Adjourn, Moved by Sharon Watt, Seconded by Paula Bosel.
Motion passed unanimously.**

ADJOURN – 8:25pm

Staff Report: Impact Fee Deferral Law

Date: March 9, 2016
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Impact fee deferral

Engrossed Senate Bill has caused changes to the collection of impact fees for new single-family detached and attached residential construction. The legislature requires counties, cities and towns to adopt a deferral system for the collection of these impact fees. This new law will take effect on September 1, 2016. The City passed an ordinance in 2013 regarding deferral of impact fees, but the program ended on December 31, 2013 and there were no applicants who took advantage of the deferral allowance.

Attached for your review is the MRSC article that details the changes to the law and what jurisdictions must do to ensure compliance with the new legislation. Also attached is the City's ordinance. We need to review our ordinance and make changes as needed.

At the September 17 Planning Commission meeting, there was discussion regarding the timeframe for deferring the impact fee payment. The Commission decided that the impact fees could be deferred until the issuance or the certificate of occupancy or equivalent certification. Attached is a very early draft code for impact fee deferral.

Also at the October 15 Planning Commission meeting, there was further discussion regarding the impact fee deferral program. Discussion was deferred to a later time as there were other projects that needed work prior to this amendment. However, because the new state law goes into effect in September 2016, the City should make code changes as necessary to meet the new law.

There are other items the Planning Commission needs to review and make a determination. For example, jurisdictions are able to impose an administrative fee for deferring the impact fees and also determine how many single-family residential permits we will allow this to apply to. Impact fees can be limited to the first 20 single-family residential permits, annually, per applicant.

Legislature Adopts Changes to Washington's Impact Fee Law

July 7, 2015 by [Steve Butler \(/Home/Stay-Informed/MRSC-Insight.aspx?aid=147\)](/Home/Stay-Informed/MRSC-Insight.aspx?aid=147)

Category: [Impact Fees \(/Home/Stay-Informed/MRSC-Insight.aspx?catID=189&cat=Impact Fees\)](/Home/Stay-Informed/MRSC-Insight.aspx?catID=189&cat=Impact Fees)



After several years of discussion and debate, the 2015 Legislature has enacted changes to how [impact fees \(/getdoc/8d2993d5-6454-47dc-8e85-004f6cb34938/Impact-Fees.aspx\)](/getdoc/8d2993d5-6454-47dc-8e85-004f6cb34938/Impact-Fees.aspx) are to be collected by Washington counties, cities, and towns. [ESB 5923](#)

<http://lawfilesexternal.wa.gov/biennium/2015-16/Pdf/Bills/Session%20Laws/Senate/5923.SL.pdf>) requires counties, cities, and towns to adopt a deferral system for the collection of impact fees for new single-family detached and attached residential construction, a change that developers contended would address the financial burden of paying fees at the early stages of the process, before a development project is generating any revenues. While many counties and cities were worried that a deferral system would make it harder to collect impact fees and stymie planning for new infrastructure, the lengthy deliberations and revisions over several legislative sessions resulted in a final product that addresses many, if not all, of their concerns.

The deadline for most of the new law's provisions is more than one year away (September 1, 2016), so local governments have time to develop a deferral system that best meets statutory requirements and local objectives.

Description of New Law

Under the new law, counties, cities, and towns must adopt a deferral system for the collection of impact fees that, upon developer request, delays payment until the time of:

1. Final inspection;
2. Issuance of the certificate of occupancy or equivalent certification; or
3. The closing of the first sale of the property.

For the first two options, cities are authorized to delay issuance of the certification until the impact fees have been paid. For the third option, the new law states that the seller has strict liability for payment of impact fees and that such payment must be made from the seller's proceeds (unless there is an agreement to the contrary between the seller and the buyer). It is up to each municipality, however, to choose one or more of the three options it wants to use.

Other highlights of the new law include:

- The term of deferral is 18 months from issuance of the building permit.
- The amount of impact fees that may be deferred is determined by the fees in effect at the time the applicant applies for a deferral.
- Deferral of impact fees can be limited to the first 20 single-family residential building permits, annually, per applicant.
- An applicant seeking a deferral must grant and record a lien against the property in favor of the municipality in the amount of the deferred impact fee.
- Municipalities may collect reasonable administrative fees from applicants seeking a deferral.
- To limit the “spin-off LLC” issue, “applicant” is defined to include “an entity that controls the applicant, is controlled by the applicant, or is under common control with the applicant.”
- Limited grandfathering is authorized for an existing deferral system (in effect on or before April 1, 2015), even if it does not fully match the new state requirements, as long as all impact fees are deferred.
- Municipalities and school districts are authorized to institute foreclosure proceedings if impact fees are not paid.
- The Department of Commerce must develop an annual report, beginning December 1, 2018, on the payment and collection of impact fees from school districts, counties, and cities for single-family residential construction.

The new law also contains provisions where local choices should be made, including but not limited to: (a) at what juncture impact fees are collected; (b) whether to impose a reasonable administrative fee; and (c) whether to limit the deferral to the first 20 building permits or to a greater number of building permits.

The timing of impact fee collection under a deferral system will be the key decision to be made by counties, cities and towns. Presumably, most builders would prefer the “time of sale” option, since it extends out the time when payment would be due. However, local governments have direct involvement with final inspections and certificate of occupancy issuance (the first two options), so choosing either of those points would allow them to know exactly when the deferred payment is due. In addition, under the “time of sale” option, there is the possibility that a newly constructed single-family residence could be rented out and not sold, resulting in no impact fee payment. In the end, the final decision on when to require payment of impact fees is a local one.

Tips and Suggested Actions

- Be proactive in preparing your local codes, procedures, and staff for this new change. Take the time necessary to develop and adopt an impact fee deferral system before the statutory deadline of September 1, 2016.
- Decide which local options are best for you, such as:
 - Timing of payment of the deferred impact fee(s).
 - Imposition of an administrative fee.

- Expansion of deferrals beyond the first 20 building permits (with a decision on expansion to be made only after consultation with any affected school district).
- For those municipalities that already have an impact fee deferral process - Review it carefully for consistency with the new law's requirements and amend the existing process if needed.

Of course, no action is required for those counties, cities, and towns that don't impose impact fees.

Finally, it should be noted that, while a municipality must adopt and administer an impact fee deferral system, it is up to the applicant to decide whether or not to use that process.

Photo courtesy of [Dwight Burdette](#)

(https://commons.wikimedia.org/wiki/File:New_house_under_construction_Pittsfield_Township_Michigan.JPG)



About Steve Butler

Steve joined MRSC in February 2015. He has been involved in most aspects of community planning for over 30 years, both in the public and private sectors. Steve has served as president of statewide planning associations in both Washington and Maine, and was elected to the American Institute of Certified Planner's College of Fellows in 2008.

[VIEW ALL POSTS BY STEVE BUTLER](#) ▶ [\(/Home/Stay-Informed/MRSC-Insight.aspx?aid=147\)](/Home/Stay-Informed/MRSC-Insight.aspx?aid=147)

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Comments

0 comments on Legislature Adopts Changes to Washington's Impact Fee Law

Blog post currently doesn't have any comments.

CITY OF WOODLAND

ORDINANCE NO. 1246

AN ORDINANCE AMENDING TITLE 3 (REVENUE AND FINANCE), CHAPTER 41 (DEVELOPMENT IMPACT FEES), SECTION 3.41.030 (PAYMENT OF IMPACT FEES), OF THE WOODLAND MUNICIPAL CODE REGARDING THE PERMISSIBLE TIME OF PAYMENT OF IMPACT FEES

FINDINGS OF FACT

The City Council of the City of Woodland finds as follows:

WHEREAS, the City assesses impact fees pursuant to the authority accorded it by RCW 82.02.050 through 82.02.100 as a means of financing the indirect costs of the impact that new development has on the City's fire department and parks; and

WHEREAS, the City also collects impact fees on new developments on a pass-through basis for systems that the City does not own or administer, such as schools; and

WHEREAS, the City's impact fee system that implements state law is codified in Chapter 3.40 and 3.41 of the Woodland Municipal Code; and

WHEREAS, Washington State law simply authorizes the City to collect impact fees at the time that new development imposes a new or increased service demand on affected city systems; and

WHEREAS, WMC 3.41.030 provides impact fees shall be paid before issuance of a building permit: "The impact fees shall be paid before the city issues the building permit"; and

WHEREAS, the current economic recession has severely impacted development in the City, and the City desires more flexibility in the timing of impact fee payment so as to not impose undue financial burdens on the development industry, while still ensuring that new development pays all applicable impact fees on or before the time that new development imposes a new or increased service demand on affected city systems; and

AND WHEREAS, the City Council reviewed and considered such a proposal at its regular meeting on September 17, 2012 and October 1, 2012, where it accepted testimony and comment on the proposal.

ORDINANCE

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

Based on the foregoing Findings, the Woodland City Council Ordains that Title 3 (Revenue and Finance), Chapter 41 (Development Impact Fees) and Section 3.41.030 (Payment of Impact Fees) of the Woodland Municipal Code shall be amended to read as follows:

1. Old Section WMC 3.41.030 – Payment of Impact Fees Required

The existing code section to be superseded and replaced reads as follows:

3.41.030 – Payment of Impact Fees Required. Any person who applies for a building permit for any development activity or who undertakes any development activity shall pay the impact fees as set forth in this chapter to the city clerk-treasurer. The impact fees shall be paid before the city issues the building permit. No new building permit shall be issued until the required impact fees have been paid to the city clerk-treasurer. The public works director may authorize the deferral of payment of impact fees until such time as the development actually imposes an increased demand on public systems and facilities or until January 1, 2012, whichever comes first. This term may be extended only by action of the city council. Any deferral in the payment of applicable impact fees allowed by the public works director shall be secured by a financial guarantee in a form acceptable to the clerk-treasurer.

2. New Section WMC 3.41.030 – Collection of Impact Fees

WMC 3.41.030 is amended to read as follows:

3.41.030 – Collection of Impact Fees. Any person who applies for a building permit for any development activity or who undertakes any development shall pay the impact fees as set forth in this chapter to the city Clerk-Treasurer. Impact fees imposed under this chapter shall be due and payable at the time of building permit issuance. On or before December 31, 2013, the Public Works Director may authorize the deferral of payment of Impact Fees until such time as the development actually imposes an increased demand on public systems and facilities. Any deferral in the payment of applicable Impact Fees allowed by the Public Works Director shall be secured by a financial guarantee in a form acceptable to the Clerk-Treasurer. This term may be extended only by action of the City Council. In September 2013, the Community Development Planner shall report back to the City Council on the status and effectiveness of the impact fee deferral program.

3. Severability

If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or constitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

4. Effective Date

This ordinance shall become effective five (5) days after its publication in the media or paper of record as required by law.

5. Publishing

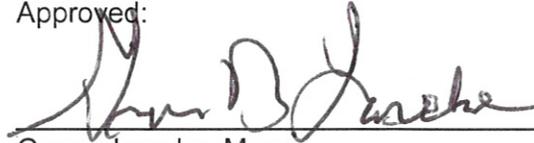
A Summary of this Ordinance shall be published.

This ordinance shall be in full force and effect five days after publication as required by law.

ADOPTED IN OPEN MEETING 1 day of October, 2012.

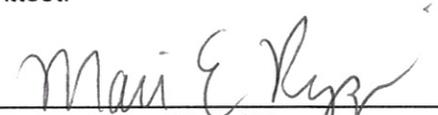
CITY OF WOODLAND, WASHINGTON

Approved:



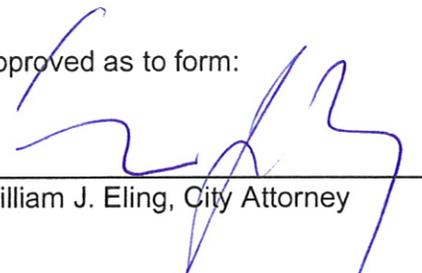
Grover Laseke, Mayor

Attest:



Mari E. Ripp, Clerk / Treasurer

Approved as to form:



William J. Eling, City Attorney

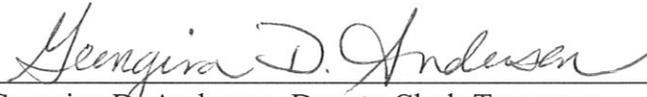
**SUMMARY OF ORDINANCE NO. 1246
OF THE CITY OF WOODLAND, WASHINGTON**

On October 1, 2012 the City Council of the City of Woodland, Washington, approved Ordinance No. 1246 the main point which may be summarized by its title as follows:

AN ORDINANCE AMENDING TITLE 3 (REVENUE AND FINANCE), CHAPTER 41 (DEVELOPMENT IMPACT FEES), SECTION 3.41.030 (PAYMENT OF IMPACT FEES), OF THE WOODLAND MUNICIPAL CODE REGARDING THE PERMISSIBLE TIME OF PAYMENT OF IMPACT FEES

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting on this 1st day of October, 2012.



Georgina D. Anderson, Deputy Clerk-Treasurer

Published: October 10, 2012

Effective: October 15, 2012

Current Language:

Fire Impact Fees & Park Impact Fees:

3.41.030: Collection of Impact Fees: Any person who applies for a building permit for any development activity or who undertakes any development shall pay the impact fees as set forth in this chapter to the city Clerk-Treasurer. Impact fees imposed under this chapter shall be due and payable at the time of building permit issuance. On or before December 31, 2013, the Public Works Director may authorize the deferral of payment of impact fees until such time as the development actually imposes an increased demand on public systems and facilities. Any deferral in the payment of applicable impact fees allowed by the Public Works Director shall be secured by a financial guarantee in a form acceptable to the Clerk-Treasurer. This term may be extended only by action of the City Council. In September 2013, the Community Development Planner shall report back to the City Council on the status and effectiveness of the impact fee deferral program.

School Impact Fees:

3.40.030 - Mitigation of impacts on school facilities required.

- A. No building permit shall be issued for a development or subdivision as defined in this chapter occurring within the school district unless the school impact fee is calculated and imposed pursuant to this chapter.
- B. For single-family/duplex residential dwellings hereinafter approved, the impact fee shall be calculated and imposed at the time of building permit issuance. For new multifamily development hereinafter approved, the impact fee shall be calculated at the time of building permit issuance.
- C. For mobile home or manufactured houses, the impact fee shall be calculated and imposed at the time of the issuance of the placement permit.
- D. The impact fee imposed under this chapter shall be due and payable at the time of issuance of a building permit (or site plan approval when no building permit is required) for the subdivision or development.
- E. The public works director may authorize the deferral of payment of impact fees until such time as the development actually imposes an increased demand on public systems and facilities or until January 1, 2012, whichever comes first. This term may be extended only by action of the city council. Any deferral in the payment of applicable impact fees allowed by the public works director shall be secured by a financial guarantee in a form acceptable to the clerk-treasurer.

Transportation Impact Fees:

3.42.030: Any person who applies for a building permit for any development activity or who undertakes any development activity within the city's corporate limits shall pay the transportation impact fees as set forth in this chapter to the city clerk-treasurer. The impact fees shall be paid before the city issues the building permit. No new building permit shall be issued until the required transportation impact fees have been paid to the city clerk-treasurer.

Draft Code

Any person who applies for a building permit for any development activity or who undertakes any development shall pay the impact fees as set forth in this chapter to the city Clerk-Treasurer. Impact fees imposed under this chapter shall be due and payable at the time of building permit issuance. Required payment of impact fees may be deferred to issuance of the certificate of occupancy for a single-family detached or attached residential dwelling.

Staff Report: Variances for Non-Conforming Structures

Date: March 9, 2016

To: Planning Commission

From: Amanda Smeller, Community Development Planner

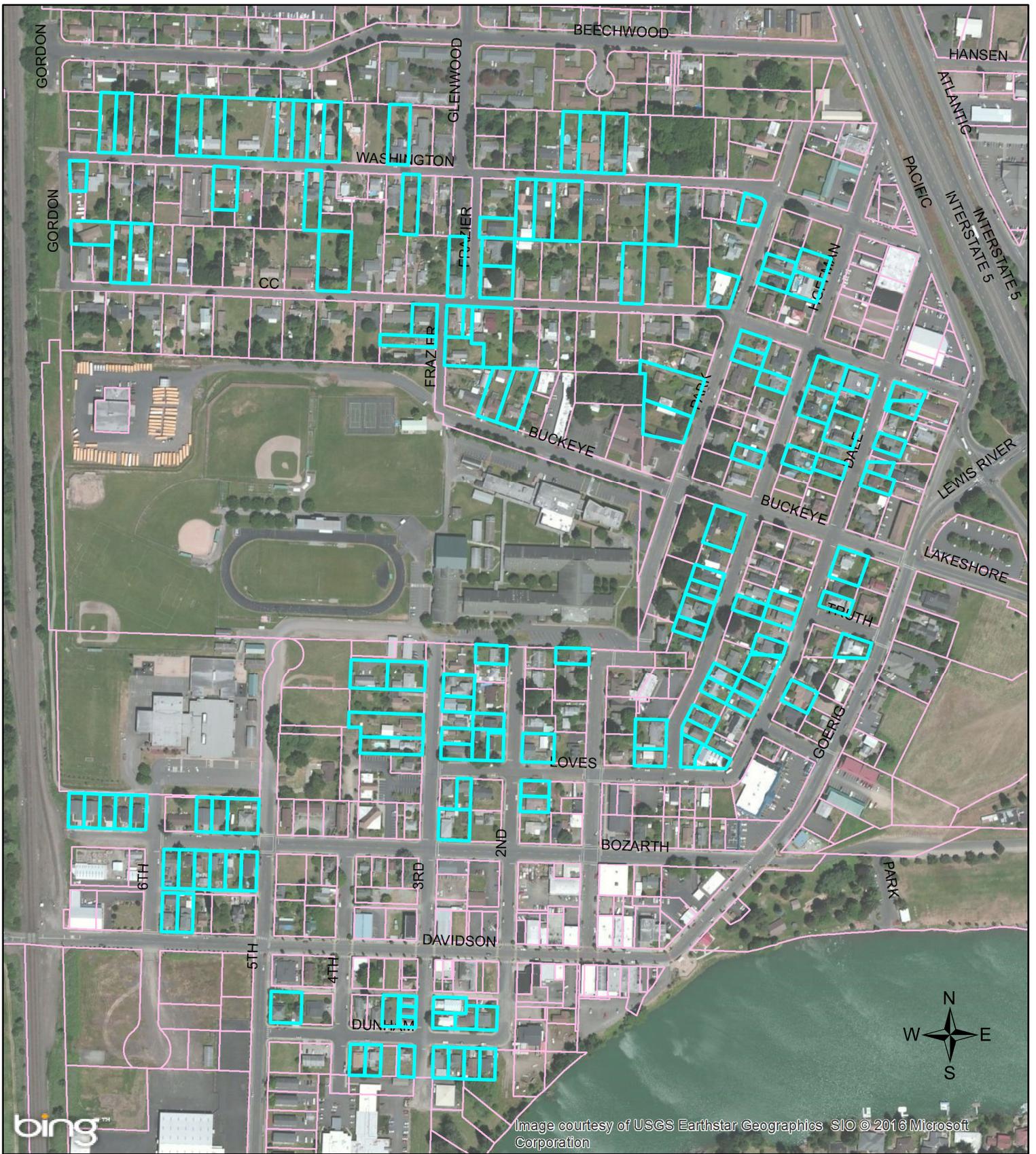
Re: Variances for Non-Conforming Structures

During the February Planning Commission meeting, discussion began regarding non-conforming structures in old town. The discussion was generated from a recent request for a variance for a porch on an existing non-conforming lot on Frazier Lane. The property owner had no choice but to apply for and receive a variance for the porch as the existing home was already within the front yard setback.

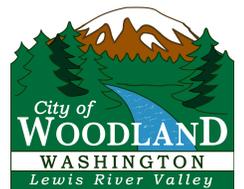
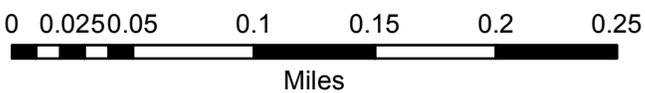
The Planning Commission requested information regarding the general number of structures in the older part of town that are currently non-conforming. I looked at aerial GIS maps of the older residential parts of town and based on what I could tell from GIS, and what was obvious on the maps, there are over 130 properties containing non-conforming structures (in that the structures, homes, garages, etc. do not meet the required setback). This would mean that any of those homes that want to put on a porch on the front of their house, expand/add to their home, etc. would need some form of variance to do so. If the reduction request is greater than 30%, a major variance is required with a public hearing before the Hearing Examiner. I've attached these maps.

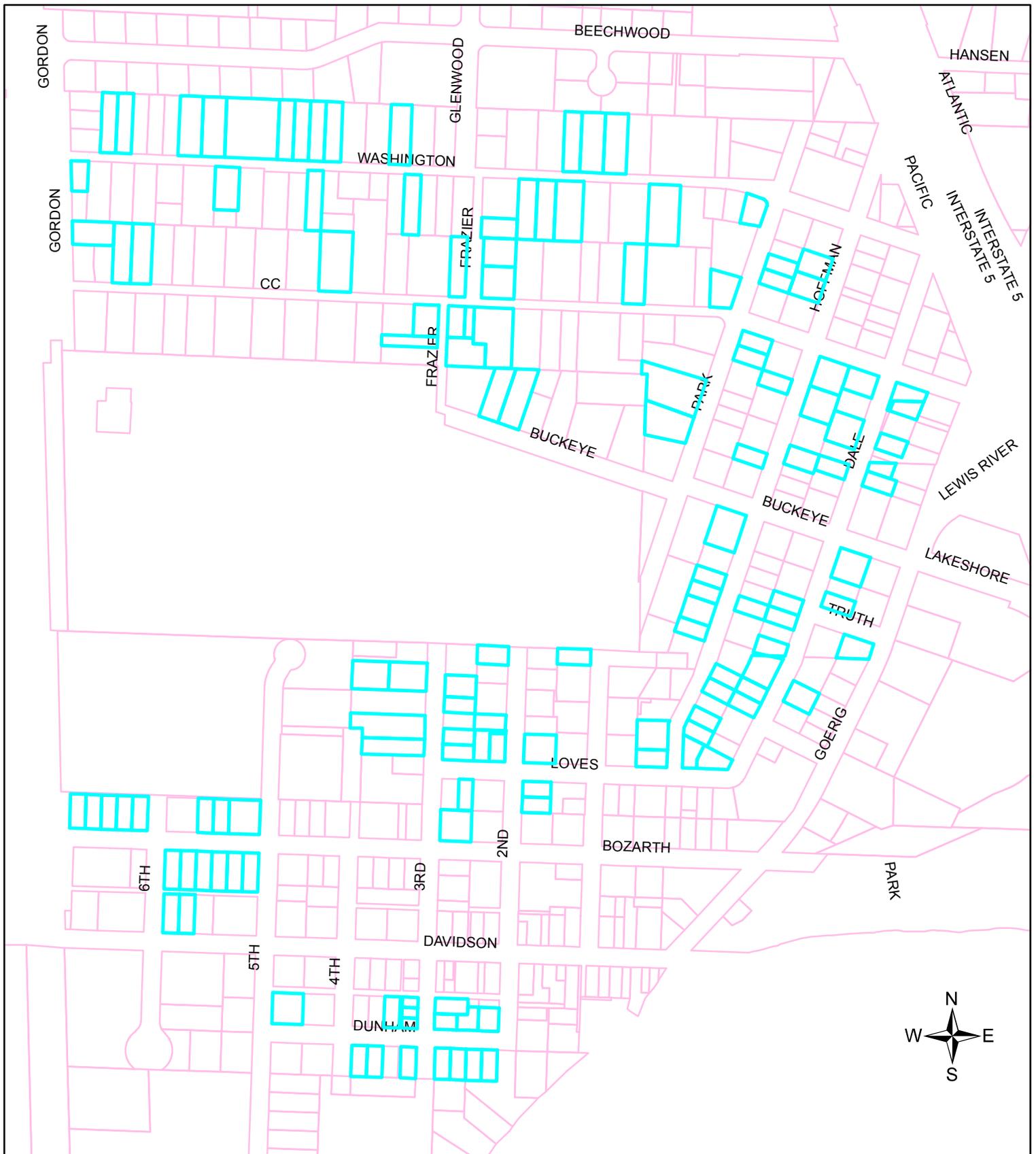
Planning Commission and staff must decide how to proceed with this request from the Mayor to look into this issue. Various areas of the code may need to be amended, including the variance and non-conformities section. In addition, we need to decide what structures/areas this new code would apply.

Current criteria for a minor or major variance: 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 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. We must ensure that the code amendments we make for these non-conforming structures still meet the intent of the variance criteria. We could amend the code to allow those structures that were built before a certain year to be exempt from needing a variance permit for certain types of additions in certain areas.

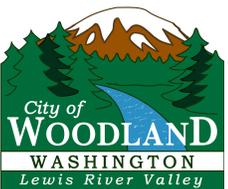
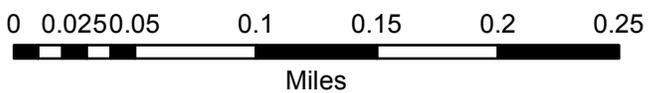


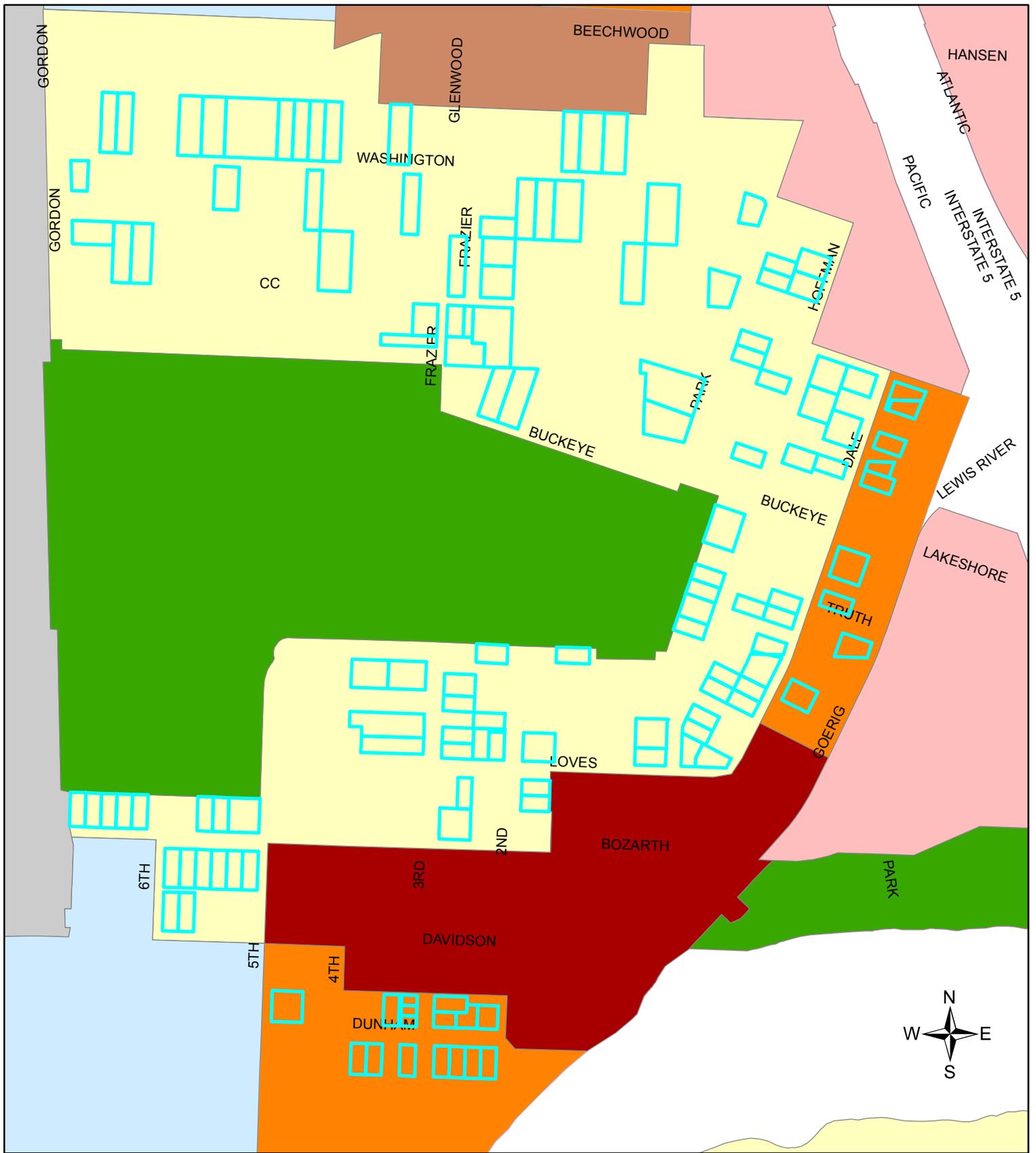
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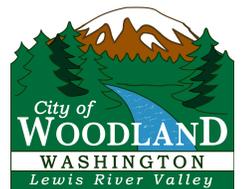
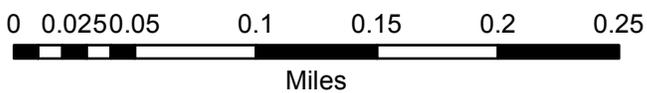


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Staff Report: Golf Cart Ordinance

Date: March 9, 2016

To: Planning Commission

From: Amanda Smeller, Community Development Planner

Re: Golf Cart Ordinance

City Council has directed staff to bring an updated Golf Cart Ordinance draft back to Planning Commission for review. This draft was reviewed at the Public Safety Committee level and several changes are shown in the attached draft. I've attached the agenda summary sheet as well as the draft ordinance presented by City Council.

CHAPTER 10.30 GOLF CART ZONE

10.30.010	Authorization and Applicability
10.30.020	Golf Carts - Defined
10.30.030	Operation of golf carts on public roads
10.30.040	Required equipment
10.30.050	Registration
10.30.060	Violation – Penalty
10.30.070	Severability

10.30.010 Authorization and Applicability

Subject to the provisions of this chapter, the operation of golf carts are authorized upon the city streets within the City of Woodland. The provisions of this chapter shall apply to all golf carts. All requirements of RCW 46.08.175 shall be followed in addition to the provisions of this chapter.

10.30.020 Golf Carts – Defined

A golf cart is defined as a gas powered or electric powered four-wheeled vehicle originally designed and manufactured for operation on a golf course for sporting purposes, and has a speed attainable in one mile of not more than 20 miles per hour. A golf cart is not a non-highway vehicle or off-road vehicle as defined in RCW 46.09.020. A golf cart is not considered a motor vehicle, except for the purposes of Chapter 46.61 RCW. As per WMC 10.30.030(3), only electric golf carts may be operated within the City of Woodland golf cart zone.

10.30.030 Operation of golf carts on public roads

1. Every person operating a golf cart must be at least sixteen years of age and must have ~~completed a driver education course or have previous experience driving as a licensed driver~~ **a valid driver's license issued by the state of Washington.** A person who has a revoked license under RCW 46.20.285 may not operate a golf cart.
2. Every person operating a golf cart is granted all rights and is subject to all duties applicable to the driver of a vehicle under RCW 46.61.
3. **Both gas and electric golf carts are** ~~Only electric golf carts can be~~ approved for use in the golf cart zone.

4. The City designates those streets west of Interstate 5 and having a speed limit of 25 miles per hour and under as located within the golf cart zone.
5. Golf carts may be operated in the golf cart zone 24 hours per day.
6. ~~Maximum occupancy of a golf cart shall be one person per designated seat~~ Any person operating a golf cart shall not transport more passengers than the manufacturer's designed seating capacity.
7. Accidents that involve golf carts operated within the golf cart zone must be recorded and tracked in compliance with RCW 46.52. The accident report must indicate that a golf cart operating within a golf cart zone is involved in the accident.
8. Golf carts shall not be operated on a street in a negligent manner. For the purpose of this subsection, "to operate in a negligent manner" is defined as the operation of a golf cart in such a manner as to endanger any person or property, or to obstruct, hinder, or impede the lawful course of travel of any motor vehicle or the lawful use by any pedestrian of public streets, sidewalks, paths, trails, walkways, or parks.

10.30.040 Required Equipment

- ~~1. As per RCW 46.08.175, all golf carts shall be equipped with reflectors, seat belts and rearview mirrors.~~
- ~~2. In addition to those items in subsection 1 above, the City further requires all golf carts to be equipped with turn signals, brake lights, and head lights.~~

The golf cart shall be equipped with the following permanent equipment:

1. Seatbelts anchored to the frame for driver and in use by all passengers;
2. Two rearview mirrors capable of reflecting for a distance of at least two hundred feet to the rear of such vehicle and mounted to the golf cart:
 - a. One on the left side of the cart; and
 - b. One on the right side of the cart; or
 - c. One in the middle of the cart;
3. A total of eight three-inch reflectors shall be mounted on the golf cart, four amber and four red. Amber reflectors shall be placed on the front and the forward right and

left sides of the cart. Red reflectors shall be placed on the rear and the rear right and left sides of the cart.

4. The golf cart shall have all of the standard safety features provided by the manufacturer and shall not be modified to exceed a speed of twenty miles per hour nor otherwise modified in anyway that creates a hazard.

5. The city further requires all golf carts to be equipped with turn signals, brake lights, and head lights.

10.30.050 Registration

~~All golf carts to be operated within the golf cart zone shall first be permitted by the City of Woodland Public Works Department. Application for a golf cart permit shall be made upon a form provided by the City of Woodland.~~

- ~~1. A fee of \$40 shall be paid at time of application submittal.~~
- ~~2. An inspection shall be made by the Public Works Director or designee ensuring the golf cart meets all requirements of this ordinance.~~
- ~~3. Upon successful inspection, the City shall affix a decal onto the golf cart being permitted.~~

All golf carts shall be registered with the city prior to the operation upon the public roadways within the city of Woodland. The sole purpose of the registration is to identify the owners of the golf carts being operated as provided herein. Registration of a golf cart is not intended to and shall not operate to warrant our guarantee that the golf cart meets any particular standard or condition or that it may be safely operated upon the public roadways within the city of Woodland. Registration shall be made in the manner set forth as follows:

A. Application for a golf cart registration shall be made upon a form provided by and to the city Public Works Director or his/her designee. A one-time license fee as prescribed by the city council shall be paid before each registration is granted.

B. The Public Works Director or his/her designee upon receiving proper application therefore is authorized to issue a golf cart registration which shall be effective for so long as the golf cart remains under ownership of the applicant. A golf cart registration will be issued upon the approval of the completed application and payment of the fee.

C. The Public Works Director or his/her designee shall verify that the vehicle has not been modified to allow speeds in excess of twenty miles per hour.

D. The Public Works Director or his/her designee shall verify that the vehicle has the required equipment specified in WMC 10.30.040.

E. The Public Works Director or his/her designee shall not issue a golf cart registration for any golf cart when he/she knows or has reasonable grounds to believe that the applicant is not the owner of, or entitled to the possession of, such a golf cart.

F. The Public Works Director or his/her designee shall keep a record of the registration, the date issued, the name and address of the person to whom issued, and a record of registration fees collected.

G. The Public Works Director or his/her designee shall issue a registration card and affix a decal on the golf cart upon successful completion of the inspection and registration process.

H. The golf cart owner shall carry the golf cart registration card at all times when operating the golf cart.

I. If the golf cart is transferred to a new owner, then the new owner must complete the registration process and pay the registration fee.

10.30.060 Violation – Penalty

1. Any person violating the provisions of this chapter shall be deemed to have committed a traffic infraction, the monetary penalty of which shall be assessed in an amount not less than one hundred dollars.
2. In lieu of the infraction and monetary penalty described above, any Woodland police officer may utilize the following penalty provision for a person under sixteen years of age found operating a golf cart in a manner contrary to this chapter:
 - a. The officer may take custody of the golf cart. If the officer does not impound the golf cart, he may release it only to the parent or legal guardian of the violator or to the adult owning the golf cart;
 - b. Upon taking custody of the golf cart, the officer shall provide the violator with written notice setting forth the procedure, including the right provided in this chapter, for reclaiming the golf cart;
 - c. If a hearing is not conducted as authorized by this chapter, any golf cart which is not retrieved by the adult owner or parent/legal guardian of a violator within thirty days after receiving written notice described in subsection (B)(2) of this section shall be declared unclaimed property and shall be disposed of in accordance with state and local law;
 - d. Only the parent or legal guardian of a violator or an adult owner may reclaim a golf cart impounded pursuant to this section;

- e. For the second and subsequent impounds of the same golf cart, a one hundred dollar fee for costs of impounds and administrative processing shall be paid to the city clerk-treasurer prior to the release of any property impounded under this alternative penalty.
- 3. Any parent of any child, and the guardian of any ward, who shall authorize or knowingly permit any child or ward to violate any provision of this chapter shall be subject to a civil non-traffic monetary penalty in an amount not less than one hundred dollars.

10.30.070 Severability

If any section, subsection, sentence, clause, phrase, or word of the ordinance codified in this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity of constitutionality of any other section, subsection, sentence, clause, phrase, or word of this chapter.

ADOPTED this _____ day of _____ 2016.

CITY OF WOODLAND, WASHINGTON

Approved:

William A. Finn, Mayor

Attest:

Mari E. Ripp, Clerk / Treasurer

Approved as to form:

William Eling, City Attorney

Building & Planning Project Update (highlights)

(As of March 9, 2016 – supplement to DRC notes)

- Comprehensive Plan Update:
 - City Council held a public hearing on the Comprehensive Plan Update on March 7, 2016 for first reading. First reading passed unanimously. City Council requested a few clarifying items/information regarding housing, specifically Longview Housing Authority.
 - City Council is scheduled to hold another public hearing on the Comprehensive Plan Update on March 21, 2016 for final reading/adoption.
- Shoreline Master Program Update:
 - The Department of Ecology is still reviewing the City's draft SMP.
- Three single-family dwelling permits were issued in February: 186 Misty Court, 320 Lolo Trail Avenue, and 293 Insel Road.
- The Temporary Use Permit for the Farmer's Market on Fat Moose property was issued on Monday, March 7, 2016.
- Chris Roewe submitted a proposed two lot short plat located at 433 CC Street. This application is in the 14-day comment period.
- The Notice of Decision for the Columbia River Carbonate's proposed caulder stone receiving system. This project is in conjunction with their rail spur extension.
- The Hearing Examiner public hearing for the Woodland Fire Station will be held Friday, March 18 at 10:00 AM in council chambers. The application is going before the Hearing Examiner because it is a City initiated application.
- Staff held a Building & Planning Workshop on Thursday, February 25. There were eight people in attendance, including Councilmember Al Swindell, and Planning Commissioner Paula Bosel. There was helpful input and the meeting generated several ideas for the Building & Planning Department to move forward with. The ideas included: writing an invitation letter to all City businesses introducing our department, including a checklist of items they can check off indicating what they are interested in learning about or discussing; asking business owners to provide testimonies for experience with Building & Planning staff that we can publish on our website; and attending future Chamber meetings. We plan to hold more of these workshops in the future with more specific topics for discussion.
- A pre-application conference was held on March 9 for Atlas Plumbing. Atlas Plumbing proposes to construct a new shop/office/covered storage facility on a vacant, unaddressed parcel on Guild Road.

- A pre-application conference was held on March 9 for Denny Frank. Mr. Frank is proposing a mixed use development on his property on the corner of Bozarth and Fifth Street. There would be commercial space on the bottom and apartments on the second and third floors.
- The Sign Update ad hoc committee has held two meetings. During this meeting, the group discussed the Supreme Court decision for Reed v. Town of Gilbert and what this means for Woodland's sign code. There are areas of the code that will need to be changed so we are compliant with this recent decision and the group is working on identifying those items. City Attorney Bill Eling suggested the committee go through the code and determine what portions are Reed-compliant versus non Reed-compliant. Any portions of the code that are not Reed-compliant cannot be enforced. The group is going through the code to find the non Reed-compliant regulations and determining what can be done in the meantime.