WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting – 7:00 PM

THURSDAY MAY 19, 2016

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

CALL TO ORDER – 7:00 PM

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

- April 14, 2016 meeting minutes

PUBLIC HEARING

- Woodland School District Capital Facilities Plan

WORKSHOP/DISCUSSION

- Impact Fee Deferral Program
  - Staff Report
  - Current/draft code

- Non-Conforming Structures in Old Town
  - Staff Report
  - Draft Code

- Community Development Department
  - Staff Report
  - Draft Code

- C-1 multifamily & height increase
  - Staff Report

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

SPECIAL DAY
THURSDAY, APRIL 14, 2016

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

CALL TO ORDER – 7:12 PM

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

- March 17, 2016 meeting minutes

Motion: Agenda Approval, Moved by Sharon Watt, Seconded by Paula Bosel.
  - **Motion passed unanimously.**

WORKSHOP/DISCUSSION

- Impact Fee Deferral Program
  - Staff Report given by Amanda Smeller
  - Current/draft code – Amanda to revise the code with changes discussed and will bring back to Planning Commission for workshop.

- Non-Conforming Structures in Old Town
  - Staff Report given by Amanda Smeller
  - Commission agreed it would be best to limit minor variances for homes that don't meet setbacks by year. Commission would like a clause that says other permits may still be required.

- Woodland School District Capital Facilities Plan
  - Staff Report given by Amanda Smeller
  - A public hearing will be held in May for the adoption of the Capital Facilities Plan

UPDATE

- Project status – Report given by Amanda Smeller

ADJOURN – 8:01

MARNIE ALLEN · ATTORNEY
Legal Solutions for Schools

March 16, 2016

Amanda Smeller
Community Development Planner
City of Woodland
230 Davidson
Woodland, WA 98674

Dear Ms. Smeller:

Enclosed please find the Woodland School District's ("District") 2015-2021 Capital Facilities Plan ("CFP") and their School Board Resolution requesting adoption of the CFP and collection of school impact fees.

Please include the adoption of the District's CFP in the 2016 annual amendments to the City of Woodland's Comprehensive Land Use Plan. Also, notify me of Planning Commission and City Council work sessions and public meetings when the CFP is being discussed. If you want or need additional information, or have questions regarding the CFP or impact fees, call me at 360-952-3495.

The District's CFP is also being submitted to provide the City and Clark County the facility plan information that is required in connection with the Growth Management Act ("GMA") Comprehensive Plan update that is underway. If you need additional information for the GMA update, let me know.

I look forward to hearing from you and working together.

Sincerely,

Marnie Allen

Marnie Allen

c: Michael Green, Superintendent, Woodland School District

as

Enclosures

A program of Educational Service District 112
2500 NE 65th Avenue, Vancouver WA 98661 | Ph: 360.750.7500 | Fx: 360.750.9706 | marnie.allen@esd112.org

SCHOOL DISTRICT
CAPITAL FACILITIES PLAN

2015-2021

BOARD OF DIRECTORS

Sarah Stuart, District #1
Janice Watts, District #2
Lesa Beuscher, District #3
Matt Donald, District #4
Steve Madsen, District #5

SUPERINTENDENT

Michael Green

Adopted by the Woodland School District Board of Directors
March, 2016

SECTION 1
INTRODUCTION AND SUMMARY

A. Introduction

The Washington State Growth Management Act (GMA) includes schools in the category of public facilities and services. The Woodland School District (District) is preparing and adopting this Capital Facility Plan (CFP) to satisfy the requirements of the GMA and to identify additional school facilities necessary to meet the educational needs of projected enrollment growth for a six-year period. The CFP will be filed with the City of Woodland (City) and Clark County (County) for their review, adoption and incorporation into their Comprehensive Land Use Plans.

The District's CFP provides the City and County with a schedule and financing program for capital improvements over the next six years and contains the following elements:

- The District's standard of service (Section 2)
- An inventory of existing capital facilities owned by the District, including functional capacities and locations (Section 3)
- Future enrollment projections for each grade span (K-4, 5-8 and 9-12) (Section 4)
- A forecast of future needs for capital facilities and school sites, including proposed capacities of expanded or new capital facilities and a plan for financing capital facilities within projected funding sources (Section 5)
- A calculation of impact fees based on the formula in the City and County impact fee (Section 6)

B. Summary

The Woodland School District is located in southwest Washington and serves residents from the City of Woodland and from two counties, Clark and Cowlitz. The District is bordered on the north by Kalama School District and the south by four school districts--Ridgefield, La Center, Green Mountain and Battle Ground School Districts. The Washougal School District is to the east.

The District is financially and academically sound, and delivers educational services at one comprehensive high school, one middle school, three elementary schools and two alternative schools. There currently is capacity in the schools to serve 2,559 students.

On October 1, 2015 there were 2,295 students (headcount) enrolled in the District. Of the 2,295 students, 833 are elementary students, 720 are middle school students, and 742 are high school students. Students that are enrolled in excess of capacity are served in portables.

Prior to the housing crisis in 2010, the District experienced significant and consisting growth. Following the housing crisis, growth slowed. Although there was a general leveling off of enrollment during the recent economic downturn, the District expects to continue to see an increase in enrollment over time. Much of the land within district and urban growth boundaries has yet to be developed. Future K-12 enrollment is projected to increase by 231 students over the next 6 years. The majority of the growth is anticipated at the elementary school level and there isn't sufficient capacity in the existing elementary schools to serve the growth. The District may need to acquire property and/or add capacity at the

existing elementary schools. Recent construction of a new high school added sufficient capacity to serve forecast growth at the high school and existing capacity at the middle school appears to be sufficient to accommodate six year growth.

Impact fees have been calculated using the formula in the City of Woodland and Clark County School Impact Fee Ordinances. See Appendix A. The District is requesting $5,173 per single family and multi-family unit.

SECTION 2
DISTRICT EDUCATIONAL PROGRAMS AND STANDARD OF SERVICE

School facility and student capacity needs are dictated by the types and amounts of space required to accommodate the District's educational program. The educational program components which drive facility space needs include grade configuration, optimum facility size, class size, educational program offerings, classroom utilization and scheduling requirements, and use of modular classrooms (portables).

In addition to student population, other factors such as collective bargaining agreements, government mandates, and community expectations also affect classroom space requirements. In addition to basic education programs, other programs such as special education, bilingual education, pre-school, and art and music must be accommodated. These programs can have a significant impact on the available student capacity of school facilities.

The District educational program guidelines, which directly affect school capacity are outlined below for elementary, middle, and high school grade levels.

- Elementary Schools: Average class size for elementary classrooms is estimated at 21 students. The District provides full day kindergarten. The actual number of students in an individual classroom depends on the above factors. Elementary school capacity is calculated utilizing only classroom spaces containing a basic education teacher and his/her complement of students. Students may be pulled out to attend additional programs (which may also be held in classrooms, if there is no designated space available). Working building capacity calculations do not include classrooms used for these special programs, such as resource rooms, learning support centers, computer labs, and self-contained special education classrooms.

- Middle Schools: Average class size for middle school classrooms is estimated at 26 students. The actual number of students in an individual classroom depends on the above factors. Middle school capacity is calculated utilizing the number of basic education teaching stations and applying a utilization factor of 80%. Working building capacity calculations do not include classrooms used for resource rooms, computer labs, and self-contained special education classrooms.

- High Schools: Average class size for middle and high school classrooms is estimated at 26 students. The actual number of students in an individual classroom depends on the above factors. High school capacity is calculated utilizing the number of basic education teaching stations and applying a utilization factor of 83.3%. Capacity calculations do not include classrooms used for resource rooms, computer labs, and self-contained special education classrooms.

SECTION 3
CAPITAL FACILITIES INVENTORY

This section identifies the capital facilities owned and operated by the District including schools, modulars, undeveloped land, and support facilities.

A. Elementary Schools

Elementary School	Location	Year of Occupancy	Building SF	Capacity	Teaching Stations
Woodland Primary School (K-1)	600 Bozarth Avenue Woodland, WA 98674	1972	59,296	399	19
Yale Elementary School (K-5)	11842 Lewis River Road Ariel, WA 98603	1962	8,703	63	3
Woodland Intermediate School (2-4)	2250 Lewis River Road Woodland, WA 98674	1997	54,718	441	21
TOTALS:				**903**	**43**

The District provides full day kindergarten and is providing limited 5th grade capacity at Yale Elementary. The majority of the 5th grade students are served at Woodland Middle School. For purposes of facility planning, the 5th grade is viewed as Middle School.

B. Middle School

Middle School	Location	Year of Occupancy	Building SF	Capacity	Teaching Stations
Woodland Middle School (5-8)	755 Park Street Woodland, WA 98674	1950	86,271	790	38

Middle school capacity is based on class size and the utilization factor.

C. High School

High School	Location	Year of Occupancy	Building SF	Capacity	Teaching Stations
Woodland High School (9-12)	1500 Dike Access Road Woodland, WA 98674	2015	152,830	866	40

High school capacity is based on class size and the utilization factor.

D. Alternative Schools

Middle School	Location	Year of Occupancy	Building SF	Capacity	Teaching Stations
Lewis River Academy (K-8)	800 Third Street Woodland, WA 98674	1950	2,417	48	2
TEAM High (9-12)	757 Park Street Woodland, WA 98674	2011	1,700	60	2

Students attending alternative programs are counted in the District's enrollment but they are served in non-traditional settings (like the TEAM double classroom portable). For purposes of planning for future growth, and existing capacity, the District does not anticipate expanding alternative program facility capacity and is not including existing capacity in the capacity that exists for forecast growth.

E. Portables Inventory

Facility Type	No. of Portable Classrooms*	No. of Portables used as Interim Teaching Stations	Interim Capacity
Elementary Schools	2	0	42
Middle School	1	1	26
High Schools	2 (TEAM)	1 Double Classroom	60
TOTALS:	**5**	**2**	**128**

*The District owns a total of 22 portables but 19 are not suitable for use and will be deemed surplus and sold. If the District's growth exceeds capacity that can be provided in current facilities, students may be temporarily served in portables.

F. Support Facilities

Type	Location
School District Offices	Woodland Middle School Campus
Technology and Maintenance Facilities	Woodland Middle School Campus
Transportation Center (KWRL)	989 Frazier Lane Woodland, WA 98674

G. Land Inventory

The District owns 10 acres of property located at 11842 Lewis River Road in Ariel Washington.

SECTION 4
STUDENT ENROLLMENT PROJECTIONS

The District's six-year enrollment projections are based on an estimate by the Office of the Superintendent of Public Instruction (OSPI). OSPI estimates future enrollment for all Washington State school districts using a modified cohort survival methodology. This methodology estimates how many students in one year will attend the next grade the following year by looking at historical date. The methodology also forecast how many new kindergarten students will enroll based on the number of live births in the county and historical averages for the number of children that enter kindergarten relative to the number of live births. The enrollment forecast is conservative in that it does not take land supply, local development and similar trends into account. It is more accurate in the earlier years and less accurate in later years.

A. Projected Enrollment 2015 – 2021

Grade	2015	2016	2017	2018	2019	2020	2021
K-4	833	866	871	894	936	939	957
5-8	720	710	736	744	722	773	774
9-12	742	728	725	744	772	766	795
TOTALS:	**2,295**	**2,304**	**2,332**	**2,382**	**2,430**	**2,478**	**2,526**

As shown above, the District anticipates an increase of 231 students over the next six years. Of the 231 students, 124 will be elementary school students, 54 will be middle school students and 53 will be high school students. The facility needs to serve this growth are discussed in Section 5.

SECTION 5
CAPITAL FACILITY NEEDS

The District's facility needs are determined by looking subtracting the existing capacity from the 2021 projected student enrollment. The resulting deficit is the number of students who cannot be housed in permanent facilities, or the facility needs.

A. Projected Facility Capacity Needs

Type of Facility	2015 Capacity	2021 Projected Enrollment	2021 Facility Need
Elementary	903	957	54
Middle	790	774	0
High	866	795	0

In 2015 the District completed construction of a new high school that has capacity to serve 866 students. This additional capacity will address all but the elementary school needs over the next six years. The cost to build the high school to add capacity, which is available to serve forecast growth, and the cost to add

elementary school capacity are the primary facility needs. Because future growth will require acquisition of real property for additional school sites, and the temporary use of portables, these improvements are also listed as facility capacity needs.

B. 6-Year Plan – Facility Capacity Needs

Project Description	Capacity	Cost	Cost for Added Capacity to Serve Growth[4]
High School	866	$58,793,057	$3,598,189[1]
K-4 Expansion	63	$1,932,707[2]	$1,656,606
Portables	0[3]	$200,000	$0
TOTAL:	**929**	**$60,925,764**	**$5,254,795**

[1]The District added capacity in 2016 that is available to serve forecast growth. New development, which places demands on the high school and will use the capacity that has been provided, will contribute a small portion of the cost through the payment of school impact fees. School impact fees can be used to pay the debt service incurred to provide capacity at the high school.
[2]The cost is based on average cost per sq ft ($278.89) to build elementary schools, with 110 sq ft per student.
[3] Because the portables provide interim or temporary capacity, and the real property does not provide capacity until a school is built on it, these improvements on their own do not add capacity. The District is not including the cost of these improvements in the impact fee calculation.
[4] Cost for added capacity is that percentage of the total cost attributed to the forecast increase in enrollment.

To accommodate growth on a short term and immediate basis, the Woodland School District may purchase and utilize portable classrooms and this plan incorporates those facilities and the equipment and furniture necessary to equip these classrooms in the District's facility plan. Impact fee revenue can be available to fund portable facilities if these facilities are needed to serve growth.

C. Six-Year Financing Plan

Added Facility Capacity	Total	Impact Fees	State Construction Funds	Bonds
Secured	$60,120,000	$120,000	$12,000,000	$48,000,000
Unsecured	$805,764	$495,000[1]	$310,764	$0

1 Assumes collection of impact fees for 30 housing units a year at the current rate for six years.

General Obligation Bonds
Bonds are used to fund site acquisition, construction of new schools, and other capital improvement projects. A 60% majority vote is required to approve the issuance of bonds. Bonds are then retired through collection of property taxes. In 2012 the District voters approve a $48 million dollar bond to fund construction of the high school and other facility improvements.

State Construction Funds
State construction funds primarily come from the Common School Construction Fund (the "Fund"). School districts may qualify for State construction funds for specific capital projects based on eligibility requirements and a state prioritization system. Based on the District's assessed valuation per student and the formula in the State regulations, the District is currently eligible for state construction funds for new schools at the 60.86 match level. The District received $12 million for construction of the new high school.

Impact Fees
The collection of school impact fees generates partial funding for construction of public facilities needed to accommodate new development. School impact fees are collected by the Cities and County on behalf of the District. Impact fees are calculated based on a formula, which includes the portion of District construction resulting in increased capacity in schools.

SECTION 6
SCHOOL IMPACT FEES

The Growth Management Act (GMA) authorizes local jurisdictions to collect impact fees to supplement funding of additional public facilities needed to accommodate new development.

Local jurisdictions in Clark County have adopted impact fee programs that require school districts to prepare and adopt Capital Facilities Plans. Impact fees are calculated in accordance with the jurisdiction's formula, which is based on school facility costs to serve new growth.

The District's impact fees have been calculated utilizing the formula in the Clark County and the City of Woodland Impact Fee Ordinances. The resulting figures, in the attached Appendix A are based on the District's cost per dwelling unit to build the new facilities which add capacity that is needed to serve new development. Credits have also been applied in the formula to account for State Match funds the District receives and projected future property taxes that will be paid by the owner of the dwelling unit.

The District recommends collection of school impact fees in the following amounts:

Single Family: $5,000

Multi Family: $2,500

Woodland School District
2015 Impact Fee Calculation

APPENDIX A

$$SIF = \left[CS(SF) - (SM) - \left(\frac{(1+i)^{10} - 1}{i(1+i)^{10}} \times AAV \times TLR \right) \right] \times A - FC$$

Single Family Residence:

Elementary	Middle School	High School	Formula
$1,656,606.00	$0.00	$3,598,189.40	Facility Cost
54	0	53	Additional Capacity
$30,677.89	$0.00	$67,890.37	Cost per Student (CS)
0.229	0.048	0.086	Student Factor (SF)
$7,025.24	**$0.00**	**$5,838.57**	**CS x SF**
$200.40	$200.40	$200.40	Boeck Index
90.00	117.00	130.00	OSPI Sq Ft
60.86%	60.86%	60.86%	State Match Eligibility %
$2,513.67	$0.00	$1,363.55	State Match Credit (SM)
$4,511.57	**$0.00**	**$4,475.02**	**CS x SF - SM**
		$8,986.59	**Cost per Single Family Residence**
		0.00356	Average Interest Rate
		0.03617576	Tax Credit Numerator
		0.003688786	Tax Credit Denominator
		9.806956251	Tax Credit Multiplier (TCM)
		$308,029.00	Average Assessed Value (AAV)
		3020826.93	TCM x AAV
		0.00096	Tax Levy Rate (TLR)
		$2,899.99	**TCM x AAV x TLR = (TC)**
		$6,086.60	**Cost per Single Family Residence - Tax Credit**
		$912.99	15% reduction (A)
		$5,173.61	**Calculated Single Family Fee Amount**
		$5,000.00	**Recommended Fee Amount**

Multi-Family Residence:

Elementary	Middle School	High School	Formula
$1,656,606.00	$0.00	$3,598,189.40	Facility Cost
54	0	53	Additional Capacity
$30,677.89	$0.00	$67,890.37	Cost per Student (CS)
0.289	0.105	0.105	Student Factor (SF)
$8,865.91	**$0.00**	**$7,128.49**	**CS x SF**
$200.40	$200.40	$200.40	Boeck Index
90.00	117.00	130.00	OSPI Sq Ft
60.86%	60.86%	60.86%	State Match Eligibility %
$3,172.27	$0.00	$1,664.80	State Match Credit (SM)
$5,693.64	**$0.00**	**$5,463.69**	**CS x SF - SM**
		$11,157.33	**Cost per Multi-Family Residence**
		0.00356	Average Interest Rate
		0.03617576	Tax Credit Numerator
		0.003688786	Tax Credit Denominator
		9.806956251	Tax Credit Multiplier (TCM)
		$85,277.83	Average Assessed Value (AAV)
		836315.95	TCM x AAV
		0.00096	Tax Levy Rate (TLR)
		$802.86	**TCM x AAV x TLR = (TC)**
		$10,354.46	**Cost per Multi-Family Residence - Tax Credit**
		$1,553.17	15% reduction (A)
		$8,801.30	**Calculated Multi- Family Fee Amount**
		$2,500.00	**Recommended Fee Amount**

WOODLAND SCHOOL DISTRICT NO. 404

RESOLUTION No. 16-01

ADOPTION OF THE 2015-2021 CAPITAL FACILITIES PLAN AND SCHOOL IMPACT FEES

WHEREAS, the Growth Management Act (GMA) requires counties and cities to adopt comprehensive land use plans that, among other things, address the provision of public services for future growth and development;

WHEREAS, public schools are one of the public services that, with assistance from school districts, the counties and cities plan for;

WHEREAS, the Woodland School District assists Clark County and the City of Woodland to implement the GMA through the adoption of the Woodland School District Capital Facilities Plan and school impact fees;

WHEREAS, the GMA authorizes Clark County and the City of Woodland to collect school impact fees from residential development in order to ensure that school facilities are available to serve new growth and development;

WHEREAS, the District has updated its Capital Facilities Plan and student enrollment is projected to increase over the next six years due to growth in Clark County and the City of Woodland;

WHEREAS, the District will need to build new facilities to add capacity to serve the increased enrollment from the anticipated growth;

WHEREAS, existing funding sources are not sufficient to fund the new facilities that are needed to serve growth;

WHEREAS, the District requests Clark County and the City of Woodland continue collecting school impact fees in the amount recommended in the Capital Facilities Plan to supplement other public funds that, in combination with the school impact fees will be used to fund the new facilities.

NOW THEREFORE, BE IT RESOLVED that the 2015-2021 Woodland School District Capital Facilities Plan (CFP) is hereby adopted. The CFP shall be submitted to Clark County and the City of Woodland for adoption and incorporation into their Comprehensive Land Use Plans.

BE IT FURTHER RESOLVED that the District respectfully requests that Clark County and the City of Woodland collect school impact fees on behalf of the District in the amounts of $ 5000 for each single-family home and $ 2500 for each multi-family unit.

ADOPTED by the Board of Directors of Woodland School District No. 404, Clark County, Washington, at an open public meeting thereof, held March 14, 2016, the following Directors being present and voting:

Woodland School District No. 404
Clark County, Washington

Sarah Stuart, District #1

Janice Watts, District #2

Lesa Beuscher, District #3

Matt Donald, District #4

Steve Madsen, District #5

ATTEST:

Michael Green, Secretary, Board of Directors

Staff Report: Impact Fee Deferral Law

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

During the March 2016 Planning Commission meeting, it was decided that impact fees could be deferred until the Certificate of Occupancy stage. Because the state rule requires a lien be recorded against the property when the deferred impact fee is sought, this will avoid homeowners/developers from selling the home before paying impact fees and being given Certificate of Occupancy.

Further, the Commission decided not to collect an administrative fee for this item, as it should be minimal paperwork and a note in the file to collect impact fees before Certificate of Occupancy will be issued. Lastly, the Commission decided not to restrict the number of permits per applicant that can be granted deferred payment.

At the April 2016 meeting, after reviewing the proposed changes to the code, the Planning Commission asked that full draft code be in place for final review before the public hearing. Attached are the three current code sections for impact fees (Fire, Parks and Recreation, School, and Transportation) and the proposed code sections for these with the new deferral language.

Specific Code Sections:

<u>Chapter 3.41 - Development Impact Fees – Fire and Park, Recreation, Open Space or Trail Facilities</u>

Current:

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.

Proposed:

3.41.030 - Collection of impact fees.

1. 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.
2. Required payment of impact fees for a single-family residence or attached residential building may be deferred to such time as the Certificate of Occupancy is ready to be issued. No fee would be assessed for this service and the request may be submitted any number of times per applicant on forms furnished by the City of Woodland. Certificate of Occupancy will not be issued until the deferred impact fees are paid in full. Those choosing to defer impact fees until Certificate of Occupancy must grant and record a lien against the property in favor of the City of Woodland in the amount of the deferred impact fee.

<u>Chapter 3.40 – School Impact Fees</u>

Current:

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 hereafter 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.

Proposed:

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 hereafter 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. Required payment of impact fees for a single-family residence or attached residential building may be deferred to such time as the Certificate of Occupancy is ready to be issued. No fee would be assessed for this service and the request may be submitted any number of times per applicant on forms furnished by the City of Woodland. Certificate of Occupancy will not be issued until the deferred impact fees are paid in full. Those choosing to defer impact fees until Certificate of Occupancy must grant and record a lien against the property in favor of the City of Woodland in the amount of the deferred impact fee.

<u>Chapter 3.42 – Development Impact Fees - Transportation</u>

Current:

3.42.030 - Payment of impact fees required.

A. 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.
B. Mitigation of impacts on transportation facilities under the jurisdiction of an agency other than the city will be required when:
    1. The other affected jurisdiction has reviewed the development's impact under its adopted impact fee/mitigation regulations and has recommended to the city that the city impose a requirement to mitigate the impacts; and
    2. There is an interlocal agreement between the city and the affected jurisdiction specifically addressing transportation impact identification and mitigation.

Proposed:

3.42.030 - Payment of impact fees required.

A. 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.

B. Required payment of impact fees for a single-family residence or attached residential building may be deferred to such time as the Certificate of Occupancy is ready to be issued. No fee would be assessed for this service and the request may be submitted any number of times per applicant on forms furnished by the City of Woodland. Certificate of Occupancy will not be issued until the deferred impact fees are paid in full. Those choosing to defer impact fees until Certificate of Occupancy must grant and record a lien against the property in favor of the City of Woodland in the amount of the deferred impact fee.

C. Mitigation of impacts on transportation facilities under the jurisdiction of an agency other than the city will be required when:
    1. The other affected jurisdiction has reviewed the development's impact under its adopted impact fee/mitigation regulations and has recommended to the city that the city impose a requirement to mitigate the impacts; and
    2. There is an interlocal agreement between the city and the affected jurisdiction specifically addressing transportation impact identification and mitigation.

Staff Report: Variances for Non-Conforming Residences

Date: May 11, 2016
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Variances for Non-Conforming Residences

Discussion continued during the last Planning Commission meeting regarding allowing certain single-family residences that are non-conforming in regards to setbacks to be allowed a minor variance for expansion, modification, and enlargement (etc.) rather than a major variance. It was determined the year of the first zoning code would be used to determine the cut-off date and allow any single-family residence in the City to be eligible regardless of location. Originally, this was going to be limited to just the old part of town as it was assumed that only the old part of town may have non-conforming residences, but there are other non-conforming residences in the City.

Those single-family residences that are non-conforming related to use (i.e. an SFR located in a commercial zone) have an existing provision in the non-conforming code that requires these structures to follow the Low Density Residential standards. This wouldn't apply to expanding/enlarging/modifying a non-conforming structure, so this new language is proposed.

The City adopted the first Zoning code in 1968. I have added a simple provision in 17.81.180(A) to allow for any modifications to a non-conforming single-family residence built prior to 1968 be allowed as a minor variance. All other code language, variance requirements, etc. will still apply. This is only adding another type of variance requested reviewed by DRC.

17.81.180 - Minor variances or minor modifications to approved conditional uses or administrative conditional uses—Review and appeal authority.

A. The following variances shall be deemed minor in nature and may be approved, approved with conditions, or denied by the development review committee (DRC) without a public hearing based on the approval criteria outlined in WMC 17.81.180.B and in accordance with the notice requirements outlined in WMC 17.81.200:

1. A reduction in lot area, setbacks, lot dimensions; and, an increase in lot coverage and building height, all by not more than thirty percent of that required by the applicable standard of the zoning district in which the proposal is located;
2. Any reduction in a side or rear yard setback below the minimum setback required by the applicable standard in the light industrial (I-1) or heavy industrial (I-2) zoning district; or
3. The modification of pre-existing nonconforming structures housing permitted uses, to the extent that the modification will not cause a greater infringement than exists of any standard of the zoning district in which the proposal is located.
4. The enlargement, addition, or modification to any non-conforming single family residence built prior to 1968.

B. Approval Criteria for Minor Variances.

1. No variance shall be approved by the DRC which will allow an increase in the number of dwelling units on a parcel greater than that permitted by the applicable zoning district, or which will permit the reduction in area of any lot created after the adoption of the ordinance codified in this chapter;
2. All major variance criteria outlined in WMC 17.81.020.B shall be met, except where a variance is proposed to side or rear setback standards applicable to the light industrial (I-1) or heavy industrial (I-2) zoning districts. In these cases, the DRC shall consider criteria 2—5 outlined in WMC 17.81.020.B. The DRC shall also consider whether or not the requested minor variance is necessary due to the unique physical characteristics of the existing site configuration, building, and/or use and consistent with the intent of applicable standard to which the minor variance is sought.

C. The following modifications to approved conditional uses or administrative conditional uses shall be deemed minor in nature and may be approved, approved with conditions, or denied by the DRC without a public hearing based on the approval criteria outlined in WMC 17.81.180.D and in accordance with the notice requirements outlined in WMC 17.81.200:

1. Construction of accessory buildings which will not alter or affect the permitted conditional use of the property.

D. Approval criteria for minor modifications to approved conditional uses or administrative conditional uses:

1. No minor modifications to an approved conditional use or administrative conditional use shall be approved by the DRC which will allow an increase in the number of dwelling units on a parcel greater than that permitted by the applicable zoning district, or which will permit the reduction in area of any lot created after the adoption of the ordinance codified in this chapter; and
2. Granting of the proposed minor modification to the approved conditional use or administrative conditional uses is consistent with the applicable zoning district requirements, and 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.

E. The DRC may solicit advice from the planning commission as part of a public meeting and/or qualified professionals without a public meeting, to help determine whether the proposed minor variance or minor modification to the approved conditional use or administrative conditional use meets the approval criteria.
F. The DRC shall develop a written decision including the DRC's response to each applicable approval criteria concerning minor variances outlined in WMC 17.81.180.B or concerning minor modifications to approved conditional uses or administrative conditional uses outlined in WMC 17.81.180.D.
G. The DRC's decisions concerning minor variances or minor modifications to approved conditional uses or administrative conditional uses can be appealed to the planning commission within ten days from the date the DRC's written decision is issued. The planning commission shall review such appeals at an open record public hearing in accordance with the notice requirements outlined in WMC 19.06.070 and 19.06.080 and render decisions based on the applicable review criteria outlined in WMC 17.81.180.B or WMC 17.81.180.D, the intents of applicable standards, and applicable provisions in the Woodland Comprehensive Plan.

Staff Report: Community Development Department

Date: May 9, 2016
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: Community Development Department

The Building & Planning Department is currently a part of the Public Works Department. Building & Planning is made up of Wesley Baumgardner, full time Building Official, Kasey Smith, part time (20 hours/week) Permit Technician, and Amanda Smeller, full time Community Development Planner. Wesley handles all building related tasks including permit processing, plan review, and inspections. He also interprets and administers building codes, both local and state codes. Kasey provides administrative support to the department but also assists with building permit review and issuance. Amanda performs all land use/zoning related tasks, including current land use application review (Site Plan Review, SEPA, Critical Areas Permits, BLAs, etc.), long range planning (code updates, Comprehensive Plan amendments, etc.), and works with the Planning Commission. Amanda is also the Department Head and creates/maintains the annual budget and supervises the Permit Technician and Building Official. The Building & Planning Department has always been a part of the Public Works Department as the City has not had a City Administrator until now. As the City grows, and now that Woodland has a City Administrator, it makes sense for the Building & Planning Department to become its own department. While Building/Planning and Public Works are interrelated, specifically GIS, code enforcement, and engineering, there are enough differences in department duties and needs that it warrants the Building & Planning Department being separate.

I believe it is important for the Building & Planning Department to become a separate department from Public Works and to be renamed to Community Development Department. Building & Planning offers a lot of specific services related to permits, but we are more than just a permit issuing entity. Our number one goal is excellent customer service. We strive to answer questions, provide information, and process permits in a timely and efficient manner. Building & Planning, hereinafter referred to as Community Development, has a special and unique role in helping the community grow and develop. “Community development” better describes the services we offer and the goal of “getting to yes.” I believe it is important for us to have our own identity separate from Public Works, while still working closely with that department. We don’t quite fit in with Public Works. I would like to showcase our offerings as a separate department and what we do for the community. One of my goals is to improve our image and stand out as a positive for the community. I believe having our separate department will be a step forward in meeting that goal. Through creating our separate department, I am proposing to increase Kasey’s hours from 20 per week to 30 per week, which will help with customer service and support. Further, I am proposing a position name change for myself from Community Development Planner to Community Development Director, as this is the role I basically already play. I am not requesting a salary increase; only a name change to better reflect what I currently do.

Needed code amendments:

To formally create our new department, there are a variety of code changes that are required. The two main changes required are amendments to Title 2 (Administration and Personnel) to add the Community Development Department, as well as define the department's role, and to add Community Development Director as a City Officer.

Change to Title 2, Chapter 2.08 – Departments Created

Section 2.08.010 – Departments created. Currently reads as follows:

There is hereby created and established the following departments in the city: police department; fire department; building department; clerk-treasurer department; and public works department. In addition, the following divisions are hereby created within the public works department: parks; planning; water; sewer; and streets. Additional departments may be created from time to time by ordinance with proper budgetary approval.

Section 2.08.010 – Departments created. Would be amended to read as follows:

There is hereby created and established the following departments within the city: police department; fire department; ~~building department~~; clerk-treasurer department; ~~and~~ public works department; and community development department. In addition, the following divisions are hereby created within the public works department: parks, water; sewer; and streets. In addition, the following divisions are hereby created within the community development department: building; and planning. Additional departments may be created from time to time by ordinance with proper budgetary approval.

Change to Title 2, Chapter 2.10 – Officers:

Section 2.10.010 – Designated. Currently reads as follows:

The officers of the city, besides the mayor and councilmembers, shall be as follows: a clerk-treasurer, a city attorney, or city attorney and a city prosecutor as the mayor and council shall deem appropriate, a chief of police, a fire chief, a building official, and a public works director. Additional offices and employment shall be created in the budgetary process as necessary.

Section 2.10.010 – Designated. Would be amended to read as follows:

The officers of the city, besides the mayor and councilmembers, shall be as follows: a clerk-treasurer, a city attorney, or city attorney and a city prosecutor as the mayor and council shall deem appropriate, a chief of police, a fire chief, a building official, ~~and~~ a public works director and a community development director. Additional offices and employment shall be created in the budgetary process as necessary.

Propose to amend Section 2.10.090 to read as follows:

2.10.090 – Community development director appointment/duties

A. There is created the position of community development director. The community development director shall be appointed by the mayor, which appointment shall be subject to confirmation by a majority vote of the city council. Compensation payable to the community development director shall be as established in each annual budget.
B. The community development director shall be in charge of all employees in the department of community development, including the divisions thereof, and shall perform those and responsibilities as listed in the job description, and as may be determined from time to time by the mayor.

Current 2.10.090 – Officers/employment contracts would be moved to new section 2.10.100.

<u>Other code amendments:</u>

There are other changes needed to all land use codes (Title 15 (Environment), Title 16 (Subdivisions), Title 17 (Zoning), and Title 19 (Development Administration). These code changes are necessary regardless of the new department because much of the code is incorrect in who is responsible for certain tasks and operations of the City. There are references in much of Woodland Municipal Code calling out the Public Works Director (and sometimes "or his/her designee") making decisions and performing tasks. Much of the code should change anyway because the Public Works Director isn't necessarily the one to make the decisions or perform the specific tasks particularly for land use issues. (For example, code says the PW Director reviews a land use application for completeness. The Community Development Planner reviews applications for completeness with assistance from other entities. Another example, WMC states that the PW Director is SEPA Official. The CD Planner is the SEPA Official who makes/signs the SEPA decisions).

Please see the attached matrix showing proposed code amendments for Titles 15, 16, 17, and 19.

Title	Chapter	Section	Current Language	Proposed Language/Change
Title 15: Environmental	15.04 SEPA	Definitions	"Director" means the public works director or his/her designee.	"Director" means the Community Development Director or his/her designee.
			"Responsible official" means the public works director or his/her designee.	"Responsible official" means the Community Development Director or his/her designee.
		15.04.050(A)	For those proposals for which the city is the lead agency, the responsible official shall be the public works director or his/her designee.	For those proposals for which the city is the lead agency, the responsible official shall be the Community Development Director or his/her designee.
	15.08 Critical Areas	15.08.020	As provided herein, the director is given the authority to interpret and apply, and responsibility to enforce this chapter to accomplish the stated purpose.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.030 Definitions	"Director" means the city of Woodland director of public works, or designee.	"Director" means the city of Woodland Community Development Director or designee.
		15.08.080(B)	Evaluation of Scientific Process. To evaluate if the information received meets the requirements of best available science, the director shall determine whether the information has been derived from a valid scientific process. The following are characteristics of a valued scientific process:	No Change. "Director" now refers to Community Development Director with the definitions change.

		15.08.090	All development proposals within the city of Woodland, whether public or private, shall comply with the requirements of this chapter, whether or not a permit or authorization is required. Responsibility for the enforcement of this chapter shall rest with the director of public works. For the purposes of this chapter, development proposals shall include, but are not limited to the following:	All development proposals within the city of Woodland, whether public or private, shall comply with the requirements of this chapter, whether or not a permit or authorization is required. Responsibility for the enforcement of this chapter shall rest with the Community Development Director. For the purposes of this chapter, development proposals shall include, but are not limited to the following:
		15.08.140	B. Critical Area Identification Review Process. The director shall review the critical area identification checklist, review information available about the site, and perform a site visit. C. Site Inspection. Upon receipt of a completed critical area identification checklist, the director or designee shall conduct a site visit of the proposed project site to determine if any critical area conditions exist on site. The director shall notify the applicant prior to the inspection. Reasonable access shall be provided for the purposes of site inspections. D. Review of Available Information. The director may determine if a critical area report is needed by using the following indicators:	No Change. "Director" now refers to Community Development Director with the definitions change.

			6. Findings by qualified professionals or a reasonable belief by the director that a critical area may exist on or adjacent to the proposed activity. E. Determination If Critical Area Report Is Needed. 1. No Critical Areas Present. If the director determines the proposed project is not within or adjacent to a critical area or buffer or that the project is not likely to degrade the functions or values of a critical area, then the director shall rule that no further critical area review is required. The director shall consult with resource agencies or individuals with special expertise, as necessary, to assist in the determination of critical areas and potential impacts associated with project proposals. A summary of the director's decision and review shall be included in the file and/or staff report. 2. Critical Area Present But No Impact. If the director determines there are critical areas within the proposed project but that the project is not likely to degrade the functions or values of a critical area, then the director may waive the requirements of a critical area report. The director shall consult with resource agencies or individuals with special expertise, as necessary, to assist in the determination of critical areas and	

			potential impacts associated with project proposals. A waiver may be granted if all of the following are met: 3. Critical Areas May Be Affected. If the director determines that a critical area may be affected by a proposal, then the applicant shall be required to submit a critical area report prior to any further project activity. The director shall inform the applicant within ten business days following the site visit of his findings and indicate what critical area types should be addressed in the report. A determination by the director is not an expert classification regarding the presence of critical areas. If the applicant wants greater assurance of the accuracy of the critical area review determination, the applicant may choose to hire a qualified professional to provide such assurances. If a qualified professional determines no critical areas exist or will not be affected by the proposal, the director may reconsider their determination.	
		15.08.150	The city shall include in its notice of application the initial critical area determination by the director and any reasons for the determination. If a critical area report is required, a description of the critical area and location shall be included in the notice.	No Change. "Director" now refers to Community Development Director with the definitions change.

		15.08.170	A. Study Area—Limitations. The director may modify the geographic area of the critical area report if: 1. Permission to access adjacent properties cannot be obtained; 2. Only a limited portion of the site will be affected by the activity. B. Required Contents—Modifications. The director may modify the required contents of the critical area report if, in the judgment of a qualified professional, more or less information is required to adequately address the potential critical area impacts and mitigation. C. Additional Information. The director may require additional information to be included with the critical area report when deemed necessary to the review of the proposed project.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.220(D)	Monitoring Program. A mitigation-monitoring program shall be included with any mitigation plan. The monitoring program shall be as specified by the qualified professional who prepared the mitigation plan. The director shall determine the frequency of site monitoring. The report shall document milestones, successes, problems and failures and contingency actions to compensate for mitigation shortfalls. The site shall be monitored for a period to establish that	No Change. "Director" now refers to Community Development Director with the definitions change.

			performance standards have been met, and not for a period of less than five years.	
		15.08.210(A)	The director shall make a determination as to whether the proposed activity and mitigation is consistent with the provisions of this chapter.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.220	Upon determination that a proposed activity meets the requirements of Section 15.08.210 of this chapter, and complies with the requirements of this chapter. The director shall prepare a written notice of determination and identify any conditions of approval. Any changes to the conditions of approval shall void the previous determination pending a review of the alternative proposal and conditions by the director.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.230	Upon determination that a proposed activity does not meet the above criteria and/or does not adequately mitigate for impacts to critical areas, the director shall prepare a written notice of determination and identify the findings. A revised critical area report may be submitted by the applicant for consideration, following notice of the determination. The director may make a new	No Change. "Director" now refers to Community Development Director with the definitions change.

			determination based on the revised critical area report.	
		15.08.270(D)	Site Visits/Inspections. Reasonable access shall be provided. The director is authorized to make site visits/inspections as necessary to enforce this chapter.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.280(B)	The outer boundary of a critical area or buffer shall be identified with temporary signs prior to any site development or alteration. Permanent signs may be required by the director upon completion of the project.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.360	A site visit shall be conducted by the director to confirm the presence of wetland indicators listed in the critical areas checklist or identified in the State Environmental Policy Act (SEPA) checklist. The site visit shall be used to determine if a wetland or wetland buffer area are within two hundred feet of a proposed project or activity. A positive confirmation that wetland indicators are present or that the proposed project may impact the wetland area will then require a professional site assessment. The director shall use the following map references to assist in making a determination: (1) National Wetland Inventory Map; and (2) any records of previously mapped wetlands	No Change. "Director" now refers to Community Development Director with the definitions change.

		15.08.380(E)	Additional Information. Additional information may be required when deemed necessary by the director.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.400	C. Increased Wetland Buffer Widths. The director shall require increased buffer widths when recommendations by a qualified professional biologist and the best available sciences deem additional buffer widths necessary D. Reduction of Wetland Buffer Widths. 1. The director may allow for a reduction in the standard buffer width in accordance with an approved critical areas report and following the best available science. Reductions in buffer widths shall be done on a case-by-case basis and only when it has been determined that a smaller buffer area is adequate to protect the wetland functions and values based on site-specific characteristics. c. No present or future adverse impacts to the wetland will result from the proposed activity. The director may determine that long-term monitoring is required. The director may require monitoring of the wetland to determine if there are any adverse impacts as a result of the project. If adverse impacts are discovered, corrective actions may be required. F. Averaging of Buffer Widths. The director may allow for the standard	No Change. "Director" now refers to Community Development Director with the definitions change.

			buffer width to be averaged in accordance with an approved critical area report on a case-by-case basis. Averaging of buffer widths shall only be allowed when a qualified wetlands professional demonstrates that: J. Functionally Isolated Buffer Areas. Areas which are functionally separated from a wetland and do not protect the wetland from adverse impacts due to preexisting roads, structures, or vertical separation shall be excluded from buffers otherwise required by this chapter on a case-by-case basis subject to a critical area report and review as determined by the director. 3. Hazard Tree Removal. When a threat to human life or property is determined, the director may allow the falling of a danger or hazard tree subject to the following criteria:	
		15.08.410	A. Temporary Markers. The outer perimeter of a wetland or buffer area and the limit of the wetland or buffer area to be disturbed pursuant to an approved permit, shall be marked in the field in such a way as to prevent unauthorized disturbance of the wetland or buffer area. Temporary marking shall be maintained throughout the permitted activity and shall not be removed until final inspections are completed and approved permanent signs, if	No Change. "Director" now refers to Community Development Director with the definitions change.

			required, are in place. The location of temporary markers shall be shown on all site plans and final plats associated with the proposal. Temporary markers shall be composed of one-half inch galvanized pipe or equivalent monument, at least eighteen inches long, and shall show above the surface at least two inches. Temporary markers shall be spaced no more than fifty feet apart or as determined by the director. B. Permanent Signs. The director may require the applicant to install permanent signs along the boundary of Class 1 and Class 2 wetlands or buffer areas as a condition of any permit. The director may also require signs for Class 3 or Class 4 wetlands. C. Temporary Fencing. All wetlands shall be temporarily fenced between the permitted activity and the buffer with a highly visible and durable protective barrier during the proposed activity to prevent access and to protect the critical area and buffer. The director may waive this requirement if an alternative to fencing which achieves the same objective is proposed and approved. D. Permanent Fencing. The director may require the wetland and/or buffer area to be fenced for any proposed project. Permanent fencing shall be installed at the applicant's expense	

			and height and type shall be such that it provides protection yet is not sight-obscuring.	
		15.08.420(F)	The Washington State Department of Ecology's Stormwater Manual shall be the standard reference when implementing a stormwater management plan unless the director authorizes an alternative approach.	The Washington State Department of Ecology's Stormwater Manual shall be the standard reference when implementing a stormwater management plan unless the Public Works Director authorizes an alternative approach.
		15.08.430	A. Mitigation Options. As a condition of any permit allowing for the alteration of wetlands, the applicant will engage in the restoration, creation or enhancement of wetlands in order to offset the impacts resulting from the alteration. An appropriate mitigation plan shall be developed by a qualified professional with experience in wetland mitigation, and shall be approved by the director. C. Wetland Enhancement. Any applicant proposing to degrade wetlands may propose to enhance existing wetlands in order to compensate for wetland losses. Applicants proposing to enhance wetlands shall present an enhancement program designed by a qualified professional with experience in wetland enhancement. Acreage	No Change. "Director" now refers to Community Development Director with the definitions change.

			replacement ratios may be increased up to one hundred percent at the recommendation of a qualified professional performing the enhancement program, with the approval of the director, if the following conditions exist: G. Mitigation Site Selection. Mitigation sites shall be selected in accordance with a prepared wetland report by a certified wetland biologist and shall be within the existing city limits or with the director's approval, within the approved and adopted Woodland Urban Growth Boundary. I. Components of Mitigation Plans. All wetland restoration, creation and/or enhancement projects required pursuant to this chapter either as a permit condition or as the result of an enforcement action shall follow a mitigation plan approved by the city. The applicant or violator must receive written approval by the director for the mitigation plan prior to the commencement of any wetland restoration, creation, or enhancement activity. The mitigation plan shall contain at least the following components:	
		15.08.450(5)	Any activity determined by the director that may likely have an	No Change. "Director" now refers to Community

			adverse effect on aquifer recharge or groundwater quality.	Development Director with the definitions change.
		15.08.630	The director may allow the following activities within other geologically hazardous areas if the activity will not increase the risk of the hazard:	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.640	2. To increase the functional attributes of the buffer, the director may require that the buffer be enhanced through the planting of indigenous species. 3. The edge of the buffer area shall be clearly staked, flagged, and fenced prior to any clearing, grading or construction. The buffer markers shall be clearly visible, durable, and permanently affixed to the ground. Site clearing shall not commence until the engineer has submitted written notice to the director that the buffer requirements of this chapter have been met. The buffer shall be permanently protected through a protective easement or other appropriate permanent protective measure.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.08.710(D)	Additional Information Required. The director may require additional information when the type of habitat or species dictates the need. The habitat management additional requirement shall include:	No Change. "Director" now refers to Community Development Director with the definitions change.

		15.08.720	D. Approvals May Be Conditioned. The director may condition approvals of allowed activities within or adjacent to habitat conservation areas or buffers. Conditions may include, but are not limited to, the following: G. Buffers. 1. The director shall require buffer areas to be established for all activities in or adjacent to habitat conservation areas when needed for habitat protection. Buffers shall be undisturbed areas of native vegetation, or shall be areas identified for restoration, to protect the integrity, functions, and values of the affected habitat. Buffers shall reflect the sensitivity of the habitat and intensity of the proposed project, and shall be consistent with recommendations by the State Department of Fish and Wildlife. Buffers shall be preserved in perpetuity. 3. Habitat Buffer Averaging. The director may allow the recommended buffer width to be reduced in accordance with an approved critical area report, best available science, and management recommendations by the State Department of Fish and Wildlife. Averaging may only occur if:	No Change. "Director" now refers to Community Development Director with the definitions change.

			H. Signs and Fencing. 1. Temporary Markers. The outer perimeter of the habitat conservation area or buffer and the limits of the area to be disturbed shall be marked in such a way as to prevent unauthorized intrusion. The marking shall be verified by the director prior to any activities taking place. Temporary marking shall be maintained throughout the project timeline until permanent signs, if required, are in place. 2. Permanent Signs. The director may require permanent signs along the boundary of a habitat conservation area or buffer. The signs, if required, must be made of a durable material, mounted on a metal post. Signs shall be posted approximately fifty feet apart. The property owner shall maintain the signs. 3. Fencing. a. The director may require permanent fencing of a habitat conservation area or buffer when fencing will prevent future impacts to the area.	
		15.08.730	5. Increased Riparian Widths. Riparian habitat widths shall be increased when a. The director determines that the recommended width is insufficient to	No Change. "Director" now refers to Community Development Director with the definitions change.

			prevent habitat degradation and to protect the functions of the habitat area; 6. Reduction of Habitat Buffer Widths. The director may allow the standard habitat buffer width to be reduced in accordance with an approved critical area report and the best available science on a case-by-case basis when it is determined that a smaller area is adequate to protect the habitat functions and values based on site-specific characteristics and when all of the following criteria are met: d. As required by the director, a five-year monitoring program of the buffer and habitat shall be included. Subsequent corrective actions may be required if adverse impacts to the habitats are discovered during the monitoring period; 7. Riparian Habitat Area Width Averaging. The director may allow the riparian habitat area width to be averaged in accordance with a critical area report only if: 9. Alternative Mitigation for Riparian Areas. If the applicant demonstrates that greater habitat functions can be obtained as a result of alternate mitigation measures, the director may modify the requirements of the performance standards of this section, including the riparian habitat area buffers.	

			11. Functionally Isolated Riparian Habitat Area. Areas which are functionally separated from a riparian habitat area due to preexisting roads, structures, or similar circumstances, shall be excluded from buffers otherwise required by this chapter on a case-by-case basis subject to a critical area report and review as determined by the director. a. Grading is allowed only in the dry season as determined by the director.	
	15.10 Erosion Control	15.10.030	B. The director is hereby given the authority to interpret and apply, and the responsibility to enforce this chapter. The director may withhold, approve, approve with conditions, or deny erosion control plans in accordance with the provisions outlined in this chapter and the BMP manual. D. If the BMPs applied to a site are insufficient to prevent sediment from reaching water bodies, adjacent properties, or public right-of-way, then the director shall require additional BMPs.	B. The Public Works Director is hereby given the authority to interpret and apply, and the responsibility to enforce this chapter. The Public Works Director may withhold, approve, approve with conditions, or deny erosion control plans in accordance with the provisions outlined in this chapter and the BMP manual. D. If the BMPs applied to a site are insufficient to prevent sediment from reaching water bodies, adjacent properties, or public right-of-way, then the Public Works Director shall require additional BMPs.

		15.10.040 Definitions	"Director" means the director of public works or his/her designee.	"Director" means the Community Development Director of his/her designee.
		15.10.050(G)	Removal of diseased, dead or dying trees upon written verification by a qualified arborist or landscape architect, or landscape contractor which states that removal of the trees is essential for the protection of life, limb, or property and is filed with the director.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.10.060	N. If required by the director or applicable law, all plans, studies, and reports shall be stamped, signed and dated by the professional civil engineer(s) registered in the state of Washington and, if required by the director, the registered soil scientist(s). The plan shall include a soils survey or a written description of the soil types of the exposed land area contemplated for the earth change. An erosion control plan shall contain methods and measures to be used during and after construction to prevent or control erosion prepared in compliance with the provisions in the BMP manual; S. Any other information required by the director to demonstrate compliance with this chapter.	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.10.090	A. The director shall review the erosion control plan for compliance with the BMPs, and withhold, approve,	No Change. "Director" now refers to Community

			approve with conditions, or deny the plan with notice of the decision to the applicant. The erosion control plan shall be approved prior to issuance of the associated land use or building permits. Upon issuance of the land use or building permit, the owner or his/her designated representative of the land subject to the land disturbing activity shall implement the plan. 1. If the land disturbing activity does not require a land use or building permit, the director may withhold, approve, approve with conditions, or deny the erosion control plan with notice of the decision to the applicant. Upon approval of the plan, the owner or his/her designated representative of the land subject to the land disturbing activity shall implement the plan. 2. The director may approve the alternative BMPs based on the provisions in the BMP manual and the best available science.	Development Director with the definitions change.
		15.10.100	E. Sediment Removal from Roadways. If sediment, mud or debris is transported onto a road surface, the roads shall be cleaned thoroughly at the end of the workday, or more often if necessary. Significant soil deposits shall be removed from roads by shoveling or sweeping. Street washing, which must be approved by	E. Sediment Removal from Roadways. If sediment, mud or debris is transported onto a road surface, the roads shall be cleaned thoroughly at the end of the workday, or more often if necessary. Significant soil deposits shall be removed from roads by shoveling or

			the director, shall be allowed only after sediment is removed in this manner. Prior to washing, all inlets and downstream facilities must be protected.	sweeping. Street washing, which must be approved by the Public Works Director, shall be allowed only after sediment is removed in this manner. Prior to washing, all inlets and downstream facilities must be protected.
		15.10.110	A. Construction Access Route. Construction vehicle access shall be limited to specific access points. Access points shall include a temporary sedimentation pond or other approved BMP to contain or treat wash water from construction vehicles. Additional accesses shall be approved by the director. Access points shall be stabilized with four- to eight-inch diameter gravel, and a minimum of twelve-inch thick, fifteen-foot wide, and one hundred-foot deep, to minimize the tracking of sediment or debris onto public roads. Evidence of tracking of material from a construction site may require construction activities to cease until corrections are made. B. Sediment Removal from Roadways. If sediment or debris is transported onto a road surface, the roads shall be cleaned thoroughly at the end of the workday, or more often if necessary. Significant soil deposits shall be removed from roads by shoveling or	A. Construction Access Route. Construction vehicle access shall be limited to specific access points. Access points shall include a temporary sedimentation pond or other approved BMP to contain or treat wash water from construction vehicles. Additional accesses shall be approved by the Public Works Director. Access points shall be stabilized with four- to eight-inch diameter gravel, and a minimum of twelve-inch thick, fifteen-foot wide, and one hundred-foot deep, to minimize the tracking of sediment or debris onto public roads. Evidence of tracking of material from a construction site may require construction activities to cease until corrections are made. B. Sediment Removal from Roadways. If sediment or

			sweeping. Street washing, which must be approved by the director, shall be allowed only after sediment is removed in this manner. Prior to washing, all inlets and downstream facilities must be protected.	debris is transported onto a road surface, the roads shall be cleaned thoroughly at the end of the workday, or more often if necessary. Significant soil deposits shall be removed from roads by shoveling or sweeping. Street washing, which must be approved by the Public Works Director, shall be allowed only after sediment is removed in this manner. Prior to washing, all inlets and downstream facilities must be protected.
		15.10.120	B. If the director finds that the facilities and techniques approved in an erosion control plan are not sufficient to prevent erosion during any land disturbing activity regulated by this chapter, the director shall notify the owner or his/her designated representative. Upon receiving notice, the owner or his/her designated representative shall immediately install interim erosion control measures as specified in the BMP manual, required by the director, or otherwise directed by WDOE (Washington Department of Ecology).	No Change. "Director" now refers to Community Development Director with the definitions change.
		15.10.130	The city adopted this chapter pursuant to its police powers to protect the public's health, safety, and welfare. It	No Change. "Director" now refers to Community

			shall be unlawful to violate this chapter. Whenever the director determines that a violation has occurred or is occurring, the director, in response to the seriousness and severity of the violation, may utilize one or a combination of the enforcement mechanisms in this section. The following enforcement mechanisms may be used instead of, or in addition to, any other remedies available under law: A. Correction Notice. The director may issue a correction notice to any person who violates this chapter. The correction notice shall specify the violated provisions of this chapter and impose a date certain by which corrective action must be taken. B. Civil Infraction. The director may issue a civil infraction to the person(s) who violate this chapter, as provided in Chapter 1.12 of the Woodland Municipal Code. Each violation of this chapter shall constitute a Class 1 Civil Infraction. The director may issue a separate civil infraction to the person(s) who violate this chapter each day a violation continues. Every civil infraction shall cite the provision(s) of this chapter that has been violated. C. Stop Work Order. The director may issue a stop work order to the person who is in violation of this chapter until	Development Director with the definitions change.

			the violator demonstrates compliance with this chapter's requirements.	
		15.10.140	Any appeal of the director's decision to require, approve, approve with conditions, or deny an erosion control plan may be appealed in accordance with WMC 19.08.	No Change. "Director" now refers to Community Development Director with the definitions change.
	15.12 Stormwater	15.12.040	"City" means the city government of the city of Woodland. Authority for stormwater compliances rests with the public works director.	No Change. In this instance, stormwater regulation compliance does rest with the PW Director.

Title	Chapter	Section	Current Language	Proposed Language/Change
Title 16 Subdivisions	16.04 Definitions	16.04.050	"Actual cost of inspection" means the cost, including overhead, to the public works supervisor, or his designee, of inspecting subdivision improvements.	"Actual cost of inspection" means the cost, including overhead, to the Public Works Director, or his designee, of inspecting subdivision improvements.
		16.04.710	"Street classification system" means the categorization of streets and alleys, by the following classes: freeway or expressway, major (primary) arterial, minor (secondary) arterial, collector street, local street in multifamily housing areas, local street in single-family housing areas, and alleys. Classification of any given street is based upon its location, present and prospective traffic volume, and relative importance and	"Street classification system" means the categorization of streets and alleys, by the following classes: freeway or expressway, major (primary) arterial, minor (secondary) arterial, collector street, local street in multifamily housing areas, local street in single-family housing areas, and alleys. Classification of any given street

			function. Streets providing egress from a subdivision to connecting streets outside are generally collectors. Authority for determination of the class of a street shall rest with the public works supervisor.	is based upon its location, present and prospective traffic volume, and relative importance and function. Streets providing egress from a subdivision to connecting streets outside are generally collectors. Authority for determination of the class of a street shall rest with the Public Works Director.
		16.04.750	"Supervisor" means the public works supervisor of the city of Woodland.	Remove completely.
	16.06 Pre-application Conference	16.06.040	The clerk-treasurer shall refer prospective subdivision applicants to the building inspector or public works supervisor, and shall not accept applications, proposed preliminary plats or application fees until the prospective subdivider has met with the building inspector or public works supervisor. The clerk-treasurer is not required to participate in pre-application conferences.	The clerk-treasurer shall refer prospective subdivision applicants to the Building Official or the Community Development Director, and shall not accept applications, proposed preliminary plats or application fees until the prospective subdivider has met with the Building Official and Community Development Director. The clerk-treasurer is not required to participate in pre-application conferences.
		16.06.050(A)	In the early concept stages of subdivision design and prior to designing a preliminary plat, a prospective subdivider should meet with the building inspector or public works supervisor to arrange for a preapplication conference.	In the early concept stages of subdivision design and prior to designing a preliminary plat, a prospective subdivider should meet with the Building Official and the Community Development

			Prospective sub-dividers participating in a conference shall provide the following at the conference:	Planner to arrange for a pre-application conference. Prospective sub-dividers participating in a conference shall provide the following at the conference:
		16.06.06	The building inspector or, in the absence of a building inspector, the public works supervisor, shall perform the following duties in connection with the preapplication conference: J. Insure that the prospective subdivider is furnished a preapplication conference summary checklist as a follow-up to the conference. Such checklist shall contain the conclusions and recommendations of each of the city employee participants and the city planner or planning agency. The building inspector or, in his absence, the public works supervisor, shall encourage participants who are not city employees to complete a checklist or submit other written summaries.	The building inspector or, in the absence of a building inspector, the Community Development Director, shall perform the following duties in connection with the pre-application conference: J. Insure that the prospective subdivider is furnished a pre-application conference summary checklist as a follow-up to the conference. Such checklist shall contain the conclusions and recommendations of each of the city employee participants and the city planner or planning agency. The Community Development Planner, shall encourage participants who are not city employees to complete a checklist or submit other written summaries.
		16.06.070	In addition to the responsibilities of the building inspector undertaken by the public works supervisor in the absence of	In addition to the responsibilities of the building inspector undertaken by the public works

			a building inspector, the public works supervisor shall have the following responsibilities in connection with the preapplication conference:	supervisor in the absence of a building inspector, the public works supervisor shall have the following responsibilities in connection with the pre-application conference:
		16.06.080	The fire chief or an assistant is an optional participant but shall be encouraged to attend by the building inspector or public works supervisor.	The fire chief or an assistant is an optional participant but shall be encouraged to attend by the Community Development Director.
		16.06.090	The city planner or agency providing planning services to the city shall assist the building inspector and public works supervisor in performance of their responsibilities listed in Sections 16.06.060 and 16.06.070.	Remove completely.
		16.06.100	Participation by the PUD, special districts and private utilities is optional but shall be encouraged by the building inspector or public works supervisor.	Participation by the PUD, special districts and private utilities is optional but shall be encouraged by the Community Development Director.
		16.06.110	The building inspector or, in his absence, the public works supervisor shall seek attendance by staff from the Cowlitz County department of community development when the subject property is adjacent to unincorporated area.	The Community Development Director shall seek attendance by staff from the Cowlitz County department of community development when the subject property is adjacent to unincorporated area.

	16.08 Preliminary Plats	16.08.070(A)	The city clerk-treasurer shall distribute a copy of the preliminary plat, the public notice prepared pursuant to Sections 16.08.040 and 16.08.050 and, if applicable, the master plan to the following: 1. City building inspector; 2. City public works supervisor; 3. City fire chief; 4. City police chief; 5. Woodland parks board chairman; 6. City planner, or agency providing planning services to the City;	The city clerk-treasurer shall distribute a copy of the preliminary plat, the public notice prepared pursuant to Sections 16.08.040 and 16.08.050 and, if applicable, the master plan to the following: 1. City Building Official; 2. City Public Works Director; 3. City fire chief; 4. City police chief; 5. Woodland parks board chairman; 6. City Community Development Director;
		16.08.120	A. The following persons shall prepare comments and recommendations to be considered by the planning commission and city council in review of proposed preliminary plats: 1. Public works supervisor; 2. City fire chief; 3. Woodland parks board in the case of residential subdivisions, when requested, pursuant to Section 16.14.210; 4. City planner, or agency providing planning services to the city.	A. The following persons shall prepare comments and recommendations to be considered by the planning commission and city council in review of proposed preliminary plats: 1. Public Works Director; 2. City fire chief; 3. Woodland parks board in the case of residential subdivisions, when requested, pursuant to Section 16.14.210;

			B. The public works supervisor, fire chief and parks board shall forward their comments and recommendations to the planner or planning agency in a timely manner, and the planning commission secretary shall forward any comments received from the public, public agencies or utilities to the planner or planning agency. The planner or planning agency shall consolidate the comments and recommendations into a staff report to be considered by the planning commission.	4. City Community Development Planner B. The Public Works Director, fire chief and parks board shall forward their comments and recommendations to Community Development Planner, and the planning commission secretary shall forward any comments received from the public, public agencies or utilities to the planner or planning agency. The Community Development Director shall consolidate the comments and recommendations into a staff report to be considered by the planning commission.
		16.08.175	All lots of a subdivision abutting a street shall be improved with curbs, sidewalks, drainage, and roadway constructed to standards outlined in this chapter and approved by the public works supervisor to the centerline of such streets.	All lots of a subdivision abutting a street shall be improved with curbs, sidewalks, drainage, and roadway constructed to standards outlined in this chapter and approved by the Public Works Director to the centerline of such streets.
		16.08.300	Approval of a preliminary plat by the city council is approval of the proposed subdivision's design, relationship with adjoining property and improvements to be provided. Engineering, construction	Approval of a preliminary plat by the city council is approval of the proposed subdivision's design, relationship with adjoining property and improvements to be

			and installation of improvements and final platting detail shall be subject to approval of the public works supervisor. Approval of a preliminary plat shall not guarantee approval or constitute acceptance of the final plat. Rather, it shall be deemed to authorize the subdivider to proceed with preparation of the final plat in conformance with the approved preliminary plat and conditions set thereon, and, upon the public works supervisor's approval of detailed construction plans, to proceed with construction and installation of the required improvements.	provided. Engineering, construction and installation of improvements and final platting detail shall be subject to approval of the Public Works Director. Approval of a preliminary plat shall not guarantee approval or constitute acceptance of the final plat. Rather, it shall be deemed to authorize the subdivider to proceed with preparation of the final plat in conformance with the approved preliminary plat and conditions set thereon, and, upon the Public Works Director's approval of detailed construction plans, to proceed with construction and installation of the required improvements.
		16.08.310	After approval of the preliminary plat and prior to the beginning of construction and installation of improvements or performance bonding or other assurance in lieu thereof, the subdivider's engineer shall submit to the public works supervisor detailed construction plans for all required improvements and applications for necessary permits. Such plans shall conform to the specifications set forth in Section 16.18.050. Upon the public works supervisor's approval of the construction plans, and prior to submission of the final plat, the	After approval of the preliminary plat and prior to the beginning of construction and installation of improvements or performance bonding or other assurance in lieu thereof, the subdivider's engineer shall submit to the Public Works Director detailed construction plans for all required improvements and applications for necessary permits. Such plans shall conform to the specifications set forth in Section 16.18.050. Upon the Public Works Director approval of the

			subdivider shall proceed to construct and install required improvements to completion, unless the performance bonding or other option set forth in Chapter 16.12 is accepted.	construction plans, and prior to submission of the final plat, the subdivider shall proceed to construct and install required improvements to completion, unless the performance bonding or other option set forth in Chapter 16.12 is accepted.
	16.10 Final Plats	16.10.010(B)	Conform to the preliminary plat approved by the city council and to any conditions that may have been part of the approval. Slight deviation from the approved preliminary plat may be allowed if the public works supervisor determines such deviations are necessary because of unforeseen technical problems;	Conform to the preliminary plat approved by the city council and to any conditions that may have been part of the approval. Slight deviation from the approved preliminary plat may be allowed if the Community Development Director determines such deviations are necessary because of unforeseen technical problems;
		16.10.030	Signatures required by Section 16.18.070 for dedications, acknowledgments and endorsements normally shall be obtained in the following sequence: A. The owners in fee simple; B. Notary public in and for the state of Washington; C. Licensed land surveyor; D. Cowlitz County treasurer; E. Public works supervisor; F. Planning commission chairman;	Signatures required by Section 16.18.070 for dedications, acknowledgments and endorsements normally shall be obtained in the following sequence: A. The owners in fee simple; B. Notary public in and for the state of Washington; C. Licensed land surveyor; D. Cowlitz County treasurer; E. Public Works Director;

			G. Mayor; H. City clerk-treasurer; I. Cowlitz County auditor.	F. Planning commission chairman; G. Mayor; H. City clerk-treasurer; I. Cowlitz County auditor.
		16.10.040	A. The subdivider shall submit the original drawing of the proposed final plat and supplementary materials to the public works supervisor. The public works supervisor shall: 1. Inspect the detail and computations of the final plat for conformance with the specifications and standards of this article; the supervisor's determinations shall be conclusive; 2. Inspect the final plat for conformance with the preliminary plat approved by the city council and the conditions made a part of such approval; 3. Determine either that all required improvements have been installed in accordance with these regulations or that certain improvements may properly be deferred under Chapter 16.12. B. When the public works supervisor is satisfied with the detail and computations of the plat, determines that the plat conforms with the	A. The subdivider shall submit the original drawing of the proposed final plat and supplementary materials to the Public Works Director. The Public Works Director shall: 1. Inspect the detail and computations of the final plat for conformance with the specifications and standards of this article; the Public Works Director's determinations shall be conclusive; 2. Inspect the final plat for conformance with the preliminary plat approved by the city council and the conditions made a part of such approval; 3. Determine either that all required improvements have been installed in accordance with these regulations or that certain improvements may

			approved preliminary plat and conditions set thereon, and determines that improvements either are complete or may properly be deferred, he shall signify his approval of the subdivision by signing the original and mylar copies of the final plat. Thereafter, he shall forward the plats and the supplementary material to the city clerk-treasurer, who shall arrange for planning commission review. C. If the public works supervisor is not satisfied with the detail and computations of the final plat, finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he shall withhold his signature until the matter is corrected or resolved by the subdivider to the satisfaction of the supervisor.	properly be deferred under Chapter 16.12. B. When the Public Works Director is satisfied with the detail and computations of the plat, determines that the plat conforms with the approved preliminary plat and conditions set thereon, and determines that improvements either are complete or may properly be deferred, he shall signify his approval of the subdivision by signing the original and mylar copies of the final plat. Thereafter, he shall forward the plats and the supplementary material to the city clerk-treasurer, who shall arrange for planning commission review. C. If the Public Works Director is not satisfied with the detail and computations of the final plat, finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he shall withhold his

				signature until the matter is corrected or resolved by the subdivider to the satisfaction of the Public Works Director.
		16.10.050(A)	After the inspection by the public works supervisor the planning commission shall review the proposed final plat for conformance with the preliminary plat and conditions approved by the council. Such review shall take place at a regular public meeting.	After the inspection by the Public Works Director, the planning commission shall review the proposed final plat for conformance with the preliminary plat and conditions approved by the council. Such review shall take place at a regular public meeting.
		16.10.060(A)	The city council shall review final plats at a public meeting considering the factors set forth in this subsection. The council review shall occur after the reviews by the public works supervisor and planning commission. The council shall determine whether:	The city council shall review final plats at a public meeting considering the factors set forth in this subsection. The council review shall occur after the reviews by the Community Development Director, Public Works Director, and planning commission. The council shall determine whether:
		16.10.070	The subdivider shall file the original drawing of the final plat for recording with the Cowlitz County auditor. One reproduced full copy on mylar material shall be furnished to the public works supervisor. One paper copy shall be filed with the Cowlitz County assessor. At least six paper copies shall be furnished to the city clerk-treasurer.	The subdivider shall file the original drawing of the final plat for recording with the Cowlitz County auditor. One reproduced full copy on mylar material shall be furnished to the Community Development Director~~. One paper copy shall be filed with the Cowlitz County assessor. At least six~~

				~~paper copies shall be furnished to the city clerk-treasurer.~~
	16.12 Improvements	16.12.030(B)	That the applicant pay to the city his share of the cost, as estimated by the public works supervisor, of constructing or installing the improvement at a later date; said payment shall be held in an account reserved for the future improvement, and any unused portion shall be returned to the subdivider;	That the applicant pay to the city his share of the cost, as estimated by the Public Works Director, of constructing or installing the improvement at a later date; said payment shall be held in an account reserved for the future improvement, and any unused portion shall be returned to the subdivider;
		16.12.040(A)	All improvements required of the subdivider have been completed by the subdivider to the satisfaction of the public works supervisor; or	All improvements required of the subdivider have been completed by the subdivider to the satisfaction of the Public Works Director; or
		16.12.050	In any case when a subdivider is required to construct an interim improvement, one or a combination of the forms of security set forth in subsections (B), (C), (D) and (E) of Section 16.12.040 shall be required to assure maintenance and, at the appropriate time as determined by the public works supervisor, removal of the interim improvement.	In any case when a subdivider is required to construct an interim improvement, one or a combination of the forms of security set forth in subsections (B), (C), (D) and (E) of Section 16.12.040 shall be required to assure maintenance and, at the appropriate time as determined by the Public Works Director, removal of the interim improvement.
		16.12.080	The amount of any bond or other security posted or submitted shall be at least one hundred twenty-five percent of	The amount of any bond or other security posted or submitted shall be at least one hundred twenty-

			the cost of completion of improvements as estimated by the public works supervisor. In the event of interim improvements, the amount shall include the cost of their completion, maintenance and removal as estimated by the public works supervisor. Amounts determined by the public works supervisor shall be conclusive. The subdivider may provide cost estimates to the supervisor.	five percent of the cost of completion of improvements as estimated by the Public Works Director. In the event of interim improvements, the amount shall include the cost of their completion, maintenance and removal as estimated by the Public Works Director. Amounts determined by the public works supervisor shall be conclusive. The subdivider may provide cost estimates to the Public Works Director.
		16.12.090	The period in which improvements must be completed shall be specified in the plat performance bond or agreement, which period shall not exceed eighteen months from date of final plat approval. However, extensions may be granted. Requests for extension shall be made to the planning commission for consideration at a public meeting and shall require a recommendation from the public works supervisor. The commission shall determine whether sufficient progress has been made and good faith indicated to warrant an extension. The commission shall forward a recommendation to the city council, which shall have sole authority to grant extensions.	The period in which improvements must be completed shall be specified in the plat performance bond or agreement, which period shall not exceed eighteen months from date of final plat approval. However, extensions may be granted. Requests for extension shall be made to the planning commission for consideration at a public meeting and shall require a recommendation from the Public Works Director. The commission shall determine whether sufficient progress has been made and good faith indicated to warrant an extension. The commission shall forward a recommendation to the

				city council, which shall have sole authority to grant extensions.
		16.12.140	Improvements shall be inspected by the public works supervisor or designee at the start, during, and at completion of construction and installation. The person, firm or contractor actually performing the work shall notify the public works supervisor at least twenty-four hours in advance of commencing operations or commencing any construction phase.	Improvements shall be inspected by the Public Works Director or designee at the start, during, and at completion of construction and installation. The person, firm or contractor actually performing the work shall notify the Public Works Director at least twenty-four hours in advance of commencing operations or commencing any construction phase.
		16.12.150	After completion of improvements, the subdivider shall reimburse the city for the actual cost of the inspections. Such inspection fee shall be paid to the city prior to final plat approval for those improvements found by the supervisor to be complete. Payment of inspection fees for improvements whose completion is deferred by plat bonding or other security shall be made to the city upon completion of the improvements. The city shall have authority to invoke any bond or other security posted by the subdivider to recover actual inspection costs from the subdivider, surety company, bank or cosigner or to seek other remedy.	After completion of improvements, the subdivider shall reimburse the city for the actual cost of the inspections. Such inspection fee shall be paid to the city prior to final plat approval for those improvements found by the Public Works Director to be complete. Payment of inspection fees for improvements whose completion is deferred by plat bonding or other security shall be made to the city upon completion of the improvements. The city shall have authority to invoke any bond or other security posted by the subdivider to recover actual inspection costs from the

				subdivider, surety company, bank or cosigner or to seek other remedy.
		16.12.160	As assurance against defective workmanship or materials employed in the construction or installation of permanent improvements dedicated to the public, the subdivider, at his expense, shall be responsible for maintenance of and correction of any defects in said improvements for a period of twelve months following certification of completion by the public works supervisor. If improvements are not maintained, or if defects are not corrected as requested by the supervisor, the city may invoke any bond or other security posted by the subdivider, may cause the work to be done, and may recover the full cost thereof from the subdivider, surety company, bank or cosigner, or may seek other remedy.	As assurance against defective workmanship or materials employed in the construction or installation of permanent improvements dedicated to the public, the subdivider, at his expense, shall be responsible for maintenance of and correction of any defects in said improvements for a period of twelve months following certification of completion by the Public Works Director. If improvements are not maintained, or if defects are not corrected as requested by the Public Works Director, the city may invoke any bond or other security posted by the subdivider, may cause the work to be done, and may recover the full cost thereof from the subdivider, surety company, bank or cosigner, or may seek other remedy.
		16.12.170	The subdivider shall be responsible for maintenance of interim improvements and, at the time deemed appropriate by the public works supervisor, for their removal. If interim improvements are not adequately maintained, and at the	The subdivider shall be responsible for maintenance of interim improvements and, at the time deemed appropriate by the Public Works Director, for their removal. If interim improvements

			appropriate time removed, the city may invoke any bond or other security posted by the subdivider, may cause the work to be done, and may recover the full cost thereof from the subdivider, surety company, bank or cosigner, or may seek other remedy.	are not adequately maintained, and at the appropriate time removed, the city may invoke any bond or other security posted by the subdivider, may cause the work to be done, and may recover the full cost thereof from the subdivider, surety company, bank or cosigner, or may seek other remedy.
		16.12.190	After completion of all required improvements, but prior to acceptance of completed work by the public works supervisor, the subdivider shall furnish the supervisor with an acceptable set of reproducible plans indicating the "as-built" condition of the work. Such plans shall show all changes, additions and deletions in alignments, grades, and other engineering detail from the original detailed construction plans, all of which shall be certified by an engineer registered in the state of Washington responsible for the work.	After completion of all required improvements, but prior to acceptance of completed work by the Public Works Director, the subdivider shall furnish the Public Works Director with an acceptable set of reproducible plans indicating the "as-built" condition of the work. Such plans shall show all changes, additions and deletions in alignments, grades, and other engineering detail from the original detailed construction plans, all of which shall be certified by an engineer registered in the state of Washington responsible for the work.
	16.14 Design Standards	16.14.110(E)	Areas that the city council, as recommended by the public works supervisor, determines to be unsuitable for development due to flood hazards, poor drainage, rock formations or other	Areas that the city council, as recommended by the Public Works Director and/or the Community Development Director, determines to be

			features likely to be harmful to the safety and welfare of future residents and adjacent landowners shall be designed as open space, unless protective improvements assuring maintenance of the public safety and welfare and acceptable to the public works supervisor can be developed.	unsuitable for development due to flood hazards, poor drainage, rock formations or other features likely to be harmful to the safety and welfare of future residents and adjacent landowners shall be designed as open space, unless protective improvements assuring maintenance of the public safety and welfare and acceptable to the Public Works Director and/or Community Development Director can be developed.
		16.14.140	Soil maps contained in the soil survey shall be controlling in determining limitations for development by location by soil type. Determinations of location by soil type shall be made by the public works supervisor and shall be conclusive.	Soil maps contained in the soil survey shall be controlling in determining limitations for development by location by soil type. Determinations of location by soil type shall be made by the Community Development Director and shall be conclusive.
		16.14.160	The public works supervisor shall be responsible for evaluating submitted geologic reports for adequacy and conformance to Section 16.18.040. The supervisor may consult with the soil conservation service, Washington Department of Natural Resources, or other qualified agencies or individuals with respect to the adequacy of the report. The supervisor may require additional information to be submitted by the applicant.	The Community Development Director shall be responsible for evaluating submitted geologic reports for adequacy and conformance to Section 16.18.040. The Community Development Director may consult with the soil conservation service, Washington Department of Natural Resources, or other qualified agencies or individuals with respect to the adequacy of the report. The Community

				Development Director may require additional information to be submitted by the applicant.
		16.14.270	Street grades shall not exceed seven percent for arterials. Collector and local street grades should not exceed ten percent. Streets with grades between six percent and ten percent shall be constructed of six-inch portland cement six-sack mix. All streets shall have a grade of at least 0.20 percent at the gutter. Intersections shall be designed with a flat grade whenever possible. In hilly areas, a leveling area of a distance acceptable to the public works supervisor shall be provided at the approach to intersections.	Street grades shall not exceed seven percent for arterials. Collector and local street grades should not exceed ten percent. Streets with grades between six percent and ten percent shall be constructed of six-inch portland cement six-sack mix. All streets shall have a grade of at least 0.20 percent at the gutter. Intersections shall be designed with a flat grade whenever possible. In hilly areas, a leveling area of a distance acceptable to the Public Works Director shall be provided at the approach to intersections.
		16.14.290	A. Where a deflection angle of more than ten degrees occurs in the alignment of a street, a simple curve or reasonably long radius shall be designed subject to the approval of the public works supervisor. Acceptable centerline radii of curvature shall be determined by the public works supervisor, but no radius shall be less than one hundred fifty feet.	A. Where a deflection angle of more than ten degrees occurs in the alignment of a street, a simple curve or reasonably long radius shall be designed subject to the approval of the Public Works Director. Acceptable centerline radii of curvature shall be determined by the Public Works Director, but no radius shall be less than one hundred fifty feet.

			B. Vertical curves may be required by the public works supervisor per standard construction practice. C. Tangent distances between reverse curves shall be acceptable to the public works supervisor.	B. Vertical curves may be required by the Public Works Director per standard construction practice. C. Tangent distances between reverse curves shall be acceptable to the Public Works Director.
		16.14.300	The slope of cuts and fills for street construction shall not exceed two feet horizontal to one foot vertical, unless the public works supervisor determines conditions allow steeper slopes.	The slope of cuts and fills for street construction shall not exceed two feet horizontal to one foot vertical, unless the Public Works Director determines conditions allow steeper slopes.
	16.16 Improvements required	16.16.010	A. A drainage system satisfactory to the public works supervisor shall be required in all subdivisions. Underground storm sewers or drainage-ways connecting or intended to connect in the future to storm sewers or drainageways outside the subdivision may be required by the supervisor. C. The drainage system shall be installed in the street rights-of-way. Storm sewer location shall conform to the standard utility location plans (see Figures 4, 5 and 6, included in Chapter 16.16). Installation shall conform to requirements of the public works supervisor and to the APWA specifications.	A. A drainage system satisfactory to the Public Works Director shall be required in all subdivisions. Underground storm sewers or drainage-ways connecting or intended to connect in the future to storm sewers or drainageways outside the subdivision may be required by the Public Works Director. C. The drainage system shall be installed in the street rights-of-way. Storm sewer location shall conform to the standard utility location plans (see Figures 4, 5 and 6, included in Chapter 16.16). Installation

				shall conform to requirements of the Public Works Director and to the APWA specifications.
		16.16.040	The subdivider shall be responsible for insuring that, prior to issuance of an occupancy permit for a lot, the utility/planting strip abutting the curb adjacent to the lot is seeded in grass or sodded. Seeding or sodding shall be conducted in accordance with the APWA specifications. The subdivider shall be liable to the city for incomplete grass seeding or sodding at the cost of sodding as estimated by the public works supervisor. These provisions do not apply to utility strips located outside the sidewalk under the integral curb and sidewalk option for local streets serving single-family residential areas.	The subdivider shall be responsible for insuring that, prior to issuance of an occupancy permit for a lot, the utility/planting strip abutting the curb adjacent to the lot is seeded in grass or sodded. Seeding or sodding shall be conducted in accordance with the APWA specifications. The subdivider shall be liable to the city for incomplete grass seeding or sodding at the cost of sodding as estimated by the Public Works Director. These provisions do not apply to utility strips located outside the sidewalk under the integral curb and sidewalk option for local streets serving single-family residential areas.
		16.16.070	A. Streets, curbs and sidewalks shall be constructed by the subdivider, all in accordance with the design standards of this article, the standard utility location plans, the APWA specifications, and the requirements of the public works supervisor.	A. Streets, curbs and sidewalks shall be constructed by the subdivider, all in accordance with the design standards of this article, the standard utility location plans, the APWA specifications, and the

			B. 3. Where sidewalks are to be separated from the street by the utility/planting strip, the curb shall be constructed with indentations. Construction of the sidewalk and of the portion of the driveway within the right-of-way shall be done on a lot-by-lot basis, prior to issuance of a certificate of occupancy for the lot. However, no later than three years after final plat approval or expiration of the plat performance bond or other security if one has been posted, the subdivider shall cause continuous sidewalks to be completed, including sidewalks in front of undeveloped lots. The subdivider shall be liable to the city for the cost of incomplete sidewalk construction as estimated by the public works supervisor.	requirements of the Public Works Director. B. 3. Where sidewalks are to be separated from the street by the utility/planting strip, the curb shall be constructed with indentations. Construction of the sidewalk and of the portion of the driveway within the right-of-way shall be done on a lot-by-lot basis, prior to issuance of a certificate of occupancy for the lot. However, no later than three years after final plat approval or expiration of the plat performance bond or other security if one has been posted, the subdivider shall cause continuous sidewalks to be completed, including sidewalks in front of undeveloped lots. The subdivider shall be liable to the city for the cost of incomplete sidewalk construction as estimated by the Public Works Director.
		16.16.080(D)	Utility installations shall be in accordance with the standard utility location plans, the APWA specifications, the Uniform Fire Code as may be amended by the city, the requirements of the public	Utility installations shall be in accordance with the standard utility location plans, the APWA specifications, the Uniform Fire Code as may be amended by the

			works supervisor, and, for streetlights, the additional documents cited in Section 16.16.090.	city, the requirements of the Public Works Director, and, for streetlights, the additional documents cited in Section 16.16.090.
		16.16.090	A complete street lighting system, including conduits, wiring, concrete bases, poles, junction boxes, meter base, service cabinets and luminaires, shall be installed by the subdivider throughout the subdivision. Work shall be in accordance with the "State of Washington Standard Plans for Road and Bridge Construction," 1976, as may be amended; the "State of Washington Standard Specifications for Road and Bridge Construction," 1977, as may be amended; the latest edition of the National Electrical Code, as may be amended; the standard utility location plans; and the requirements of the public works supervisor, public utility district, and the State Electrical Inspector. The subdivider's contractor shall submit plans and manufacturer's technical information to the public works supervisor and public utility district for approval of all specifications. and materials used in the system.	A complete street lighting system, including conduits, wiring, concrete bases, poles, junction boxes, meter base, service cabinets and luminaires, shall be installed by the subdivider throughout the subdivision. Work shall be in accordance with the "State of Washington Standard Plans for Road and Bridge Construction," 1976, as may be amended; the "State of Washington Standard Specifications for Road and Bridge Construction," 1977, as may be amended; the latest edition of the National Electrical Code, as may be amended; the standard utility location plans; and the requirements of the Public Works Director, public utility district, and the State Electrical Inspector. The subdivider's contractor shall submit plans and manufacturer's technical information to the Public Works Director and public utility district for approval of all specifications. and materials used in the system.

		16.16.100(A)	Monuments shall be placed at all subdivision boundary angle points, points of curvature in streets, and such intermediate points required by the public works supervisor. The monuments shall be of concrete-filled pipe or tile, weighing at least fifty pounds, capped with a brass marker or a radioactive marker along with the brass marker, and bearing the surveyor's registration number. Street monuments shall be set between six inches and one foot below the finished street grades with casing as set forth in the APWA specifications.	Monuments shall be placed at all subdivision boundary angle points, points of curvature in streets, and such intermediate points required by the Public Works Director. The monuments shall be of concrete-filled pipe or tile, weighing at least fifty pounds, capped with a brass marker or a radioactive marker along with the brass marker, and bearing the surveyor's registration number. Street monuments shall be set between six inches and one foot below the finished street grades with casing as set forth in the APWA specifications.
	16.18 Specifications for plans and plats	16.18.070(5)	EXAMINED AND APPROVED this day of 19_____. (Signed) _____(Seal) Public Works Supervisor	EXAMINED AND APPROVED this day of 20_____. (Signed) _____(Seal) Public Works Director
	16.22 PURD	16.22.200(A)	Development Standards. All private service facilities must be designated by a qualified civil engineer to city standards or comparable design life as determined by the public works director.	No change. This task should be completed by the Public Works Director.
		16.22.210	A. Public Streets. 1. Standards and Widths. Public streets must be to city street,	No change. This task should be completed by the Public Works Director.

			street lighting and ADA standards. Narrower right-of-way and roadways and deviations from city standards may be approved by the review body with the approval of the public works director upon successful qualification of a PURD in accordance with WMC 16.22.025. Deviations from city standards may be approved where conditions, particularly topography or size and shape of the PURD, make it impracticable to provide buildable sites or where special design features of the PURD make the standard widths unnecessary. An easement protecting undevelopable slopes may be required. B. Private Streets. 1. Standard. Private streets may be developed to a minimum width of twenty-six foot pavement width and to the ADA requirements, provided that private street layouts, turn-around designs, parking restrictions, and location of fire hydrants shall be approved by the city fire chief, police chief, and the public works director to	

			ensure safe maneuvering areas for emergency vehicles. 2. Access. Streets must be kept open and passable at all times. However, obstructions to access, such as gates, may be allowed if approved by the city fire chief, police chief, and the public works director. 3. Separation From Public Streets. Private streets must be separated from the public roadway by a driveway-type entrance and posted as a private street. 4. Street Names. Except for extensions of existing streets, street names may not be used which will duplicate or be confused with names of existing streets. Street names must be approved by the public works director.	
		16.22.240	B. In order for a PURD to qualify as an advanced PURD under WMC 16.22.025.B.2, stormwater facilities must be designed to low impact development (LID) standards, such as provided by the Puget Sound Partnership Resource Center. The LID standard must be approved by the public works director and be included as a preliminary plat condition. The	No change. This task should be completed by the Public Works Director.

			intent is to encourage superior design by integrating stormwater management, open space requirements and protection of the natural resources. D. Off-Site Improvements. Construction of facilities outside the PURD may be required per the discretion of the public works director if the applicant demonstrates adequate on-site stormwater management systems cannot be provided.	
		16.22.290	After council approval of the preliminary plat, preliminary site plan and accompanying material, and after submission and public works supervisor approval of the detailed construction plans, the subdivider may proceed to install the agreed upon improvements of a public nature, landscaping and recreational facilities excluding buildings or to pursue the other options assuring completion of such improvements, landscaping and recreational facilities set forth in Chapter 16.12. Such improvements shall conform to the approved preliminary site plan and accompanying materials, preliminary plat and the detailed construction plans.	After council approval of the preliminary plat, preliminary site plan and accompanying material, and after submission and Public Works Director approval of the detailed construction plans, the subdivider may proceed to install the agreed upon improvements of a public nature, landscaping and recreational facilities excluding buildings or to pursue the other options assuring completion of such improvements, landscaping and recreational facilities set forth in Chapter 16.12. Such improvements shall conform to the approved preliminary site plan and accompanying

				materials, preliminary plat and the detailed construction plans.
	16.24 Administration & Enforcement	16.24.040	It shall be the responsibility of the public works supervisor to enforce these regulations and to bring to the attention of the city attorney any violations or lack of compliance herewith.	It shall be the responsibility of the Community Development Planner to enforce these regulations and to bring to the attention of the city attorney any violations or lack of compliance herewith.
	16.32 Short Subdivisions	16.32.015	"Administrator" means the supervisor of the department of public works or his designee.	"Administrator" means the Community Development Director or his/her designee.
		16.32.015	"Engineer" means the supervisor of public works or his designee.	"Engineer" means the Public Works Director or his/her designee.
		16.32.030	The city council appoints the supervisor of the department of public works to be the administrator of this chapter. The administrator is vested with the duty of administering the provisions of this regulation and is authorized to summarily approve or disapprove short subdivision. The administrator may prepare and require the use of such application forms as he deems essential to assure compliance to this chapter. If the administrator deems it to be in the public interest, he may require that the short subdivision be placed before the	The city council appoints the Community Development Director to be the administrator of this chapter. The administrator is vested with the duty of administering the provisions of this regulation and is authorized to summarily approve or disapprove short subdivision. The administrator may prepare and require the use of such application forms as he deems essential to assure compliance to this chapter. If the administrator deems it to be in the public

			planning commission to be approved or denied by them pursuant to this title.	interest, he may require that the short subdivision be placed before the planning commission to be approved or denied by them pursuant to this title.
		16.32.078(E)	EXAMINED AND APPROVED this _____ day of _____, 19_____. (Signed) _____ Public Works Supervisor	EXAMINED AND APPROVED this _____ day of _____, 20_____. (Signed) _____ Public Works Director
		16.32.079	Signatures required for Section 16.32.078 of this article for dedications, acknowledgements and endorsements shall be in the following sequence: A. The owners in fee simple; B. Notary public in and for the state; C. Professional land surveyor registered in the state; D. Cowlitz or Clark County treasurer; E. Public works supervisor; F. Cowlitz or Clark County auditor.	Signatures required for Section 16.32.078 of this article for dedications, acknowledgements and endorsements shall be in the following sequence: A. The owners in fee simple; B. Notary public in and for the state; C. Professional land surveyor registered in the state; D. Cowlitz or Clark County treasurer; E. Public Works Director; F. Cowlitz or Clark County auditor.
		16.32.100	Monuments shall be located at all controlling corners on the boundaries of	Monuments shall be located at all controlling corners on the

			the short subdivision, and at each corner of each lot within the short subdivision, and shall be marked by three-quarter inch galvanized iron, or approved equivalent, monument driven into the ground. If the short subdivision included a road dedication, monuments shall be placed as required by the public works supervisor.	boundaries of the short subdivision, and at each corner of each lot within the short subdivision, and shall be marked by three-quarter inch galvanized iron, or approved equivalent, monument driven into the ground. If the short subdivision included a road dedication, monuments shall be placed as required by the Public Works Director.
	16.34 BLA	16.34.050	The director or his/her designee shall approve, disapprove or condition boundary line adjustment applications based on the following conditions: 16.34.060 B. Signature block for the public works director;	The Community Development Director or his/her designee shall approve, disapprove or condition boundary line adjustment applications based on the following conditions: 16.34.060 B. Signature block for the Community Development Director;

Title	Chapter	Section	Current Language	Proposed Language/Change
Title 17 Zoning	17.08 Definitions	17.08.233	"Director" means the director of public works or his/her designee.	"Director" means the Community Development Director or his/her designee.
	17.20 Multifamily	17.20.037	The following uses in the MDR, HDR districts require administrative temporary	No Change. "Director" now refers to Community Development

			use permit approval from the director per Chapter 17.70:	Director with the definitions change.
	17.24 PQPI	17.24.100(B)	Where such a use is located across the street from a residential district the street frontage shall be planted to a depth of at least eight feet with substantial trees, shrubbery and ground cover. A landscape plan shall be submitted to the public works director or designee for written approval prior to issuance of a building permit.	Where such a use is located across the street from a residential district the street frontage shall be planted to a depth of at least eight feet with substantial trees, shrubbery and ground cover. A landscape plan shall be submitted to the Community Development Director or designee for written approval prior to issuance of a building permit.
	17.28 Standards for Manuf. Home Parks	17.28.200	All utilities shall be shown on the site plan, installed underground within the park, meet all applicable building, plumbing, electrical, health, and engineering codes and standards and be subject to approval by the public works director. Utilities at the home site shall have the ability to be capped when a home is not on-site.	No change. This task should be completed by the Public Works Director.
		17.28.230(D)	The public works director and building inspector shall check building and construction plans for basic consistency with the approved site development plan prior to issuing permits. If the building and construction plans indicate significant differences in dimensions, lots, setbacks, points of ingress/egress, parking, recreation areas, screening, or other pertinent features from the	No change. This task should be completed by the Public Works Director and Building Official.

			approved plan, a revised plan shall be required and reviewed and acted on by the hearing examiner.	
	17.30 Floodway Use District	17.30.100	In times of flood, the floodway contains flowing waters carrying debris. Fences and hedges can act as obstructions or dams diverting waters or otherwise exacerbating the flood hazard. Thus, care must be taken in the design and arrangement of any fences or hedges in the FW district. Therefore, the public works director shall approve the design and arrangements of all fences and hedges in the FW district. Fences and hedges in the FW district shall be no higher than six feet. Fencing shall be reviewed with respect to its impact on the flood carrying capacity of the floodway in accordance with the "no rise" considerations of 44 CFR 60.3(d)3, Regulations for the National Flood Insurance Program.	In times of flood, the floodway contains flowing waters carrying debris. Fences and hedges can act as obstructions or dams diverting waters or otherwise exacerbating the flood hazard. Thus, care must be taken in the design and arrangement of any fences or hedges in the FW district. Therefore, the Community Development Director shall approve the design and arrangements of all fences and hedges in the FW district. Fences and hedges in the FW district shall be no higher than six feet. Fencing shall be reviewed with respect to its impact on the flood carrying capacity of the floodway in accordance with the "no rise" considerations of 44 CFR 60.3(d)3, Regulations for the National Flood Insurance Program.
	17.32 Central Business District	17.32.028	The following uses in the central business district (C-1) require conditional use permit approval from the public works director as per WMC Chapter 17.72.	The following uses in the central business district (C-1) require conditional use permit approval from the Community Development Director as per WMC Chapter 17.72.

		17.32.032	The following uses in the central business district (C-1) require temporary use permit approval from the public works director or his or her designee as per WMC Chapter 17.70.	The following uses in the central business district (C-1) require temporary use permit approval from the Community Development Director or his or her designee as per WMC Chapter 17.70.
	17.36 Highway Commercial	17.36.025	The following uses in the highway commercial district (C-2) require administrative conditional use permit approval from the director per Chapter 17.72:	No change. "Director" now refers to Community Development Director with the definitions change.
		17.36.026	The following uses in the highway commercial district (C-2) require temporary use permit approval from the director per Chapter 17.70:	No change. "Director" now refers to Community Development Director with the definitions change.
	17.40 Neighborhood Commercial	17.40.025	Vending stands or kiosk (e.g. espresso stands) to be situated in the neighborhood commercial district (C-3) requires administrative conditional use permit approval from the director per Chapter 17.72.	No change. "Director" now refers to Community Development Director with the definitions change.
	17.44 Light Industrial	17.44.023	Vending stands or kiosk (e.g. espresso stands) to be situated in the light industrial district (I-1) require administrative conditional use permit approval from the director per Chapter 17.72.	No change. "Director" now refers to Community Development Director with the definitions change.

		17.44.024	The following uses in the light industrial district (I-1) require administrative temporary use permit approval from the director per Chapter 17.70:	No change. "Director" now refers to Community Development Director with the definitions change.
		17.44.132	"Approving authority" means approving authority of the land use application or review authority for the appeal application. Director or his or her designee when a land use application is not required for the proposed development.	No change. "Director" now refers to Community Development Director with the definitions change.
	17.46 Heavy Industrial	17.46.031	Vending stands or kiosk (e.g. espresso stands) to be situated in the heavy industrial district (1-2) require administrative conditional use permit approval from the director per Chapter 17.72.	No change. "Director" now refers to Community Development Director with the definitions change.
		17.46.122	"Approving Authority" means approving authority of the land use application or review authority for the appeal application. Director or his or her designee when a land use application is not required for the proposed development.	No change. "Director" now refers to Community Development Director with the definitions change.
	17.52 Signs	17.52.070(A)(7)	Each freestanding or pole sign shall have a landscaped area twice the size of the sign face around 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.	Each freestanding or pole sign shall have a landscaped area twice the size of the sign face around the base of the sign. Pre-existing developments may be exempt from the landscape requirement subject to the

				approval of the Community Development Director or his or her designee.
		17.52.080(A)(7)	Each freestanding or pole sign shall have a landscaped area twice the size of the sign face around 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.	Each freestanding or pole sign shall have a landscaped area twice the size of the sign face around the base of the sign. Pre-existing developments may be exempt from the landscape requirement subject to the approval of the Community Development Director or his or her designee.
		17.52.110	B. All signs described in subsection 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 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	B. All signs described in subsection 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 days of oral or written notice from the Community Development Director or the director's designee. C. Voluntary Correction. 1. General. The Community Development Director shall attempt to secure voluntary correction by contacting the person responsible for the violation when practical, explaining the

			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. D. Notice of Civil Infraction. 1. Issuance. a. Except as set forth in subsection B, when the public works director determines that a violation	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

			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:	Community Development 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. D. Notice of Civil Infraction. 1. Issuance. a. Except as set forth in subsection B, when the Community Development Director determines that a violation has occurred or is occurring, and is unable to secure voluntary correction, the Community Development Director may issue a notice of civil violation to the person responsible for the violation pursuant to WMC 1.12.020.

				b. The Community Development Director may issue a notice of civil violation without having attempted to secure voluntary correction under the following circumstances:
		17.52.130(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 the event:	No change. The Public Works Director should be responsible for this task as it includes ROW use.
		17.52.150(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:	All sign permit applications shall be reviewed to comply with this chapter by the Community Development Director or designee as provided in this section:
	17.56 Parking	17.56.035	All developments in the floodway use district shall provide adequate off-street parking for visitors, employees and delivery vehicles. The number of off-street parking spaces for developments in this district shall be determined by the public works director and based upon the	All developments in the floodway use district shall provide adequate off-street parking for visitors, employees and delivery vehicles. The number of off-street parking spaces for developments in this district shall be determined

			information in the proponent's SEPA checklist or impact statement. Appeal procedures for administrative decisions are set forth in WMC 19.06 and 19.08.	by the Community Development Director and based upon the information in the proponent's SEPA checklist or impact statement. Appeal procedures for administrative decisions are set forth in WMC 19.06 and 19.08.
		17.56.045	All developments in the heavy industrial district shall provide adequate off-street parking for employees, delivery vehicles and visitors. The number of off-street parking spaces for developments in this district shall be determined by the public works director and based upon information in the proponent's SEPA checklist or impact statement. Appeal procedures for administrative decisions are set forth in WMC 19.06 and 19.08. Up to thirty-five percent of the employee parking spaces may be compact spaces.	All developments in the heavy industrial district shall provide adequate off-street parking for employees, delivery vehicles and visitors. The number of off-street parking spaces for developments in this district shall be determined by the Community Development Director and based upon information in the proponent's SEPA checklist or impact statement. Appeal procedures for administrative decisions are set forth in WMC 19.06 and 19.08. Up to thirty-five percent of the employee parking spaces may be compact spaces.
		17.56.080(F)	The location and design of all entrances, exits and drives shall be subject to the approval of the director of public works and, in the case where the matter is before it, the planning commission.	No change. This should be a task for the Public Works Director.

		17.56.090(A)	Vehicle accommodation areas, including lanes for drive-in windows, shall be graded and surfaced with asphalt, concrete or other material that will provide equivalent protection against potholes, erosion, and dust. Design of pavement section for vehicle accommodation areas shall be approved by the director of public works. The parking area shall be graded and drained so as to dispose of surface water to the satisfaction of the director of public works.	No change. This should be a task for the Public Works Director.
	17.70 Temporary Uses	17.70.050	The director or designee may approve, or modify and approve an application for a temporary use permit if the application satisfies all of the following criteria: 8. The use must provide sanitary facilities if the director or designee finds it to be necessary.	No change. "Director" now refers to Community Development Director with the definitions change.
		17.70.060	A temporary use is valid for up to one hundred eighty calendar days from the effective date of the permit; however, the director may establish a shorter time frame. The director may grant one extension not to exceed sixty days, upon the applicant showing compliance with all conditions of permit approval. The property owner or holder of a temporary use permit may not file an application for a successive temporary use permit for sixty days following the expiration of an approved permit applying to that	No change. "Director" now refers to Community Development Director with the definitions change.

			property. Within five days of the expiration of the temporary use permit, the applicant shall have the use and all physical evidence removed from the site.	
		17.70.070	Prior to the approval of a temporary use permit, the applicant shall submit to the director an irrevocable, signed and notarized statement granting the city permission to summarily enter the applicant's property with reasonable notice and abate the temporary use, and all physical evidence of that use if it has not been removed as required by the terms of the permit. The statement shall also indicate that the applicant will reimburse the city for any expenses incurred in abating a temporary use under the authority of the chapter.	No change. "Director" now refers to Community Development Director with the definitions change.
		17.70.080	In appropriate circumstances the director may require a reasonable performance of maintenance assurance device, in a form acceptable to the finance department, to assure compliance with the provisions of this title and the temporary use permit as approved.	No change. "Director" now refers to Community Development Director with the definitions change.
	17.72 Conditional Uses	17.72.010	It is the purpose of this chapter to establish review and permit approval procedures for unusual or unique types of land uses, which, due to their nature, require special consideration of their impact on the neighborhood, and land uses in the vicinity. Administrative	No change. "Director" now refers to Community Development Director with the definitions change.

			conditional uses or conditional uses may be located by special permission of the director and/or the hearing examiner under such conditions as the director or the hearing examiner as the case may be may impose.	
		17.72.030(C)	The site plan shall be made part of the permit and subsequent building permits and construction activity shall be in accordance with the approved site plan. The director may approve minor adjustments to the site plan.	No change. "Director" now refers to Community Development Director with the definitions change.
		17.72.050	The director or hearing examiner as the case may be shall be guided by the following criteria in granting a conditional use permit:	No change. "Director" now refers to Community Development Director with the definitions change.
		17.72.060	The director or hearing examiner as the case may be may impose conditions on his/her approval of a conditional use, which he/she finds are necessary to ensure the use is compatible with other uses in the vicinity. These conditions may include, but are not limited to, the following:	No change. "Director" now refers to Community Development Director with the definitions change.
		17.72.070	A performance bond or other adequate and appropriate security may be required by the director or hearing examiner as the case may be for any elements of the proposed project which the director and/or hearing examiner determines are crucial to the protection of the public welfare. Such bond shall be	No change. "Director" now refers to Community Development Director with the definitions change.

			in an amount equal to one hundred percent of the cost of the installation or construction of the applicable improvements.	
		17.72.080	An application for a conditional use permit, which has been denied, may not be resubmitted within six months from the date of the director's or hearing examiner's disapproval.	No change. "Director" now refers to Community Development Director with the definitions change.
		17.72.090	A. Approval of a conditional use by the director and/or hearing examiner shall be void if: B. 1. No changes are made on the original conditional use plan as approved by the director and/or hearing examiner; C. A conditional use permit shall be reviewed annually by a designated city official to ensure proper compliance with all permit provisions and conditions. At any time, if a permit is found to be in violation of permit conditions, the director and/or hearing examiner is empowered to review the permit and findings of the appropriate city official and, if deemed necessary, issue an order requiring compliance with the permit or revoke the permit.	No change. "Director" now refers to Community Development Director with the definitions change.
	17.81 Hearing Examiner	17.81.020	Expiration of Approval—Major Variances. Approval of a major variance shall be void after three years, unless a building permit has	Expiration of Approval—Major Variances. Approval of a major variance shall be void after three years, unless a building

			been issued and substantial construction has taken place. The public works director, for good cause, may extend approval for no more than one year. If a variance is specifically related to an approved phasing program, the validity of the variance shall be limited only by the phasing plan. Approval expiration shall apply to all applications deemed complete on or after the effective date of the ordinance from which this section is derived. 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.	permit has been issued and substantial construction has taken place. The Community Development Director, for good cause, may extend approval for no more than one year. If a variance is specifically related to an approved phasing program, the validity of the variance shall be limited only by the phasing plan. Approval expiration shall apply to all applications deemed complete on or after the effective date of the ordinance from which this section is derived. 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 Community Development Director.
		17.81.140	Not later than five working days following the rendering of a written decision, copies thereof shall be personally delivered or mailed to the applicant, staff planner, director of	Not later than five working days following the rendering of a written decision, copies thereof shall be personally delivered or mailed to the

			public works, health officer, and to other parties of record in the case. "Parties of record" shall include all persons who specifically request notice of decision by signing a register provided for such purpose at the public hearing.	~~applicant~~, Community Development Director, ~~director of public works, health officer, and to other parties of record in the case~~. "Parties of record" shall include all persons who specifically request notice of decision by signing a register provided for such purpose at the public hearing.
		17.81.210	Approval of a minor variance shall be void after three years, unless a building permit has been issued and substantial construction has taken place. The public works director, for good cause, may extend approval for no more than one year. If a variance is specifically related to an approved phasing program, the validity of the variance shall be limited only by the phasing plan. Approval expiration shall apply to all applications deemed complete on or after the effective date of the ordinance from which this section is derived.	Approval of a minor variance shall be void after three years, unless a building permit has been issued and substantial construction has taken place. The Community Development Director, for good cause, may extend approval for no more than one year. If a variance is specifically related to an approved phasing program, the validity of the variance shall be limited only by the phasing plan. Approval expiration shall apply to all applications deemed complete on or after the effective date of the ordinance from which this section is derived.
	17.84 Amendments and Review Procedures	17.84.130	The site development plan for development proposals shall accompany application for the building permit and shall be reviewed by the supervisor of public works, building	The site development plan for development proposals shall accompany application for the building permit and shall be reviewed by the Community

			inspector, staff planner, and other affected agencies for conformance to standards, ordinances, and codes. The city staff will work with the applicant to correct any site plan deficiencies, if necessary. Approval of site plans for development proposals shall be by the supervisor of public works, who shall denote approval on the face of the site plan for filing in city records. The approved site plan shall be binding on the ultimate design and construction of the project. Prior to decision, the supervisor of public works may refer site plans for development proposals to the planning commission for review and comment and shall make such referral when requested by the planning commission.	Development Director, Public Works Director, Building Official, ~~staff planner~~, and other affected agencies for conformance to standards, ordinances, and codes. The city staff will work with the applicant to correct any site plan deficiencies, if necessary. Approval of site plans for development proposals shall be by the Community Development Director, who shall denote approval on the face of the site plan for filing in city records. The approved site plan shall be binding on the ultimate design and construction of the project. Prior to decision, the Community Development Director may refer site plans for development proposals to the planning commission for review and comment and shall make such referral when requested by the planning commission.
		17.84.140	A. The site development plan for zone change proposals shall accompany the application for the zone change and shall be reviewed initially by the supervisor of public works, building inspector, staff planner, and other	A. The site development plan for zone change proposals shall accompany the application for the zone change and shall be reviewed initially by the Community

			affected agencies for conformance to standards, ordinances and codes. The city staff will work with the applicant to correct any site plan deficiencies, if necessary. Staff findings and recommendations to the planning commission should address the merits of the site plan as well as of the proposed zone change. C. The public works supervisor and building inspector shall check building and construction plans for basic consistency with the approved site development plan prior to issuing permits. If the building and construction plans indicate significant differences in dimensions, setbacks, points of ingress/egress, parking and loading spaces and areas, or other pertinent features from the approved site plan, a revised site development plan shall be required and reviewed and acted on by the city council.	Development Director, Public Works Director Building Official, ~~staff planner~~, and other affected agencies for conformance to standards, ordinances and codes. The city staff will work with the applicant to correct any site plan deficiencies, if necessary. Staff findings and recommendations to the planning commission should address the merits of the site plan as well as of the proposed zone change. C. The Community Development Director, Public Works Director, and Building Official shall check building and construction plans for basic consistency with the approved site development plan prior to issuing permits. If the building and construction plans indicate significant differences in dimensions, setbacks, points of ingress/egress, parking and loading spaces and areas, or other pertinent features from the approved site plan, a revised site development plan shall be required and reviewed and acted on by the city council.

	17.92 Enforcement Provisions – Land Use	17.92.010	B. "Supervisor" means the supervisor of public works or such other person as the city council shall authorize to utilize the provisions of this chapter and shall include any duly authorized representative of such supervisor.	Remove this definition and replace with: "Director" means the Community Development Director or his/her designee.
		17.92.020	The supervisor is authorized to utilize the procedure of this chapter in order to enforce any land use ordinance.	The director is authorized to utilize the procedure of this chapter in order to enforce any land use ordinance.
		17.92.030	All violations of land use ordinances are determined to be detrimental to the public health, safety, and welfare and are declared to be public nuisances. All conditions which are determined by the supervisor to be in violation of any land use ordinance shall be subject to the provisions of this chapter and shall be corrected by any reasonable and lawful means as provided in this chapter.	All violations of land use ordinances are determined to be detrimental to the public health, safety, and welfare and are declared to be public nuisances. All conditions which are determined by the director to be in violation of any land use ordinance shall be subject to the provisions of this chapter and shall be corrected by any reasonable and lawful means as provided in this chapter.
9Plann		17.92.040	Whenever necessary to make an inspection to enforce the provisions of any land use ordinance, or whenever the supervisor has reasonable cause to believe that any building, structure, property or portion thereof is being used in violation of any land use ordinance, the supervisor may enter	Whenever necessary to make an inspection to enforce the provisions of any land use ordinance, or whenever the director has reasonable cause to believe that any building, structure, property or portion thereof is being used in

			such building, structure, property or portion thereof at all reasonable times to inspect the same.	violation of any land use ordinance, the director may enter such building, structure, property or portion thereof at all reasonable times to inspect the same.
		17.92.050	In addition to or as alternative to any other judicial or administrative remedy provided in this chapter by law, any person who violates any land use ordinance, or rules and regulations adopted thereunder, or by each act of commission or omission procures, aids or abets such violation, shall be subject to a civil penalty in an amount of fifteen dollars in the case of noncommercial ventures, and fifty dollars in the case of commercial ventures per day for each continuous violation to be directly assessed by the supervisor until such violation is corrected. The per diem penalty shall double for the second separate violation and triple for the third and subsequent separate violation of the same regulation within any five-year period. All civil penalties assessed will be enforced and collected in accordance with the lien, personal obligation, and other procedures specified in this title.	In addition to or as alternative to any other judicial or administrative remedy provided in this chapter by law, any person who violates any land use ordinance, or rules and regulations adopted thereunder, or by each act of commission or omission procures, aids or abets such violation, shall be subject to a civil penalty in an amount of fifteen dollars in the case of noncommercial ventures, and fifty dollars in the case of commercial ventures per day for each continuous violation to be directly assessed by the director until such violation is corrected. The per diem penalty shall double for the second separate violation and triple for the third and subsequent separate violation of the same regulation within any five-year period. All civil penalties assessed will be enforced and collected in

				accordance with the lien, personal obligation, and other procedures specified in this title.
		17.92.060	In addition to or as an alternative to any other judicial or administrative remedy provided in this chapter by law, the supervisor may order a land use ordinance violation to be abated. The supervisor may order any person who creates or maintains a violation of any land use ordinance, or rules and regulations adopted thereunder, to commence corrective work and to complete the work within such time as the supervisor determines reasonable under the circumstances. If the required corrective work is not commenced or completed within the time specified, the supervisor will proceed to abate the violation and cause the work to be done. He will charge the costs thereof as a lien against the property and as both a joint and separate personal obligation of any person who is in violation.	In addition to or as an alternative to any other judicial or administrative remedy provided in this chapter by law, the director may order a land use ordinance violation to be abated. The director may order any person who creates or maintains a violation of any land use ordinance, or rules and regulations adopted thereunder, to commence corrective work and to complete the work within such time as the director determines reasonable under the circumstances. If the required corrective work is not commenced or completed within the time specified, the director will proceed to abate the violation and cause the work to be done. He will charge the costs thereof as a lien against the property and as both a joint and separate personal obligation of any person who is in violation.

		17.92.070	Notwithstanding the existence or use of any other remedy, the supervisor may seek legal or equitable relief to enjoin any acts or practices or abate any conditions which constitute or will constitute a violation of any land use ordinance or rules and regulations adopted thereunder.	Notwithstanding the existence or use of any other remedy, the director may seek legal or equitable relief to enjoin any acts or practices or abate any conditions which constitute or will constitute a violation of any land use ordinance or rules and regulations adopted thereunder.
		17.92.090	Whenever the supervisor has reason to believe that a violation of a land use ordinance or any rules and regulations adopted thereunder will be most promptly and equitably terminated by an administrative notice and order proceeding, he shall issue a written notice and order directed either to the owner or operator of the source of the violation, the person in possession of the property where the violation originates, or the person otherwise causing or responsible for the violation. The notice and order may be posted on the property and shall contain: A. The street address when available and a legal description of real property and/or description of personal property sufficient for identification of where the violation occurred or is located; B. A statement that the supervisor has found a person to be in violation of a land use ordinance with a brief and concise description of the conditions found to be in violation;	Whenever the director has reason to believe that a violation of a land use ordinance or any rules and regulations adopted thereunder will be most promptly and equitably terminated by an administrative notice and order proceeding, he shall issue a written notice and order directed either to the owner or operator of the source of the violation, the person in possession of the property where the violation originates, or the person otherwise causing or responsible for the violation. The notice and order may be posted on the property and shall contain: A. The street address when available and a legal description of real property and/or description of personal property sufficient for identification of where the violation occurred or is located;

			C. A statement of the corrective action required to be taken. If the supervisor has determined that corrective work is required, the order shall require that all required permits be secured and the work physically commence within such time and be completed within such time as the supervisor shall determine is reasonable under the circumstances; D. A statement specifying the amount of any civil penalty assessed on account of the violation and, if applicable, the conditions on which assessment of such civil penalty is contingent; E. Statements advising that (1) if any required work is not commenced or completed within the time specified, the supervisor will proceed to abate the violation and cause the work to be done and charge the costs thereof as a lien against the property and as a joint and separate personal obligation of any person in violation; and (2) if any assessed civil penalty is not paid, the supervisor will charge the amount of the penalty as a lien against the property and as a joint and separate personal obligation of any person in violation;	B. A statement that the director has found a person to be in violation of a land use ordinance with a brief and concise description of the conditions found to be in violation; C. A statement of the corrective action required to be taken. If the director has determined that corrective work is required, the order shall require that all required permits be secured and the work physically commence within such time and be completed within such time as the director shall determine is reasonable under the circumstances; D. A statement specifying the amount of any civil penalty assessed on account of the violation and, if applicable, the conditions on which assessment of such civil penalty is contingent; E. Statements advising that (1) if any required work is not commenced or completed within the time specified, the director will proceed to abate the violation and cause the work to be done and charge the costs thereof as a lien against the property and as a

				joint and separate personal obligation of any person in violation; and (2) if any assessed civil penalty is not paid, the director will charge the amount of the penalty as a lien against the property and as a joint and separate personal obligation of any person in violation;
		17.92.110	A. Any person aggrieved by the order of the supervisor may request in writing within ten days of the service of notice and order an appeal hearing before the hearing examiner. The request shall cite the notice and order appealed from and contain a brief statement of the reasons for seeking the appeal hearing. The method of appeal as provided in this chapter shall be sole and exclusive, and no appeal shall be had to the board of adjustment from any determination rendered under the authority of this chapter. B. The appeal hearing shall be conducted on the record and the hearing examiner shall have such rule making and other powers as were available to the supervisor originally. Such appeal hearing shall be conducted within a reasonable time after receipt of the request for appeal. Written notice of the time and place of	A. Any person aggrieved by the order of the director may request in writing within ten days of the service of notice and order an appeal hearing before the hearing examiner. The request shall cite the notice and order appealed from and contain a brief statement of the reasons for seeking the appeal hearing. The method of appeal as provided in this chapter shall be sole and exclusive, and no appeal shall be had to the board of adjustment from any determination rendered under the authority of this chapter. B. The appeal hearing shall be conducted on the record and the hearing examiner shall have such rule making and other powers as were available to the director originally. Such

			the hearing will be sent to each appealing party, to the supervisor whose order is being appealed, and to other interested persons who have requested in writing that they be so notified.	appeal hearing shall be conducted within a reasonable time after receipt of the request for appeal. Written notice of the time and place of the hearing will be sent to each appealing party, to the director whose order is being appealed, and to other interested persons who have requested in writing that they be so notified.
		17.92.120(A)	Any order duly issued by the supervisor pursuant to the procedures contained in this chapter shall become final ten days after service of the notice and order unless a written request for hearing is received by the hearing examiner within the ten-day period.	Any order duly issued by the director pursuant to the procedures contained in this chapter shall become final ten days after service of the notice and order unless a written request for hearing is received by the hearing examiner within the ten-day period.
		17.92.130	The supervisor may at any time add to, rescind in part, or otherwise modify a notice and order by issuing a supplemental notice and order. The supplemental notice and order shall be governed by the same procedures applicable to all notices and orders as contained in this chapter.	The director may at any time add to, rescind in part, or otherwise modify a notice and order by issuing a supplemental notice and order. The supplemental notice and order shall be governed by the same procedures applicable to all notices and orders as contained in this chapter.
		17.92.140	A. If, after any order duly issued by the supervisor has become final, the	A. If, after any order duly issued by the director has

			person to whom such order is directed fails, neglects, or refuses to obey such order, including refusal to pay a civil penalty assessed under such order, the supervisor may: B. Enforcement of any notice and order of the supervisor issued pursuant to this chapter shall be stayed during the pendency of any appeal under this chapter, except when the supervisor determines that the violation will cause immediate and irreparable harm and so states in the notice and order issued.	become final, the person to whom such order is directed fails, neglects, or refuses to obey such order, including refusal to pay a civil penalty assessed under such order, the director may: B. Enforcement of any notice and order of the director issued pursuant to this chapter shall be stayed during the pendency of any appeal under this chapter, except when the director determines that the violation will cause immediate and irreparable harm and so states in the notice and order issued.
		17.92.150	The supervisor is authorized to settle and compromise claims for civil penalties accruing pursuant to this chapter where such settlement is clearly in the interests of the city; provided, that the supervisor shall periodically report such settlements and compromises to the city council. Ord. 556 § 15, 1980)	The director is authorized to settle and compromise claims for civil penalties accruing pursuant to this chapter where such settlement is clearly in the interests of the city; provided, that the director shall periodically report such settlements and compromises to the city council. Ord. 556 § 15, 1980)
		17.92.160	A. The supervisor may temporarily suspend any permit issued under a land use ordinance for	A. The director may temporarily suspend any permit issued under a land use ordinance for

			C. Notwithstanding any other provision of this chapter, whenever the supervisor finds that a violation of any land use ordinance or rules and regulations has created or is creating an unsanitary, dangerous or other condition which, in his judgment, constitutes an immediate and irreparable hazard, he may, without service of a written notice and order, suspend and terminate operations under the permit immediately.	C. Notwithstanding any other provision of this chapter, whenever the director finds that a violation of any land use ordinance or rules and regulations has created or is creating an unsanitary, dangerous or other condition which, in his judgment, constitutes an immediate and irreparable hazard, he may, without service of a written notice and order, suspend and terminate operations under the permit immediately.
		17.92.200	The notice and order of a director pursuant to this chapter shall give notice to the owner that a lien for the civil penalty of the cost of abatement, or both, may be claimed by the city.	No change. "Director" now refers to Community Development Director with the definitions change.

Title	Chapter	Section	Current Language	Proposed Language/Change
19: Development Administration	19.02 Project Permit Processing	19.02.02	"Determination of completeness" means a written determination by the director or his/her designee that all required elements of an application have been received by the city. This determination initiates the statutory review period for the application, if any, and subject to certain exceptions, entitles the applicant to have the application considered and reviewed pursuant to the laws,	No change. "Director" now refers to Community Development Director with the definition change.

			regulations and standards in effect on the date the application was complete.	
			"Development review committee" (DRC) means a group of city and fire agency staff composed of the public works director, community development planner, building official and fire chief or designee who conduct preapplication conferences and review and/or approve development permit applications.	"Development review committee" (DRC) means a group of city and fire agency staff composed of the Public Works Director, Community Development Director, building official and fire chief or designee who conduct preapplication conferences and review and/or approve development permit applications.
			"Director" means the director of the department of public works of the city unless another department or agency is in charge of the project in which case it refers to the chief administrative officer of that department or agency.	"Director" means the Community Development Director of the city unless another department or agency is in charge of the project in which case it refers to the chief administrative officer of that department or agency.
		19.02.03	A. There is hereby established a development review committee (DRC) as defined in WMC 19.02.020. Normally the public works director will chair DRC meetings. The primary purpose of such committee is to make such decisions as are delegated to it by ordinance and administrative directive, conduct preapplication conferences and make post application determinations in conjunction with the issuance of project permits as well as staff	Change 19.02.03(A) to: There is hereby established a development review committee (DRC) as defined in WMC 19.02.020. Normally the Community Development Director will chair DRC meetings. The primary purpose of such committee is to make such decisions as are delegated to it by ordinance and administrative directive, conduct preapplication conferences and make post

			recommendations where the hearing examiner, planning commission or city council is charged with approval authority. B. For all matters for which the planning commission or hearing examiner is the reviewing or decision making authority, the city planner shall prepare the staff report. C. In the event of a tie vote the public works director will make the decisive vote.	application determinations in conjunction with the issuance of project permits as well as staff recommendations where the hearing examiner, planning commission or city council is charged with approval authority. No change in C as the PW Director can still make the decisive vote.
		19.02.090(E)	City's Failure to Provide Determination of Completeness. A project permit application shall be deemed complete under this section if the city does not provide a written determination to the applicant that the application is incomplete as provided in Section 19.02.090. When the project permit application is complete, the director shall accept it, and note the date of acceptance. (RCW 36.70B.070(4)(a)).	No change. "Director" now refers to Community Development Director with the definition change.
		19.02.110	Whenever review of a land use application including, but not limited to, comprehensive plan map/text amendment, zoning map/text amendment, Annexation, development proposal, or building permit application requires the retention by the city for professional consulting services, the applicant shall reimburse the city, the cost of such professional consulting services. Such costs are due and payable	Whenever review of a land use application including, but not limited to, comprehensive plan map/text amendment, zoning map/text amendment, Annexation, development proposal, or building permit application requires the retention by the city for professional consulting services, the applicant shall reimburse the city, the cost

			to the city at the time of final plan or land use approval. The city may require the applicant to deposit an amount with the city estimated in the discretion of the public works director, to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement for such costs.	of such professional consulting services. Such costs are due and payable to the city at the time of final plan or land use approval. The city may require the applicant to deposit an amount with the city estimated in the discretion of the Community Development Director, to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement for such costs.
		19.02.115	Right to Inspect. The city of Woodland is authorized to inspect all on site, civil, and frontage improvements as needed to enforce applicable standards, and ensure the quality and integrity of development improvements. Development shall be as defined in WMC Section 17.08.232. Development improvements shall be inspected by either the public works director, their designee, city staff, or consultants retained by the city for this purpose. Inspections shall be conducted at the start of, during and at completion of installation of development improvements. The city is also authorized to inspect the subject property as needed to review technical studies and reports including, but not limited to, transportation impact analyses, critical area reports, and utility-	No change. The PW Director (or designee as stated) should be responsible for civil and frontage improvement inspections.

			related reports required to review land use applications.	
	19.04 Project consistency/time limits	19.04.404	A. Except as otherwise provided in subsection (B) of this section and Section 19.02.050, the director shall issue his/her notice of final decision on a project permit application within one hundred twenty days, or sooner if possible, after notifying the applicant that the application is complete, as provided in Section 19.02.090(F). In determining the number of days that have elapsed after the director has notified the applicant that the application is complete, the following periods shall be excluded: 1. a. Any period during which the applicant has been requested to correct plans, perform required studies, or provide additional required information. The period shall be calculated from the date the director notifies the applicant of the need for additional information until the earlier of the date the director determines whether the additional information satisfies the request for information or fourteen days after the date the information has been provided; b. If the director determines that the information submitted by the applicant under subsection (A)(1)(a) of this section is insufficient, he/she shall notify the applicant of the deficiencies	No change. "Director" now refers to Community Development Director with the definition change.

			and the procedures under subsection (A)(1)(a) of this section shall apply as if a new request for studies had been made; 2. Any period during which an environmental impact statement is being prepared following a determination of significance pursuant to RCW 43.21C; 3. Any period for administrative appeals of project permits, if an open record appeal hearing or a closed record appeal, or both, are allowed. The time period for considering and deciding shall not exceed: (a) ninety days for an open record appeal hearing; and (b) sixty days for a closed record appeal. The parties to an appeal may agree to extend these time periods; and 4. Any extension of time mutually agreed upon by the applicant and the director. B. The time limits established by subsection (A) of this section do not apply if a project permit application: 1. Requires an amendment to the comprehensive plan or a development regulation; 2. Requires approval of a new fully contained community as provided in RCW 36.70A.350, a master planned resort as provided in RCW 36.70A.360, or the siting of an	

			essential public facility as provided in RCW 36.70A.200; or 3. Is substantially revised by the applicant, in which case the time period shall start from the date at which the revised project application is determined to be complete. An application is substantially revised if proposed changes would have affected decisions in the approval process. C. If the director is unable to issue its final decision within the time limits provided for in this section, he/she shall provide written notice of this fact to the project applicant. The notice shall include a statement of reasons why the time limits have not been met and an estimated date for issuance of the notice of final decision.	
	19.06 Public Notice	19.06.020	As soon as possible, but in any event within ten days of accepting a complete application, the director shall do the following: A. Transmit a copy of the application, or appropriate parts of the application, to each affected agency and city department for review and comment, including those responsible for determining compliance with state and federal requirements. The affected agencies and city departments shall have fifteen days to comment. The referral agencies or city departments are	No change. "Director" now refers to Community Development Director with the definition change.

			presumed to have no comments if comments are not received within the specified time period. The director shall grant an extension of time for comment only if the application involves unusual circumstances. Any extension shall only be for a maximum of three additional days. (RCW 36.70B.070).	
		19.06.060	Any interested person may submit written comments and request reconsideration by the public works director within fifteen days of the date any final recommendation or decision attached to a SEPA threshold determination. Unless further action is taken by the development review committee in response to such comments, the period in which to file an appeal shall terminate twenty-one days after the date such final recommendation or decision is issued. SEPA exempt actions shall not be subject to reconsideration and shall be subject to only a fourteen-day appeal period.	Any interested person may submit written comments and request reconsideration by the Community Development Director within fifteen days of the date any final recommendation or decision attached to a SEPA threshold determination. Unless further action is taken by the development review committee in response to such comments, the period in which to file an appeal shall terminate twenty-one days after the date such final recommendation or decision is issued. SEPA exempt actions shall not be subject to reconsideration and shall be subject to only a fourteen-day appeal period.
	19.08 Approval, Review, and Appeal Authority	19.08.010	As outlined in Section 19.08.030, department staff as assigned by the director or the DRC shall have the authority to review and approve, deny, modify, or conditionally approve, land use or environmental permits or licenses	No change. "Director" now refers to Community Development Director with the definition change.

			required from the city for a project action, including, but not limited to, site plan review, boundary line adjustments, administrative temporary and conditional use permits, building permits and other construction permits, SEPA procedural and substantive determinations, short plats, binding site plans, minor variances, minor modifications to approved administrative conditional use permits and conditional use permits, phasing and expiration extensions of subdivision preliminary plats, sign permits, certificates of occupancy, critical area permits, floodplain development permits, and shoreline exemptions, and to provide interpretations of codes and regulations applicable to such projects.	
	19.10 Site Plan Review	19.10.040	Type I Site Plan Review. Type I site plan reviews are typically relatively minor in nature, consistent with the zoning of surrounding land uses, and do not have a substantial impact on the natural and built environment. Type I applications are approved by the public works director or his/her designee without public notice and without a public hearing. A pre-application conference is not required unless requested by the applicant.	Type I Site Plan Review. Type I site plan reviews are typically relatively minor in nature, consistent with the zoning of surrounding land uses, and do not have a substantial impact on the natural and built environment. Type I applications are approved by the Community Development Director or his/her designee without public notice and without a public hearing. A pre-application conference is not required unless requested by the applicant.

		19.10.060(A)	In approving site plans, it shall be the responsibility of the planning official to review each plan for compliance with all provisions of this chapter and any other applicable regulations that may affect the final plan as submitted or revised. The planning official shall coordinate review with the public works director, building official, staff or contract fire professionals, and the city's reviewing consultants.	In approving site plans, it shall be the responsibility of the Community Development Director to review each plan for compliance with all provisions of this chapter and any other applicable regulations that may affect the final plan as submitted or revised. The Community Development Director shall coordinate review with the public works director, building official, staff or contract fire professionals, and the city's reviewing consultants.
		19.10.070(A)	Where a site plan is issued subject to conditions that require the submittal of additional materials or changes to existing plans (preliminary approval), the planning official may require that the applicant submit for final civil plan approval to determine if the revised plans comply with the conditions of approval. If so required, the proponent must submit final civil construction drawings for review and approval. Unless waived by the public works director, the final civil plan set shall include the following elements: 1. Overall site plan that is substantially the same as that preliminarily approved. 2. Final grading plan. 3. Final stormwater plan and report pursuant to WMC Chapter 15.12.	Where a site plan is issued subject to conditions that require the submittal of additional materials or changes to existing plans (preliminary approval), the planning official may require that the applicant submit for final civil plan approval to determine if the revised plans comply with the conditions of approval. If so required, the proponent must submit final civil construction drawings for review and approval. Unless waived by the Public Works Director, the final civil plan set shall include the following elements:

			4. Erosion control plan pursuant to WMC Chapter 15.10. 5. Final landscaping plan. 6. Final utilities plan. 7. Additional information as required by the public works director or his/her designee. • **CITY OF WOODLAND:** Examined and Approved: This _____ Day of _____, 20_____. (Signed) _____ Public Works Director Prior to decision, the planning official may refer site plans for development proposals to the planning commission for review and comment and shall make such referral when requested by the planning commission or as the planning official or public works director deems appropriate.	1. Overall site plan that is substantially the same as that preliminarily approved. 2. Final grading plan. 3. Final stormwater plan and report pursuant to WMC Chapter 15.12. 4. Erosion control plan pursuant to WMC Chapter 15.10. 5. Final landscaping plan. 6. Final utilities plan. 7. Additional information as required by the Public Works Director, the Community Development Planner or designee. • **CITY OF WOODLAND:** Examined and Approved: This _____ Day of _____, 20_____. (Signed) _____ Public Works Director Prior to decision, the Community Development Director may refer site plans for development proposals to the planning commission for review and comment and shall make such referral when requested by the planning commission or as the Community Development Director deems appropriate.

		19.10.100	Once expired, an applicant must re-apply for site plan review and receive approval before further development of the site proceeds. Expiration of site plan approval shall not apply to applicants with complete applications before the effective date of the ordinance from which this chapter is derived, September 16, 2013. The public works director or his/her designee may approve up to two, one-year extensions if:	Once expired, an applicant must re-apply for site plan review and receive approval before further development of the site proceeds. Expiration of site plan approval shall not apply to applicants with complete applications before the effective date of the ordinance from which this chapter is derived, September 16, 2013. The Community Development Director or his/her designee may approve up to two, one-year extensions if:
		19.10.110(A)	All required public and site improvements and other conditions of site plan approval shall be met prior to occupancy of any site unless required sooner as a condition of approval provided that completion and occupancy may be accomplished in phases if approved by the public works director or his/her designee as part of the site plan review process. Incomplete items may be secured by the issuance of a performance bond or other suitable security as a condition of approval to secure an applicant's obligation to complete the provisions and conditions of the approved site plan.	All required public and site improvements and other conditions of site plan approval shall be met prior to occupancy of any site unless required sooner as a condition of approval provided that completion and occupancy may be accomplished in phases if approved by the Community Development Director or his/her designee as part of the site plan review process. Incomplete items may be secured by the issuance of a performance bond or other suitable security as a condition of approval to secure an applicant's obligation to complete the provisions and conditions of the approved site plan.

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

Staff Report: C-1 Code Amendments

Date: May 11, 2016
To: Planning Commission
From: Amanda Smeller, Community Development Planner
Re: C-1 Code Amendments – multi-family use & height increase

During the Comprehensive Plan update process, the Planning Commission and the City Council agreed it would be a good idea to allow for multi-family units in the C-1 zone without the need for retail/commercial businesses on the first floor. The current code allows for residential units above an allowable commercial use on the bottom floor. There are several developers interested in putting in apartments downtown without wanting to put commercial in the bottom floor. In order to support the Comprehensive Plan for additional multi-family zoning, as well as meet the growing housing shortage in the region, it is proposed to allow multi-family only (no commercial use necessary) developments in C-1. Among this allowance, densities will need to be determined for this use, as they currently do not exist in the C-1 code.

In addition, City Council is supportive of allowing a height increase in the C-1 zone, also to accommodate taller multi-family units. Developers have indicated it is not cost effective for a three story max multi-family building in the downtown area, due to all the building code requirements and have requested to raise the height limit to at least four stories. The current code states 45' or three stories maximum. This was due, at the time, to restrictions of the fire apparatus access.

I have recently spoke to Chief Mike Jackson who indicated:

-Fundamentally, we don't have specific concerns with buildings greater than 3 stories, as we do have a ladder truck that can reasonably reach a 3rd, 4th, or possibly even 5th floor.

-Larger buildings, including higher, can have an impact on the Public Protection Classification from Survey and Ratings, essentially requiring additional firefighting resources. This is the classification that is frequently used to establish rates for commercial property insurance. It is hard to speak to specific impacts of this without information that will come in our next rating (1-2 years from now), but I would anticipate a drastic change in the rating with taller buildings because of the equipment and resources we already have.

-Taller buildings do have some additional code requirements that are addressed in the Fire and Building codes to address things such as required alarm and sprinkler systems along with roads and appropriate access for aerial / ladder trucks. As long as those prescriptive fire and buildings codes remain intact, most issues should be workable and able to be addressed through code requirements.

New height limit restrictions will need to be determined for all buildings downtown, as well as densities for those multi-family buildings downtown. Attached is the current C-1 code. I have also attached the existing multi-family (HDR/MDR) zoning code in regards to densities and height restrictions for multi-family units.

Chapter 17.32 - CENTRAL BUSINESS DISTRICT (C-1)

17.32.010 - Purpose—Location.

The central business district (C-1) is a zoning classification providing for a wide range of retail and professional business uses and services compatible to the central business district of Woodland and providing a focal point of commerce in a setting conducive to safe, convenient, and attractive pedestrian use. The intent of the district is to insure that the downtown business district is preserved and has the capability for growth, expansion, and enhancement. Furthermore, the district provides for uses which will complement and not compete with other commercial use districts. The central business district is intended to be that area generally north of Dunham, south of Bozarth, east of the railroad, and west of Interstate 5.

17.32.020 - Permitted uses.

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

1. Artisanal/craft shop and shops for custom work or repair;
2. Arts and cultural facilities, institutions, and businesses such as museums, theaters, art galleries, and art studios;
3. Automatic teller machines (ATM);
4. Automobile sales (Indoor);
5. Bakeries with retail service;
6. Banks and financial services;
7. Bed and breakfast inns;
8. Community clubs, fraternal societies, and other places of assembly for membership groups;
9. Daycare center;
10. Dwelling units; provided residential uses are located above a permissible C-1 commercial use and adequate off-street parking is provided pursuant to Chapter 17.56. Lobbies for residential uses on upper floors may be located on the ground floor.;
11. Electric vehicle charging stations;
12. Entertainment facilities such as indoor theaters and playhouses;
13. Event center (three hundred person occupancy);
14. Existing, legally established, automotive repair and towing businesses established before December 27, 1979;
15. Existing, legally established, manufacturing and production businesses established before passage of the ordinance codified in this section, April 15, 2013;
16. Farm and garden stores;
17. Farmers' markets, bazaars, and open air markets;
18. Funeral homes and mortuaries;
19. Grocery stores, delicatessens, butcher shops, and indoor markets selling food and farm products;
20. Hardware and building supply stores (retail);
21. Home occupations provided they are accessory to single-family dwellings and meet the requirements of WMC 17.16.100;
22. Hotels, motels, and hostels;
23. Laundry and dry cleaning operations (retail and self);
24. Live-work units;
25. Medical clinics and offices;

26. Microbreweries, microdistilleries, and microwineries;
27. Motorcycle, scooter, bicycle, and other small motorized or non-motorized means of transportation (indoor and outdoor sales);
28. On-site hazardous waste treatment and storage facilities as an accessory use to any activity generating hazardous waste and lawfully permitted in this zone, provided that such facilities must meet the state siting criteria adopted pursuant to the requirements of RCW 70.105.210 as now or hereafter amended;
29. Outdoor eating and/or drinking areas associated with an indoor facility;
30. Outdoor storage of product when: a. Accessory to a permitted use on site, b. Storage area does not exceed fifty percent of the area of the permitted use on a square foot basis, and c. Storage areas is located behind buildings and screened by landscaping or an architectural wall at least six feet in height. If appropriate, some viewing of activity may be allowed through gaps in screening.;
31. Personal and business services;
32. Pet stores and animal grooming businesses;
33. Plant nurseries;
34. Printing shops;
35. Professional and business offices;
36. Public and commercial recreation facilities, gyms, and sports complexes;
37. Public and private off-street parking facilities;
38. Public and quasi-public buildings and uses such as post offices, libraries, and government offices;
39. Public parks, open spaces, and courtyards;
40. Public transportation facilities such as bus stations, train stations, and transit shelters;
41. Recycling collection point;
42. Religious institutions;
43. Repair shops for small equipment and items;
44. Restaurants and cafes and other eating and drinking establishments;
45. Retail establishments, less than fifty thousand one square feet;
46. Signs and outdoor advertising displays pursuant to Chapter 17.52;
47. Single-family dwellings existing at the time of passage of the ordinance codified in this title shall be allowed to remain, and any additions or improvements thereto shall meet the standards of the LDR-6 district;
48. Taverns and liquor establishments;
49. Upholstery and furniture repair;
50. Veterinary offices and clinics without outdoor animal runs;
51. Uses similar to the above that are not otherwise listed in this chapter.

17.32.028 - Conditional uses—Administrative.

The following uses in the central business district (C-1) require conditional use permit approval from the public works director as per WMC Chapter 17.72.

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

17.32.030 - Conditional uses—Hearing examiner.

The following uses in the central business district (C-1) require conditional use permit approval from the hearing examiner as per WMC Chapter 17.72.

1. Automobile diagnostic and repair facilities, major and minor repairs;
2. Automobile sales (outdoor);
3. Automobile service stations, gas stations, and car washes;
4. Drive-through facilities;
5. Event center, greater than three hundred one person occupancy;
6. Farm machinery sales and services;
7. Hospital, psychiatric facility, rest home, home for the aged, nursing home, or convalescent home;
8. Schools (public, parochial, private, vocational, technical, business or other schools, nonprofit or operated for profit);
9. Shelters, temporary housing, emergency housing;
10. Wireless communication facilities.

17.32.032 - Administrative temporary uses.

The following uses in the central business district (C-1) require temporary use permit approval from the public works director or his or her designee as per WMC Chapter 17.70.

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

17.32.040 - Prohibited uses.

The following uses are specifically not permitted in the central business district (C-1):

1. Animal kennel, commercial/boarding;
2. Animal shelter;
3. Any use whose operation constitutes a nuisance by reason of smoke, fumes, odors, steam, gases, vibration, noise hazards or other causes readily detectable beyond property lines;
4. Collective garden, medical marijuana;
5. Commercial dispatch and maintenance facilities;
6. Drug treatment facilities;
7. Junkyards and wrecking yards;
8. Laundry/dry cleaning (industrial);
9. Lumber yards and other building material sales that sell primarily to contractors (wholesale);
10. Manufacturing and production, except those specifically listed as permitted uses in this chapter;
11. Outdoor sales of boats, campers, motor homes, and mobile homes;
12. Recreational vehicle park;
13. Recycling center or plant;
14. Sand, soil, gravel sales and storage;
15. Sexually oriented businesses;
16. Storage facilities, such as self-storage or recreational vehicle storage businesses;
17. Storage, distribution and warehousing when such use is not a part of and not essential to a permitted use; also, when it is proposed to be independently sited within the C-1 district or independently owned and operated within a permitted structure, i.e. using a second floor of a building;
18. Towing;

19. Wholesale businesses.

17.32.050 - Lots—Minimum size.
There are no limitations for minimum lot size.

17.32.060 - Lots—Width, depth.
There are no limitations for minimum lot width and depth.

17.32.070 - Building setbacks.
All setbacks shall be measured from the nearest wall or corner to the appropriate property line.
A. Front Setback. No limitations, except to provide room for a sidewalk in conformance with city standards;
B. Side Setback. No limitations, except where the C-1 zone abuts a residential zone, the side yard setback shall be that required by the residential zone;
C. Rear Setback. No limitations, except where the C-1 zone abuts a residential zone and there is no alley between the C-1 zone and the residential zone, the rear setback shall be that required by the residential zone.

17.32.080 - Building height.
No building shall be more than three stories or forty-five feet in height.

17.32.090 - Lot coverage.
There are no limitations; provided the applicable setbacks are observed.

17.32.100 - Off-street parking.
Off-street parking in the C-1 district shall meet the requirements of Chapter 17.56.

17.32.110 - Screening—Landscaping.
A. Abutting Residential Zones. C-1 uses which abut residential districts along the side and rear property lines shall provide a sight-obscuring fence a minimum of six feet, but not more than eight feet high. In addition to the fence, hedges and shrubbery may be placed along the inside of the fence but shall not become a nuisance to adjacent properties.
If the applicant proposes that the C-1 use and building will be visually and functionally compatible with the neighboring residential character of the area without providing a fence, the applicant shall present the proposal to the planning commission for a determination of zone and neighborhood compatibility. The planning commission may require the use and its site to be designed and landscaped so as to further blend into the area.
B. Corner Lots. Fences and hedges on corner lots shall be no higher than three feet along the front property line and three feet along the side street property line to a point equal to the front setback of the main building.

17.32.120 - Building and yard maintenance.
All buildings and yards in the C-1 district shall be maintained in a neat and orderly manner. Landscaping shall be maintained in a healthy, presentable state. Nonfunctional vehicles, machinery, appliances, steel drums, boxes, crates, pallets and related equipment and materials shall not be openly stored in front, side and rear yards.

17.32.130 - Lighting.

Lighting, including permitted illuminated signs, shall be designed and arranged so as not to:

A. Reflect or cast glare into any residential zone;
B. Rotate, glitter, or flash; and
C. Conflict with the readability of traffic signs and control signals.

17.20.070 - Property development standards.

The following sets forth the required development standards applicable to properties located in the MDR and HDR zones. (Development standards for townhouses on individually-owned lots are contained in Section 17.20.080).

	MDR	HDR
A. Minimum lot area per building site in square feet	7,500	7,500
B. Maximum development density Dwelling units per net acre	25	35
Net square feet of lot area per dwelling unit	1,740	1,240
C. Minimum lot width in feet	75	75
D. Front, rear and interior side setbacks		
1. Front yard setback in feet	20	20

2. Rear yard setback in feet	25	25
3. Interior side yard setback in feet	5	5
E. Street side yard setback in feet	10	10
F. Maximum building height in feet	35	35
G. Maximum lot coverage by percentage of net area	35	45
H. Minimum street frontage in feet	30	30
I. Minimum setback from principal or minor arterial	25	25

(Ord. 939 § 9 (part), 2000)

Building & Planning Project Update (highlights)

(As of May 11, 2016 – supplement to DRC notes)

- Comprehensive Plan Update:
  - The Comprehensive Plan was adopted by Council in March and became effective on April 21, 2016.
  - The Critical Areas Ordinance must be updated as part of the Comprehensive Plan update and is due by December 2016. This information will be provided in more detail at the June meeting.

- Shoreline Master Program Update:
  - The Department of Ecology is still reviewing the City's submitted SMP.

- Two single-family dwelling permits were issued in April: 530 Lilac Lane and 535 Lilac Lane.

- The Temporary Certificate of Occupancy for Carl's Jr was issued on April 29, 2016. Carl's Jr opened on May 3, 2016.

- City Council adopted the C-1 parking code amendment on April 18, 2016.

- Weekender RV submitted a minor variance request for a façade requirement deviation.

- City Council will be reviewing a marijuana cooperative moratorium ordinance at their May 16 meeting.

- A pre-application conference was held for Columbia River Carbonates proposed agriculture limit prilling plant.

- Next Planning Commission meeting agenda will include a rezone request for properties on Bozarth and 5th. The request is to change the zone from LDR to HDR for a multi-family proposal.