WOODLAND PLANNING COMMISSION AGENDA

Planning Commission Regular Meeting – 7:00 PM

SPECIAL DAY: JULY 24, 2014

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

CALL TO ORDER – 7:00 PM

APPROVAL OF MINUTES

- June 19, 2014 meeting minutes
- March 20, 2014 meeting minutes (held over)

PUBLIC HEARING

- Variance expiration (LU #213-929) – To establish an expiration timeframe for approved variances.
- Hearing Examiner review of City applications (LU #214-906) – To have all City initiated applications go before the Hearing Examiner for approval.
- Accessory structures (LU #214-905) – To amend the size allowance for accessory structures in the residential zones.
- Condominiums (LU #214-917) – To repeal the condominium code in its entirety.
- Public Works (LU #214-918) – Various amendments to the existing code.
  - Engineering Standards (Title 14)
  - Streets & Sidewalks (Title 12)
  - Water & Sewage (Title 13)
- Addressing (LU #214-921) – To codify a property addressing process.
- Signs (LU #212-920) – Various amendments to the existing sign code.

WORKSHOP

- Woodland Action Center – Similar Use Determination
  - Staff Report
  - Application
- Non-Conformities
  - Staff Report
  - Draft Code
- Comprehensive Plan Update – Population Projection
  - Staff Report

**UPDATE**

- Project status - Report

**ADJOURN**

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

Planning Commission Regular Meeting - 7:00 PM
June 19, 2014

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

CALL TO ORDER - 7:01:32 PM

PRESENT: Commissioner Deborah Deans
Commissioner Tel Jensen
Commissioner David Simpson.

ABSENT: Commissioner Mike Amirenini
Commissioner Sharon Watt.

STAFF: Clerk III Shannon Rychel
Community Development Planner Amanda Smeller
Public Works Director Bart Stepp

APPROVAL OF MINUTES

- March 20, 2014 meeting minutes (held over), held over again due to lack of attendance.
- May 15, 2014 meeting minutes
  Commissioner Deans moved, seconded by Commissioner Jensen, to approve minutes of May 15, 2014.

PUBLIC HEARING

- Gateway Rezone (LU #213-933): To rezone fourteen properties from Central Business District (C-1) to Highway Commercial (C-2).
- Open public comment 7:03:20 PM
  - Bruce Hulett- In support of rezone, it will help economic growth downtown.
  - Beno Dobbe- In support of rezone, it will help community and enhance downtown area.
  - Gary Hurn- In support of rezone, it will help downtown.
  - Frank Bright- In support of rezone but would like to see the downtown stay “old charm”.
  - Erica Rodman- In support of rezone. Would like to bring the high density residential area to a mixed use zone (C-2).
- Close public testimony 7:08:53 PM
Commissioner Deans moved, seconded by Commissioner Jensen, to approve rezone and send it to City Council.

**WORKSHOP**

- Sign Ordinance
  - Staff Report given by Amanda. Mary Parsons made code suggestions and is labeled in green in the packet.
  - We will need to add “Billboard” definition to code. We will use Ridgefield’s “Billboard” definition.

Commissioner Deans moved, seconded by Commissioner Jensen, to move this to City Council.

  - Bart- Staff Report. City does not have system for street numbering. This is an attempt to set up something in the code for new addresses.

Commissioner Jensen moved, seconded by Commissioner Deans, to keep this issue moving.

**DISCUSSION**

- Comprehensive Plan Amendments – proposed docket
  - Staff Report given by Amanda

- Population Projection – Comp Plan
  - Presentation/Discussion

**UPDATE**

- Project status - Report

**ADJOURN**

Commissioner Deans moved, seconded by Commissioner Jensen, to adjourn at 9:17PM.

Shannon Rychel, Building and Planning Clerk

These minutes are not a verbatim record of the proceedings.

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

Planning Commission Regular Meeting – 7:00 PM

Thursday, March 20, 2014

City Council Chambers
200 E Scott Avenue, Woodland, Washington

CALL TO ORDER
The meeting was called to order at 7:04 PM.

PRESENT: Commissioner David Simpson
Commissioner Murali Amirenini
Commissioner Sharon Watt

ABSENT: Commissioner Tel Jensen
Commissioner Deborah Deans

STAFF:
Public Works Director Bart Stepp
Community Development Planner Amanda Smeller
Clerk Jessica Myers

APPROVAL OF January 16, 2014 Minutes
Minutes could not be approved without three Commissioners from January’s meeting present.

WORKSHOP
• Sign Ordinance
  Amanda gave a refresher on sign-murals and frontage to catch Commissioner Murali up to speed. Commissioner Simpson likes the notes in gray, gives the board some topics to think about. Commissioner Amirenini questioned section K. Smeller explained that it has been discussed before and it sounds funny, but it is right. Smeller will look at it again to possibly change it. Commissioner Simpson wants to know are murals exempt. Smeller and Stepp expressed that for window and painted signs it is a $75.00 fee. Smeller also added that once you identify the business in the painting you need a permit for a sign. Commissioner would like to see the fee for a mural lower than that. Commissioner Watt would like to see a definition added to the code that states clearly what a mural is. Commissioner Simpson would like to not add the City of Zilla’s language on Real Estate signs on ‘higher signs.’ Commissioners agreed that signs pertaining only to the sale or rent of property can be on the sign. Commissioner Amirenini added that it is an eye sore to have multiple advertising on one sign. Commissioners would like the input from Mary Parsons-Code Enforcement. They want her opinion on the sign code. Commissioner Simpson stated that she is the one dealing with it, so he wants to just help make it easier on her. Smeller said she will supply Parsons with a copy of the drafted sign code.
DISCUSSION

- Joint Planning Commission/City Council Goals 2014

- Gateway Rezone
  Smeller gave a Staff Report of the Gateway Rezone Process. She has heard back from 3 of the property owners. The 3 property owners we heard from own a majority of the land in the Gateway Rezone. Commissioner Simpson wants to make sure we don’t need to have ok by owner. Rezoning from a C1 to a C2, will make the bank property conforming. Commissioner Simpson would like to see the Park and Ride rezoned to a PQPI as well as the pool. He states this is for housekeeping purposes. Stepp suggested an open house for the Gateway Rezone. Stepp also asked about if the Commissioners wanted to pick out any pieces of property or all them all to the rezone. Commissioner Simpson stated he liked it the way it was. Idea for an open house was to have a booth at Planter’s Day. Commissioner Simpson would like everyone to read a section a month for the Comprehensive Plan.

- Project update
  Smeller’s report was-American paper appeal is set for March 25, 2014. The city is taking a side with American Paper. They would like the requirement removed on for the Robinson road frontage update. The county wants them to make frontage improvements, which would include streetlights and sidewalks. Also, there is no application for a Winco and Smeller thinks the application for Taco Bell will be coming soon.

ADJOURNMENT 8:34 PM

A motion to adjourn the meeting was made by Commissioner Watt, seconded by Commissioner Amirenini, and unanimously approved at 8:34 PM. Next meeting will be April 24, 2014. Commissioner Deans and Jensen should be back.

___________________________________________
Jessica Myers, Administrative Clerk
___________________________________________

These minutes are not a verbatim record of the proceedings.
The Woodland Action Center (formerly Woodland Community Service Center) is seeking to expand the services they offer. In October 2005, the City approved a contract rezone for the center, located at 736 Davidson Avenue. Under this contract, allowable uses include life-skill classes and workshops, Farmers Market style events, community and rummage sales not more than six (6) days per year, operation of a food and clothing bank, and senior services. The entire contract rezone is attached and outlines all allowable uses and the terms of agreement.

The Center would like to include a thrift shop, open to center clients and the public, offering clothing, household goods and other secondhand items on a retail basis. The thrift store would operate year-round and up to 6 days per week (Monday through Saturday). Revenue would support the Center's food bank and other operations and the store would provide job skill experience to clients.

It was determined the best course of action would be for the Center to apply for a Similar Use Determination for the Planning Commission to decide if these expanded uses are acceptable, based on the current zoning of the property, the current land use, and the concomitant (contract rezone) agreement.

This is currently set for public hearing and decision for the August 2014 Planning Commission meeting.
**LAND USE APPLICATION**

**CITY OF WOODLAND**

**PLANNING DEPARTMENT**
230 Davidson Avenue, Woodland, WA 98674
Office 360-225-1048  Fax 360-225-7336  Acct: 001 000 000 345

**PAID**
**JUN 18 2014**

---

<table>
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<th>Service</th>
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<td>Boundary Line Adjustment</td>
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<tr>
<td>Short Plat</td>
<td>$800 + $75/lot</td>
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<tr>
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<td>Binding Site Plan</td>
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<td>Final Plat</td>
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**BRIEF PROJECT DESCRIPTION**
The Woodland Action Center (formerly Woodland Community Service Center) is currently authorized to operate a food bank and a clothing bank as well as a Farmers Market and up to 6 days of rummage sales per year, pursuant to Ordinance No. 1057 (9 Sept. 2005). The Center wishes to expand its services to include a thrift store, open to Center clients and the public, offering clothing, household goods and other secondhand items on a retail basis. The thrift store would operate year-round and up to 6 days per week (not including Sundays). Revenues would support the Center's food bank and other operations. The store would provide job skills experience to clients.

---

**Property Owner Name**
Woodland Action Center (formerly Woodland Community Service Center)

**Phone**
360 225 9998

**Applicant Name**
SUSAN McADAMS, 2nd VICE CHAIR

**Mailing Address**
736 Davidson Ave, Woodland, WA 98674

**Site Address**
736 Davidson Ave

**Parcel Number**
50143 & 5042

**Comprehensive Plan/Zoning Designation**
Rezone per Ordinance No. 1057, adopted Sept. 19, 2005

**Flood Zone Designation**
FIRM Map Panel #
GIS MAPS ATTACHED

**Critical Area or Shoreline within 200’**

<table>
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<th>Yes</th>
<th>No</th>
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**ROAD ACCESS**

- [ ] Private
- [X] County
- [ ] State
- [X] City

**Property Owners Signature**

**Applicant Signature**

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**Print Form**
Parcel 50142

Woodland ACTION Center
Account Information
Account: 8041667
Parcel: 50143
Jurisdiction: CITY OF WOODLAND
Owner: WOODLAND COMMUNITY SVC CENTER

Mailing Address
PO BOX 1475
WOODLAND, WA 98674

Abbreviated Property Reference
SUB:COMMERCIAL TO WOODLAND BLK:2 LOT:4.5 SECT:11,TWN:RNG:24-5N-W1
PARCEL: 50143

Situs
736 DAVIDSON AVE, WOODLAND 98674

Tax District
903 Woodland City Limits

Click the underlined tax district to view summarized tax authorities
Click here to view individual tax authorities

Neighborhood
WOODLAND

Sales Data
Map Data
Click Here For Interactive Map Instructions

* No sales data is available for this parcel. This can occur if the parcel is a non-residential (i.e. commercial) parcel.

Levy
WD-404-WD-C2-W6

Current Year Levy Rate
(2010 Assess 2011 Payable)
10.140722

Current Assessment Information
Click Here to View Historical Values

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<th>Total Charges</th>
<th>Paid 1st Half</th>
<th>Paid 2nd Half</th>
<th>Paid Whole Year</th>
<th>Unpaid Amount</th>
<th>Tax Bill** (pdf)</th>
<th>Credit Card Payment Link</th>
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** This is the Notice of Valuation as it was originally mailed out. Any subsequent changes to values after the initial notice was produced are not reflected in this PDF.

Current Transaction Information
Click on Tax Year to view detail

Payment Processing: Until your payment is posted, the website will continue to automatically update your account with accruing interest and penalty charges. Longer processing times can be expected during the months of April/May and October/November. Please be advised it may take up to two weeks before all property tax payments are posted.

Click Here to View Historical Taxes

Conveyance History
Click on the links to view conveyance documents

While we make every attempt to make documents available online, there may be some cases where documents are only available in the Auditor's Office.

Property Details
Click here to view historical property details.

Timber Moratorium Expiration Date: None
Timber Moratorium Fee Number: None
Model: BUS_MASTER
Model: COMM
Model: COMM_LAND
Model: SQFT
Account Information

Account: 8041666
Parcel: 50142
Jurisdiction: CITY OF WOODLAND
Owner: WOODLAND COMMUNITY SVC CENTER

Mailing Address
PO BOX 1475
WOODLAND, WA 98674

Abbreviated Property Reference
SUB:COMMERCIAL TO WOODLAND BLK:2 LOT:1,2,3 SECT,TWN,ANG:24-5N-
1W PARCEL: 50142

Situs

Tax District: 900 Woodland City Limits

Click the underlined tax district to view summarized tax authorities
Click here to view individual tax authorities

Neighborhood
WOODLAND

Sales Data: Map Data Click Here For Interactive Map Instructions

* No sales data is available for this parcel. This can occur if the parcel is a non-residential (i.e. commercial) parcel.

Levy
WD-494-WD-C-2-W.

Current Year Levy Rate
(2010 Assess 2011 Payable)
10.140722

Current Assessment Information
Click Here to View Historical Values

Taxes
Assessment Payable Year Actual Assessed Value Notice of Valuation**
Year Type Charges Value Value Acres
2013 2014 PRIVATE EX LAND 50630 50630 0 NOV for 50142

** This is the Notice of Valuation as it was originally mailed out. Any subsequent changes to values after the initial notice was produced are not reflected in this PDF.

Current Transaction Information
Click on Tax Year to view detail

Payment Processing: Until your payment is posted, the website will continue to automatically update your account with accruing interest and penalty charges. Longer processing times can be expected during the months of April/May and October/November. Please be advised it may take up to two weeks before all property tax payments are posted.

Assessment Year Tax Year Total Charges Paid 1st Half Paid 2nd Half Whole Paid Unpaid Amount Tax Bill** (pdf)
2013 2014 $78.68 $39.34 $39.34

** This is the tax bill as it was mailed out in February. Subsequent changes to the tax bill are not reflected in this PDF.

Credit Card Payment Link
www.officialpayments.com

Conveyance History
Click on the links to view conveyance documents

Receipt 860110925 SHIH MIKE ETAL
Book 996 Page 1056
Receipt 902088076 SLAM PARTNERSHIP
Book 1138 Page 1531
Receipt 3172485 SLAM
Book 0 Page 0

Property Details
Click here to view historical property details,

Timber Moratorium Expiration Date: None
Timber Moratorium Fee Number: None
Short Plat/Large Lot #: Model: BUS_MASTER
Model: COMM_LAND
SQFT: 18750

Conveyance Permits
Click on the links to view permit documents

Permit# Project Name Type Remark Filing Date Status
While we make every attempt to make documents available online, there may be some cases where documents are unavailable in an electronic format.

Photographs

County Permit Search City Of Longview Permit Search

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ORDINANCE NO. 1057

AN ORDINANCE authorizing the rezone of certain property located in the City of Woodland, and as further set forth in the attached contract.

WHEREAS, pursuant to its authority, the City may lawfully enter into land rezones by contract as outlined in the attached contract (Exhibit "A"); and,

WHEREAS, the City has conducted all lawful proceedings as conditions precedent to the adoption of an ordinance authorizing the attached contract; and,

WHEREAS, the record of the land use application for contract rezone, also known as “Concomitant Use Agreement”, supports the rezone as requested; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. That the Woodland Municipal Code is hereby amended to provide as follows:

The Mayor is ordained by virtue of the adoption of this Ordinance to have authority to enter into the contract on behalf of the City of Woodland; and,

Upon the execution of the contract, the property presently used by the Woodland Community Services Center is hereby rezoned pursuant to the terms set forth in the attached contract.

Section 2. This ordinance shall become effective five days after passage, approval, and publication as provided by law.

ADOPTED this 19th day of September, 2005.

CITY OF WOODLAND:

[Signature]
Douglas A. Monge, Mayor

ATTEST:

[Signature]
Mari E. Ripp, Clerk/Treasurer

PUBLISHED: October 28, 2005

APPROVED AS TO FORM:

[Signature]
Paul Brachvogel, City Attorney
SUMMARY OF ORDINANCE NO. 1057
OF THE CITY OF WOODLAND, WASHINGTON

On September 19, 2005 the City Council of the City of Woodland, Washington, approved Ordinance No. 1057 the main point which may be summarized by its title as follows:

AN ORDINANCE authorizing the rezone of certain property located in the City of Woodland, and as further set forth in the attached contract.

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

APPROVED by the City Council at their meeting on September 19, 2005.

[Signature]
Mari E. Ripp, Clerk-Treasurer

Published: September 28, 2005
Effective: October 3, 2005
CONCOMITANT USE AGREEMENT

This AGREEMENT is entered by and between the CITY OF WOODLAND, a municipal subdivision of the State of Washington, referred to as “City” and THE WOODLAND COMMUNITY SERVICE CENTER, known as “WCSC” located at 736 Davidson, Woodland, WA 98674: and,

WHEREAS, the WCSC was formed by a coalition of local churches in 2000, in response to the emerging and evolving needs of the greater Woodland community and is a non-profit organization sustained by private donations, state and federal grants; and,

WHEREAS, the WCSC is presently zoned in a manner not entirely consistent with the services it presently provides, and desires to provide in the future, in order to benefit the entire community; and,

WHEREAS, the WCSC has applied for a re-zone by contract of its property in order to authorize certain uses outlined herein; that pursuant to this application the Woodland Planning Commission held a public hearing on July 12, 2005 and continued said hearing on September 13, 2005 upon lawful notice and considered public comment, recommendations from staff, and the application; and,

WHEREAS, based on the public hearings and after due consideration, the Woodland Planning Commission found use of the WCSC property as outlined herein (1) serves primarily the legitimate interests of the entire City of Woodland and surrounding area, (2) does not detrimentally affect surrounding neighbors, (3) is consistent with the comprehensive plan (4) is authorized under this Agreement after diligent review of the facts, circumstances surrounding the application, upon public comment, and after extensive deliberation from city staff, council, and planning commission; that as a result, its recommendation to authorize the use of the property as outlined herein does not constitute arbitrary and capricious action; and,

NOW THEREFORE, the City and WCSC agree, based upon the consideration contained herein, as follows:

1. Use of WCSC Property. Notwithstanding present zoning to the contrary, the WCSC is hereby authorized to use its property at 737 Davidson, Woodland, WA 98674 in the following manner:

a. To conduct life-skill classes and workshops, such as nutrition education, money management, gardening, food preparation, job readiness, basic computer skills, parenting classes, family counseling, job skills training, and job placement assistance.

b. For community gatherings and events, such as Farmers Market style events, community rummage or second hand sales not more than six (6) days per
year, fundraising dinners, open houses, gardening events, and holiday celebrations.

c. Allow part of its building for use by other social service organizations which are consistent with WCSC’s mission to serve the community such as Legal Aid, Community Health Screening, and Health Outreach programs offered by the Washington State Department of Health.

d. Senior services such as senior activities and consultation for long-term care planning.

e. Operation of a Food Bank and Clothing Bank.

f. Providing assistance to the poor and elderly in completing forms for benefits, such as Medicaid and Medicare applications.

g. Activities consistent with those found in a light industrial zone, such as storage, loading, and distribution of items associated with the activities of the WCSC.

h. Operation of the following programs.

  i. Referral Program to local businesses and social services agencies.

  ii. Recycling Program.

  iii. Translation and Literacy Program to assist illiterate and non-English speaking members of the community.

2. **Term.** The term of this Agreement shall be one (1) year from its execution, after which time the terms of this Agreement shall remain in effect in perpetuity, but may be terminated upon thirty (30) days written notice by either party.

3. **Incorporation by Reference.** The limitations of the foregoing activities are subject to the limitations contained in the Addendum attached hereto and are incorporated by reference into this Agreement.
ADDENDUM

1. Rummage sales shall be limited to six (6) days per year.

2. Farmers Markets shall be limited to the sale of produce grown in the immediate area.

3. WCSC will be required to meet off street parking requirements of the existing, as well as proposed uses in the Agreement, as required under WMC 17.56.

4. Hours of operation shall be limited to Monday thru Saturday 8:00 a.m. to 8:00 p.m.

5. Any and all community events shall be subject to the approval of the City of Woodland prior to the start of the event.

6. The applicant shall receive written approval from the Cowlitz County Health Department prior to any food services offered / provided.

7. WCSC shall apply for building permits, prior to expanding and / or remodeling of existing structure.

8. There shall be no outside storage.

9. There shall be no prescription drugs offered from this designated site.
STATE OF WASHINGTON )
               ) ss. CERTIFICATE
CLARK COUNTY    )
COWLITZ COUNTY   )

I, Mari E. Ripp, the duly appointed City Clerk-Treasurer of the City of Woodland, Washington, Clark County, and Cowlitz County, Washington, do hereby certify that the attached and foregoing is a true and complete copy of Ordinance No. 1057, of the Ordinances of the City of Woodland, duly passed by the City Council, approved by the Mayor, published as shown, and as same now remains of record in my office. In Witness Wherein, I have this date set my hand and Seal affixed of the City of Woodland this 19th day of September, 2005.

Mari E. Ripp
City Clerk-Treasurer
City of Woodland
Woodland, Washington
The City Attorney, Bill Eling, has provided comments and additions to the Non-Conformities draft we have been reviewing. The Commission has not had this topic before them in several months.

Among the changes Mr. Eling are the addition of some definitions and an expanded purpose section. He also included a new section that will deal with the recognition of a legal non-conforming use, structure, or lot. This may change the language we currently have (but weren’t necessarily sure about yet) regarding the Hearing Examiner recognizing or reinstating non-conformities.
Chapter 17.60: Non-Conforming Uses, Structures, and Lots

17.60.010 Purpose

The purpose of this chapter is to provide for those circumstances, uses, and lots that are inconsistent with the regulations of this title, but which enjoy rights based on their previous legal existence. The intent of this chapter is to permit legal non-conforming developments, lots, structures, and uses to continue until they are removed but not to encourage their perpetuation.

The purpose of this Chapter is to establish regulations applicable to non-conforming lots, uses, and structures. These regulations distinguish legally established non-conforming lots, uses and structures from illegal non-conforming lots, uses and structures. The intent of this Chapter is to discourage the expansion, enlargement or intensification of legal non-conforming uses and to establish a procedure to recognize legal non-conforming lots, uses and structures (provided they are not expanded, enlarged, intensified, removed or abandoned). The intent is not to discourage owners from performing routine maintenance or making improvements to a structure or a lot. Furthermore, with respect to illegal non-conforming lots, uses and structures, the intent of this Chapter is to prohibit and abate illegal non-conforming lots, uses and structures.

17.60.020 Definitions

(1) "Non-conforming lot" means a lot that, at the time of its establishment, met the minimum lot size requirements for the zone in which it is located but which, because of subsequent changes to the minimum lot size applicable to that zone, no longer complies with requirements.

(2) "Non-conforming structure" means structure that complied with zoning and development regulations at the time it was built but which, because of subsequent changes to the zoning and/or development regulations, no longer fully complies with those regulations in regards to height, setbacks, lot coverage, size, or area.

(3) "Non-conforming use" means a use of property that was allowed at the time the use was established but which, because of changes in zoning regulation, is no longer permitted.

Expansion/Enlargement—Any increase in dimension, size, area, volume, or height, any increase in the area of use, any placement of a structure or part thereof where none existed before, any addition of a site feature such as a deck, patio, fence, driveway, parking, or swimming pool or any move of operations to a new location on the property.

Intensification—Any improvement that would allow the land to be more intensely developed, or any increase in intensity of use based on a review of the original nature, function or purpose of the non-conforming use, the hours of operations, traffic, parking, noise, exterior storage, signs, exterior lighting, types of operations, types of goods or...
services offered, odors, area of operation, number of employees, and other factors deemed relevant by the City.

- Improvement: Making the non-conforming use better, more efficient, or more aesthetically pleasing, including any change that does not replicate what pre-existed, but does not include an expansion, enlargement, or intensification.

- Pre-Existing: That which existed prior to the adoption of the ordinance codified in this title.

(4) "Lot of record" means (a) an undeveloped lot, tract or parcel of land shown on an officially recorded short plat or subdivision or (b) a parcel of land officially recorded or registered as a unit of property with the County Auditor, Assessor or Treasurer and described by platted lot number or by metes and bounds and lawfully established for conveyancing purposes on the date of recording of the instrument that first references the lot. Use of the term "lot of record" does not mean that the lot was created in conformity with the legal regulatory requirements for subdivision of property in accordance with Chapter 58.17 RCW.

(5) "Expansion," "enlargement," or "intensification" means any increase in a dimension, size, area, volume, or height, any increase in the area of use, any placement of a structure or part thereof where none existed before, any addition of a site feature such as a deck, patio, fence, driveway or parking area, any improvement that would allow the land to be more intensely developed, any move of operations to a new location on the property, or any increase in intensity of use based on a review of the original and historical nature, function or purpose of the non-conforming use, the hours of operation, traffic, parking, noise, exterior storage, signs, exterior lighting, types of operations, types of goods or services offered, odors, noise, area of operation, number of employees, and other factors deemed relevant by the City.

(6) "Intensification of use, non-residential" includes, in addition to the description in WMC 17.60.020(5), any change or expansion of a non-residential use that results in both a greater than 10% increase in parking need or the Director of Public Works determines there is a material likelihood the use will have a negative impact regarding traffic generation, noise, smoke, glare, odors, hazardous materials, water use, and/or sewage generation, shall be an "intensification of use" for the purposes of this Chapter.

(7) "Intensification of use, residential" includes, in addition to the description in WMC 17.60.020(5), any change to a residence use which will result in an increase in the number of bedrooms is an "intensification of use" for the purposes of this Chapter.

(8) "Pre-Existing" means that which existed prior to the adoption of the ordinance codified in this title.

(9) "Alteration of nonconforming structures" means any change or rearrangement in the supporting members of existing buildings, such as bearing walls, columns, beams, girders, or interior partitions, as well as any changes in doors, windows, means of egress or ingress or any enlargement to or diminution of a building or structure, horizontally or vertically, or the moving of a building from one location to another. This definition excludes normal repair and maintenance, such as painting or roof replacement, but includes more substantial changes.
The City may take such action as it deems necessary to abate or to enjoin any illegal non-conforming use, structure, lot or other site improvement when the owner or the owner's agent, successor, tenant, occupant or assignee fails to discontinue such use or fails to remove such non-conforming structure after written notice from the City. Such notice shall be sent to the owner at the address shown in the current online records of the County Treasurer and Assessor.

17.60.040 – Completion of Structure
Nothing contained in this title shall require any change in the plans, construction, alteration, or designated use of a structure for which a building permit has been legally issued and construction commenced prior to the adoption of the ordinance codified in this title and subsequent amendments thereto.

17.60.050 – Non-Conforming Uses
A. A non-conforming use may not increase in intensity or be made more non-conforming without special permission from the Hearing Examiner through a Conditional Use Permit as per Chapter 17.72.
B. A structure containing a non-conforming use may be enlarged or extended only by special permission of the Hearing Examiner through a Conditional Use Permit as per Chapter 17.72. The extension of a non-conforming use to a portion of a structure existing on the date this ordinance was amended which that was built for the non-conforming use at the time of the passage of the ordinance codified in this title is not considered an extension of a non-conforming use. For example, if the building was constructed for the non-conforming use, but the use did not fill the entire building, expanding the use into the empty portion of the building does not constitute the extension of the non-conforming use.
C. No non-conforming use shall be moved in whole or in part to any other portion of the lot or zoning district in which it is located. If moved, it must be to a district in which the use is permitted.
D. If any non-conforming use ceases for any reason for a period of six months, any subsequent use shall conform to the regulations specified by this title for the district in which such use is located.
E. The Hearing Examiner may recognize a legal non-conforming use and/or may authorize reinstatement of a non-conforming use. The procedure for recognizing and/or reinstatement shall be the same as for Conditional Use Permits as outlined in Chapter 17.72 and conditions may be imposed as part of reinstatement.
F. A non-conforming use cannot be changed to another kind of non-conforming use, but the non-conforming use legally established or permitted in the zoning district to which the use permitted in the zoning district to which the use is changed, except that a use cannot be changed back to the prior non-conforming use, unless so permitted by the Hearing Examiner.
G. If a structure containing a non-conforming use is destroyed by any cause to an extent exceeding fifty percent of the cost of replacement of the structure, using new materials, a future use of the property shall conform to the provisions of this title. See Section 17.60.080 for single-family dwelling exemptions.

17.60.060 – Non-Conforming Structures
A. A non-conforming structure may be continued and maintained in reasonable repair and safe condition, provided that the structure is not enlarged, extended, or increased without special permission by the Hearing Examiner through a Conditional Use Permit as per Chapter 17.72. A non-conforming structure may not be made more non-conforming.

B. A non-conforming structure may not be moved in whole or part to any other portion of the lot of zoning district in which it is located, unless to the move brings the structure into conformance.

C. A non-conforming structure may be utilized for a use which is permitted in the zoning district in which the structure is located. In order to accommodate permitted use, the structure may be repaired, modified, or altered, internally and externally; provided such repairs and modifications (1) do not increase the non-conformance of the structure and (2) that such repairs and modifications satisfy they meet the International Building Code standards.

D. In addition, a non-conforming structure as described in Section C above may be modified or altered in such a manner that it conforms to the standards of the district, this title, and the International Building Code.

E. If a non-conforming structure is destroyed by any cause to an extent exceeding fifty percent of the cost of replacement of the structure, using new materials, a future structure of the property shall conform to the provisions of this title. See Section 17.60.080 for single-family exemptions.

F. A non-conforming structure that is made conforming will not be allowed to become non-conforming again without following the Variance process outlined in Chapter 17.81.

17.60.070 – Non-conforming Lots
Any permitted use may be established on an undersized lot that cannot satisfy lot size or width requirements of this Title, provided that:

A. All other applicable zoning development standards, such as building setback requirements and lot coverage requirements, are met or a variance has been granted;

B. The lot was legally created and satisfied the lot size and width requirements applicable at the time of creation;

C. No unsafe condition is created by permitting development on the non-conforming lot; and

D. The lot was not created as a “special tract” to protect critical areas, provide open space, or as a public or private access tract.

17.60.080 – Single-Family Dwellings
Single-family dwellings, including manufactured homes, existing in the C-1, C-2, C-3, I-1, or I-2 districts at the time of passage of the ordinance codified in this title shall be allowed to remain, and any addition or improvements thereto shall meet the standards of the LDR-6 zoning district.

A. In any zone, a single-family dwelling destroyed by any cause to any extent, shall be allowed to be improved or reconstructed, provided the setback standards of the LDR-6 district are maintained or provided that the original footprint of the destroyed dwelling is maintained.

17.60.090 - Inquiries Concerning Non-Conforming Status
An owner or agent claiming a legal non-conforming use, structure or lot may petition the City to formally recognize the legal non-conforming use, structure or lot. Initial City review will be a Type ___________ review and is the sole method to obtain recognition. This review shall be subject to the requirements of WMC ___________. The owner/agent has the burden of showing legal non-conforming status. Non-Conforming status is established by documentary evidence and by narrative statements.

An owner/agent shall provide documentary evidence to establish the following:

1. Date the use was established or lot was created; date structure was completed;
2. Initial use at time of establishment, creation or completion;
3. Chronological list of subsequent uses;
4. Any advertisement for sale of the property; any advertisement for lease of the property;
5. Proof of business operation if a business use is claimed. Proof of business operation includes but is not limited to state and local business licenses, state business and occupation tax returns, state sales tax returns;
6. If multi-family use is claimed, proof of use as a multi-family unit during the prior 24 months and proof of compliance with RCW ___________ and WAC ___________;
7. Certificate of occupancy;
8. If the property has been leased, a copy of the leases.

The owner/agent may provide narrative statements to establish facts for which there is insufficient documentary evidence. Narrative statements shall be provided in affidavit or certificate form.

Official written recognition by City officials or the planning staff of legal non-conforming shall be given greater weight than informal oral statements by City officials or the planning staff. Oral statements which identify the date and time of the oral statement, the persons present, the question asked will be given greater weight than general statements lacking such details. There is a rebuttable presumption that a business was not operated on the property and the business use was abandoned unless the documentary proof described in Subsection 5 is provided. "Leasing" property is not a separate independent business use for purposes of this Chapter but is considered a form of title.

After Type ___________ review, the City shall issue a written decision either recognizing the legal non-conforming use or finding that a legal non-conforming use has not been established. The owner/agent shall have 20 days to appeal the decision to the Hearing Examiner. The Hearing Examiner shall review the decision based on the materials submitted by the owner/agent at the Type ___________ review and on any supplementary material provided by the City. The petitioner shall pay a filing fee in an amount set by City Council Resolution. The Petitioner shall reimburse the City for 50% of the Hearing Examiner expense for this or any other review, application or petition under this Chapter.
Last month the City's consultant, Elizabeth Decker, who is assisting with the Comprehensive Plan Update, gave a presentation regarding population projections. There was discussion as to which population projection that Commission would like to select; however, a firm selection needs to be made that can be brought to City Council.

The population projection selected is what the 2016 update will work towards. In other words, we need to ensure that the City will have enough land within the Urban Growth Area, enough services, enough infrastructure, etc. to serve the expected population in the next 20 years.

During the June meeting, the Commission was leaning towards projection #3, which predicts the City's growth as a percentage of the County's growth rate. Attached is the original presentation given.

Just this week, Ms. Decker had a conversation with the Official of Financial Management about population projections. OFM believes that Woodland's projection may be more like northern Clark County cities, like Ridgefield, Battle Ground, and La Center, rather than Cowlitz County. The northern Clark County cities' average annual growth rate for the next 20 years is 3.8%, very close to Woodland's adopted 3.5%. OFM believes Woodland will grow faster than the rest of Cowlitz County, so the slowing growth trend the rest of the County experiences may not apply the same way here. Ms. Decker is comfortable supporting the 3.5% annual growth rate, which would be projection #1 (see the revised presentation attached) which is a greater growth rate than projection #3.
Woodland 2016 Comprehensive Plan Update: Population Projections

Demographic Trends

Past data for Woodland and Cowlitz County show several trends:

- Population for both the city and county have increased, with relatively steady growth aside from a slow-down in the 1980s tied to shrinking timber harvests.
- Woodland’s population as a percentage of the overall County population has increased.

Table 1: Historic Population Data for Cowlitz County and Woodland (Census data)

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<td>1.5%</td>
<td>0.3%</td>
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<td>1.0%</td>
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<tr>
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Figures 1 & 2: Historic Population Data
County Projections

The Washington State Office of Financial Management prepares population forecasts at the County level. County officials are required by GMA statutes to select a population projection between the high and low ranges provided by OFM. In GMA counties, there is an allocation process to assign the projected increase to the various jurisdictions within the county. In the absence of a Cowlitz County allocation process or any City-specific projections, the County projections can be a starting point for city projections. The medium-range County projections show continued but slowing growth over the next 20 years.

<table>
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<th>2025</th>
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<td>116,897</td>
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<td>0.57%</td>
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<tr>
<td>year period</td>
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</tr>
</tbody>
</table>

Given that the majority of the city is within Cowlitz County, Clark County population projections were not analyzed. Clark County did complete an allocation process and anticipates a total population of 339 in the Clark portion of Woodland by 2035, an increase from the 88 current residents. This increase of 252 new residents can be accommodated in any of the city population models discussed below and was not calculated separately.

City Projections

There are several methodological options for projecting City population over the next 20 years based on the Cowlitz County projections and historic city and County data.

- **Projection 1:** Consistent annual growth at 3.5% annual growth rate, as adopted in the 2005 Woodland Comprehensive Plan based on previous demographic work. Similar growth rates were observed from 1990 to 2010, though future population trends may not be reflected in this rate.
- **Projection 2:** Continued annual growth at historical average rates, 2.87% per year. This projection is based solely on previous population growth from 1960 to 2010 and does not factor in any changing demographics or other local trends. This model captures the overall trend of increasing population.
- **Projection 3:** Continued increase of the City’s population as a percentage of the County’s population. This projection is based on the OFM County projections, and a straight-line projection of the city’s relative share of the County’s population based on historical growth of the city relative to the County between 1960 and 2010. This model reflects the overall trend of the City’s growth as a percentage of the County’s population.
- **Projection 4:** Continued annual growth, with annual growth rates pegged to relative changes in projected annual County growth rates. This model starts with the existing city population, and
forecasts based on annual growth rates that gradually decrease from the current 3.8% for the past 10-year period to 0.9% annual growth rate, relative to the projected decrease in the County annual growth rate from 1.0% to 0.2% over the same period. This projection captures the overall slowing in growth across the County anticipated by the OFM.

- **Average**: The average of all four projections is included to capture all trends, which were weighted equally.

**Table 3: Woodland Population Projections**

<table>
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<tr>
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<tbody>
<tr>
<td>Projection 1</td>
<td>6,543</td>
<td>7,771</td>
<td>9,229</td>
<td>10,962</td>
<td>13,019</td>
<td>15,463</td>
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<tr>
<td>Projection 2</td>
<td>6,346</td>
<td>7,311</td>
<td>8,422</td>
<td>9,702</td>
<td>11,176</td>
<td>12,875</td>
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<tr>
<td>Projection 3</td>
<td>6,153</td>
<td>6,914</td>
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<td>8,603</td>
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<td>10,427</td>
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<tr>
<td>Projection 4</td>
<td>6,082</td>
<td>6,872</td>
<td>7,646</td>
<td>8,298</td>
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<td>6,281</td>
<td>7,217</td>
<td>8,259</td>
<td>9,391</td>
<td>10,613</td>
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</tbody>
</table>

**Figure 3: Woodland Population Projections**

**Selection of Preferred Projection**

There are several considerations for the City before selecting one of the population projections, or further modifying any of the projections. We recommend considering:

- **OFM**: GMA standards prioritize consideration of OFM data, and a projection based on OFM data would likely be a more solid base for planning assumptions unless other reliable data sources
are available. Additionally, we recommend a discussion with OFM to try to tease apart the reasons they project a slowing of growth in the second half of the planning period, and any trends they see differentiating the County and the City.

- **Planning Implications:** The population projection will impact the capital facilities plans for utilities, transportation and park, as well as the land supply needed to house the projected population. The more accurate the projection, the better the City can meet its future growth needs in a cost-effective manner.

We will work with City staff to refine these projections before taking a recommendation to the Planning Commission.

Prepared by:
E² Land Use Planning Services, LLC
e.eisemann@e2landuse.com
Demographic Trends

Past data for Woodland and Cowlitz County show several trends:

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| Table 2: Projected Cowlitz County Population (OFM projections) |
|-----------------------------------|----------------|----------------|----------------|----------------|----------------|----------------|
| County                            | 2015           | 2020           | 2025           | 2030           | 2035           | 2040           |
| Cowlitz County                     | 105,130        | 108,588        | 111,706        | 114,158        | 115,798        | 116,897        |
| Annual growth over previous 5-year period | 0.53%         | 0.65%         | 0.57%         | 0.44%         | 0.29%         | 0.19%         |

Given that the majority of Woodland is within Cowlitz County, the Clark County population projections and allocation process does not heavily influence Woodland’s population projections, however, Clark County trends may be applicable to Woodland. Ms. Zhao suggested that Clark County growth trends, particularly the growth rates in northern Clark County cities, may be more predictive of future Woodland growth because of the city’s proximity to Clark County, and the impacts of residential growth and jobs growth in Clark County driving demand for commercial services and additional residential growth in Woodland. Some of Woodland’s new commercial growth at I-5, for example, is attributable to demand from north Clark County residents. Similarly, some of Woodland’s residential growth can be tied to the City’s relative affordability vis-à-vis Clark County cities and proximity to Clark County and Portland metro area jobs. Clark County has adopted a 1.12% annual growth rate for the next 20-year planning period, which is more than double the rate for Cowlitz County over the same period. Looking specifically at the cities in the northern Clark County—Ridgefield, Battle Ground, and La Center—the projected annual growth rate is 3.83%, very similar to Woodland’s adopted rate of 3.5% annual growth.

Clark County did complete an allocation process and anticipates a total population of 339 in the Clark portion of Woodland by 2035, an increase from the 88 current residents. This increase of 252 new residents can be accommodated in any of the city population models discussed below and was not calculated separately.
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- **Projection 2**: Continued annual growth at historical average rates, 2.87% per year. This projection is based solely on previous population growth from 1960 to 2010 and does not factor in any changing demographics or other local trends. This model captures the overall trend of increasing population.

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Selection of Preferred Projection

There are several considerations for the City before selecting one of the population projections, or further modifying any of the projections. We recommend considering:

- **OFM**: GMA standards prioritize consideration of OFM data, and a projection based on OFM data would likely be a more solid base for planning assumptions unless other reliable data sources are available. In addition to the Cowlitz County data, Clark County data may be also be relevant. Ms. Zhao with OFM reported that Woodland will likely be the fastest growing city in Cowlitz County, so city growth rates above the County growth rates would be appropriate.

- **Infrastructure Planning Implications**: The population projection will impact the capital facilities plans for utilities, transportation and parks. The more accurate the projection, the better the City can meet its future growth needs in a cost-effective manner. For public works, Bart Stepp reported that the City has made considerable investments in the water and wastewater treatment plants, and there is capacity for any of the population forecasts. For transportation, Mr. Stepp explained that additional growth will likely tax the existing transportation infrastructure, but improvements would need to be grant-funded under any growth scenario.

- **Urban Growth Area**: A larger 2035 population would need to be accommodated through either Urban Growth Area (UGA) expansion or increased density within the existing UGA. Based on the previous 10 years’ growth, it is likely (though not yet verified) that the current UGA does not have enough land to accommodate the next 20 years worth of growth at current densities, especially if the City adopts a higher growth forecast. UGA expansion could trigger additional
SEPA review, which could add significant time and expense to the comprehensive plan approval process. The City should also consider its future vision, its desired size and opportunities for boundary expansion to accommodate future growth.

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Building & Planning Project Update  
(As of July 17, 2014)

- Taco Bell Site Plan Review: Taco Bell was able to submit a complete application which includes a Site Plan Review and SEPA for the new building, as well as a Variance for additional signage. The Notice of Application/Public Hearing was issued on July 10, 2014. The public hearing is scheduled for 10:00 AM on Friday, August 1st in Council Chambers.

- Lilac Place Apartments: The Building Department issued the Certificate of Occupancy on July 3, 2014. Tenants have already moved into the space.

- New Woodland High School: Footings continue to be poured for the stadium. Structural steel continues, as do the mechanical, plumbing, electrical and roofing.

- Chaudry Convenience Store: The City received an application for Site Plan Review and SEPA for a new convenience store, gas station and fast food restaurant on the corner of Belmont Loop and Old Pacific Highway. The packet is currently under review to ensure completeness.

- Dunlap Slope Grading: Mr. Dunlap submitted an application to grade the bank slope of Horseshoe Lake on his property for safety reasons. The packet includes a Shoreline Substantial Development Permit, a Shoreline Conditional Use Permit, Site Plan Review, SEPA, and a Critical Areas Permit for this work. The public hearing before the Hearing Examiner is scheduled for 10:00 AM on Tuesday, August 26 in Council Chambers.

- Chilton Logging: Chilton had applied for a wash rack and storage building for their current operation on Down River Drive. They received their final land use approval and their building permit was issued the second week of July.

- Gateway Rezone: The first reading passed through Council on July 7. The final reading is scheduled for the July 21st Council meeting.

- Shoreline Management Program Update: The Consultant will be delivering the draft to the City on July 25. Staff will review and the consultant will make changes prior to the Planning Commission reviews in August, September and October. The draft will be reviewed by the Commission prior to being transmitted to the Department of Ecology later in the year.

- Comprehensive Plan Update: Council adopted the PPP by resolution on June 16. We are working on the population forecasts.