



Community Development Department
 Building | Planning | Code Enforcement
 (360) 225-7299
 www.ci.woodland.wa.us

NOTICE OF DECISION

Bozarth Multi-Family – Boundary Line Adjustment/Site Plan Review/Variance

Land Use Application No.:	BLA 22-001, SPR-22-002, SEP-22-002, VAR-22-001
Decision Issue Date:	January 6, 2022
Contact:	Windsor Engineers C/O Daniel Koistinen PO Box 3506 Duluth, Minnesota, 55803 dkoistinen@windsorengineers.com
Property Owners:	Belcorp C/O Andrew Bell PO Box 23 Yacolt, Washington, 98604 andrew@belcorp.co
Site Location:	560 Bozarth Avenue (Bozarth and Fifth Street)
Parcel:	505030200/5052501
Zoning Designation:	High Density Residential (HDR)
Date Application Received:	February 15 th , 2022
Notice of Application & Likely DNS Issued:	Revised: March 31 st , 2022 Original: February 28 th , 2022
Comment Period & SEPA Appeal Period Ended:	Revised: April 14 th , 2022 Original: March 23 rd , 2022
Notice of Decision Issued:	April 19 th , 2022
DRC Decision:	Approve with Conditions

I. DESCRIPTION OF PROPOSAL

Applicant proposes to adjust two parcels at the corner of Bozarth Avenue and 5th Street, one of which has two existing apartment buildings with a total of 8 units. A third multi-unit building is proposed that will offer 15 additional units in addition to the 8 units that will remain. The applicant will relocate the utilities for 620 5th street and relocate their utility connection to the mains located under 5th Street. The proposed new building will be four stories and require a minor height variance of 5 feet and 9 inches.

II. FINDINGS – Boundary Line Adjustment

Per WMC 19.08.030, Boundary Line Adjustments shall be approved, approved with conditions, or denied by the Public Works Director. The criteria used are outlined in WMC 16.34.050. The decision is based on a determination that the proposed boundary line adjustment satisfies the requirements of this article; that the project will serve the public interest; that the proposal conforms to the City’s comprehensive plan; and that the lots created by the boundary line adjustment conform to the standards of the applicable zoning district.

Approval Criteria | WMC 16.34.050

A. No new lots are created by the BLA proposal.

Finding 1: No new lots are created by the BLA proposal.

Conclusion: The proposal complies with this standard.

B. The adjusted lots meet current zoning requirements related to property size including but not limited to, minimum requirements for width, depth, and area. Whenever a lot involved in a proposed BLA does not meet minimum requirements for size prior to adjustment, the change may be approved so long as the change does not increase the existing nonconformity.

Finding 2: The subject parcels are zoned High-Density Residential (LDR-6). The minimum lot size allowed is 7,500 sq. ft. and there is a minimum lot width of 70 feet per WMC 17.16.070.

Finding 3: All proposed lots exceed the lot size. The adjusted parcel (5052501) will have a lot width of around 100 feet, and have an area of 28,527 SF, which exceeds standards as set within Woodland Municipal Code.

Conclusion: As conditioned, the proposal can comply with zoning lot standards.

- C. No lot shall be reconfigured or adjusted which would render access for vehicles, utilities, fire protection, or existing easements impractical to serve their purpose. Blanket utility easements existing along lot lines, which are specifically required as a condition of development approval, may be moved during a boundary line adjustment; provided, there is compliance with RCW 64.04.175 and the easement is not occupied by a utility. If the easement is occupied, this provision is inapplicable, and the provisions of RCW 64.04.175 shall apply.

Finding 4: New curb, gutter, and sidewalk will be built along both 5th street and Bozarth Avenue, and shall maintain, or improve vehicular and pedestrian access. A new parking lot and access has been proposed to access the new development that will improve access to the property. See section III for analysis of access. Utilities for proposed building shall be moved to 5th street, and a condition has been added that the applicant shall document any utilities moved and provide documentation of any easements abandoned. (*See condition 1.1*)

Conclusion: The proposal complies with this standard.

- D. A BLA proposal that is inconsistent with any restrictions or conditions of approval for a recorded plat or short plat shall not be approved.

Finding 5: The BLA will not affect any original restrictions or conditions of approval.

Conclusion: The proposal complies with this standard.

- E. A BLA proposal between lots with different zoning designations shall not be approved.

Finding 6: Both lots involved are zoned How-Density Residential (HDR).

Conclusion: The proposal complies with this standard.

- F. A BLA proposal that would reduce the overall area in a plat or short plat devoted to open space shall not be approved.

Finding 7: There are no areas dedicated to open space that will be affected by this BLA. The BLA will not reduce the overall area of the plat or open space.

Conclusion: The proposal complies with this standard.

G. A BLA proposal that would adjust a boundary line across a public roadway shall not be approved.

Finding 8: The proposed BLA will not adjust a boundary line across a public roadway.

Conclusion: The proposal complies with this standard.

Preliminary Boundary Line Adjustment Approval | WMC 16.34.060

Finding 9: The applicant submitted a preliminary boundary line adjustment. Per WMC 16.34.060, the applicant is required to provide an updated survey/map that meets or exceeds all conditions within this report. *(See condition 1.2)*

Finding 9a: A final map for recording shall include signature blocks for all a property owner(s), signature block for the Fire Marshall of Clark-Cowlitz Fire Rescue, signature block for Public Works Director, Legal descriptions prepared for each lot, and the language of any and all covenants, deed restrictions, or other property use limitations on the project. *(See conditions 1.3 and 1.4)*

Finding 9b: The BLA shall be recorded with the County assessor's office at the expense of the applicant following final approval. *(See conditions 1.5, 1.6, and 1.7)*

Finding 9c: The Boundary Line Adjustment within three years from the date of this decision. *(See condition 1.8)*

Conclusion: The boundary line adjustment can be approved with conditions.

III. FINDINGS – SITE PLAN REVIEW

Development impact Fees – School District | WMC 3.40

Finding 10: All development Impact Fees are calculated and assessed at time of building

permit issuance. A condition of approval has been given that all impact fees are due at building permit issuance. (*See condition 2.1*)

Finding 11: School District Impact Fees will be required. School District impact fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.40.

The current fee schedule calls for school district impact fees to be paid at building permit issuance equal to \$5,900 per multi-family dwelling unit of two or more units, and \$2,000 per studio or one bedroom unit.

Proposed new development has a total of 15 new units, of which 3 are planned as studio apartments, and 12 are two-bedroom units. As such, School Impact Fees would be \$2,000 per studio unit * 3 units, plus \$5,900 per two-bedroom unit * 12 units = 76,800 dollars. (*See conditions 2.2*)

Development impact Fees – Fire, Parks and Recreation | WMC 3.41

Finding 12: Fire Impact Fees: Fire impact Fees will be required. Fire impact Fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.41.

The current fee schedule calls for fire impact fees to be paid at building permit issuance equal to \$1,426 per multi-family dwelling unit. \$1,426 per unit * 15 units = 21,390 dollars. (*See condition 2.2*)

Finding 13: Parks and Recreation impact Fees: Parks and Recreation impact Fees will be required. Parks and recreation impact fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.41.

The current fee schedule calls for Parks and Recreation impact Fees to be paid at building permit issuance equal to \$831 per multi-family dwelling unit. \$831 per unit * 15 units = 12,465 dollars. (*See condition 2.2*)

Development impact Fees - Transportation | WMC 3.42

Finding 14: Transportation Impact Fees will be required. Transportation fees for multi-family dwellings are based on a per-unit fee schedule as set by the Woodland City Council as outlined in WMC 3.42.

The current fee schedule calls for transportation impact fees to be paid at building permit

issuance equal to \$519.56 per unit. $519.56 \text{ per unit} * 15 \text{ units} = 7,793.4 \text{ dollars}$. (See condition 2.2)

Streets and Sidewalks | WMC Title 12

Finding 15: The street frontage on Bozarth Avenue is improved with curb, gutter, and sidewalk. The street frontage along 5th street is partially improved with curb, gutter, and sidewalk. These improvements run for approximately 115 feet from the intersection of 5th and Bozarth, leaving 60 feet of unimproved street along 5th street parallel to the lot-line.

Finding 16: Per WMC 12.06.01, the City of Woodland shall require the completion of street frontage improvements along both frontages of proposed development. A condition has been added that half-street improvements that meet or exceed the City of Woodland's engineering standards shall be required. (See condition 2.3)

Finding 16b: Bozarth Avenue is considered a two-lane collector with a required Right-of-Way of 60 feet, while 5th street is considered a neighborhood access road with a required Right-of-Way of 54 feet. A condition has been added that the Right-of-Way shall be dedicated along 5th street and the existing Right-of-Way shall be maintained along Bozarth Avenue. (See condition 2.3A)

Conclusion: As conditioned, the proposed development can comply with this standard.

Water and Sewage | WMC Title 13

Finding 17: Proposed development shall connect to existing six (6) inch water line and 8-inch sewer line located under 5th street. (See condition 2.4)

Payment of connection charges for water and sewer shall be per the current rate schedule. Application for development must address whether backflow devices are required on the water service in accordance with Woodland Municipal Code and the Uniform Plumbing Code. (See condition 2.2)

Finding 18: Available capacity within the City's sewer collection system is limited. The extent of the potential impacts to the City's sewer system from the proposed development are unclear at this time but could be significant. Off-site improvements to the City's sewer system may be needed in order to accommodate the additional flows generated by the proposal. Necessary off-site sewer improvement shall be as determined by the City, with consideration given to the proposed development as well as other in-process development in the City. As part of final engineering, the applicant will need to

provide flow projections and any other relevant engineering information as requested by the city. The applicant may be required to contribute an equitable proportional share to upgrades to downstream sewer capacity that may be necessary in order to accommodate the proposal. All required financial contributions made for said improvements must be paid prior to issuance of building permits. (*See condition 2.5*)

Conclusion: As conditioned, the proposed development can comply with the development standards.

Building Comments | WMC 14 & IBC

The city has adopted the 2018 edition of the International Building Code (IBC),

Finding 19: A Geotechnical report has been provided for this project, as is consistent with WMC 14 and IBC. A condition has been added that applicant must provide a final Geotechnical report along with building permit application. (*See condition 2.6*)

Finding 20: Per Washington State Code, ten percent (10%) of provided parking spaces must be provided with electric vehicle charging infrastructure and any electrical room(s) serving buildings with on-site parking spaces must be sized to accommodate the potential for electrical equipment and distribution required to serve a minimum of twenty percent (20%) of the total parking spaces with 208/240 V 40-amp, circuit or equivalent electric vehicle charging infrastructure. (*See condition 2.7*)

Finding 21: Per provided plans, proposed development shall have 16 new parking spaces, which require a minimum of two (2) vehicle charging spaces, one of which must be ADA compliant, along with the infrastructure to support these charging stations. (*See condition 2.7*)

Finding 22: Applicant must provide calculations to show compliance with IBC Chapter 5, titled building areas/allowable areas at time of building permit submittal. (*See condition 2.8*)

Finding 23: The City of Woodland's contracted building plans examiner has provided an updated set of building notes taking the increase in proposed density into consideration, which has identified that proposed construction is dedicated as a R-2 residential proposal with four stories and fifteen units. This will require updated energy code requirements. A condition has been added that the applicant provide all required documentation to show compliance with updated energy code requirements. (*See condition 2.9*)

Finding 24: Building permit(s) will be required prior to the commencement of

construction. (See condition 2.10)

Conclusion: As conditioned, the proposed development can comply with this standard and the IBC.

Critical Areas Regulation | WMC 15.08

Finding 25: No critical areas and/or habitats have been identified as being impacted by proposed project. No critical areas permit is required.

Conclusion: The proposed development can comply with this standard.

Erosion Control Ordinance | WMC 15.10

Finding 26: Applicants are required to install and maintain erosion control measures per the Best Management Practices as outlined in this section (2012 Stormwater Management Manual for Western Washington) during site excavations and grading. An NPDES permit from the Department of Ecology is required where more than one acre is being disturbed.

A preliminary erosion control plan was submitted as part of the stormwater memo. The plan shows use of sediment fencing to minimize erosions. This erosion control plan meets the standard outlined in WMC 15.10. (See conditions 2.11, 2.12 and 2.13)

Conclusion: The proposal can comply with City standards as conditioned. The disturbed area is less than one acre, and the DOE permit will not be required.

Stormwater Management | WMC 15.12

Finding 27: The applicant's proposal has provided a preliminary Stormwater TIR that outlines best stormwater management practices for the proposed project. A final technical memo should be submitted which is stamped by a professional engineer, including identification of stormwater mitigation measures to be utilized on-site, including three bioretention ponds. (See conditions 2.14 and 2.15)

Conclusion: As conditioned, the proposed development can comply with these standards

Zoning | WMC 17.20

Finding 28: The proposal is for the addition of a new building that will serve as a multi-family dwelling, which is a permitted use for all multi-family residential districts within Woodland per WMC 17.20.020.

Conclusion: The proposed use is permitted outright within the parcel as zoned.

Setbacks | WMC 17.20.070(D) and (E)

Finding 29: As per WMC 17.20.070(D), residential properties within the multi-Family residential districts must maintain a minimum front setback of 20 feet, a rear setback of 25 feet, an interior side setback of 5 feet, and a street side setback of 10 feet.

Finding 30: Provided plans show identifies a front set back of 20 feet, an interior side setback of 5 feet, a rear setback of 25 feet, and a street side setback of 10 feet which is compliant with WMC 17.20.070(D)

Conclusion: The proposed development can comply with this standard.

Building Height | WMC Title 17.20.070(F)

Finding 31: The High Density Residential height limit is 35 feet per WMC 17.36.080.

Finding 32: Proposed building is identified as being 40.75 feet tall which is not compliant with this standard. Applicant has applied concurrently for a minor height variance that will be addressed alongside the Site Plan Review. See section IV below for findings related to the application for a minor height variance (*See Condition 2.16*)

Conclusion: With a variance, the proposed development can comply with this standard as conditioned.

Minimum Lot Area per Dwelling Unit (Density) | WMC 17.20.070

Finding 33: Per WMC 17.20.070(B), properties within High Density Residential districts have a minimum density of 1,240 SF per dwelling unit.

Finding 34: Parcel 1 is 0.392 Acres while parcel 2 is 0.267 Acres. The total site size is 0.66

Acres, or 28,749 SF. 28,749 SF / 1,240 SF results in a maximum unit density of 23 units.

Finding 34a: There are 8 existing units and the applicant is proposing an additional 15 units for a total density of 23 total units on 0.66 Acres. This complies with WMC 17.20.070(B).

Conclusion: The proposed development can comply with this standard.

Lot Coverage | WMC 17.20.070(G)

Finding 35: Lot coverage refers to the maximum allowable coverage of a lot by buildings and structures as established within WMC 17.08.420. Maximum lot coverage within High Density Residential (HDR) zoning districts is 45%.

Finding 35a: Outside of Low-Density Residential districts, lot coverage is calculated by the area of all buildings and structures divided by total lot area, not including driveways and other paved surfaces.

Finding 36: Proposed new building has an area of 3,271 SF while the two existing buildings have a total of 3,384 SF, for a total of 6,655 SF of building coverage. 6,655 SF of building coverage divided by the total area of 28,749 SF equals a lot coverage of 23%, which complies with WMC 17.20.070.

Conclusion: The proposed development can comply with this standard.

Performance Standards | WMC 17.20.090

Finding 37: Exterior Mechanical Devises: Air conditioners, heating, cooling, ventilating equipment, swimming pool pumps, and heaters and all other mechanical devises shall be screened from surrounding properties and streets and shall be operated in such a manner that they do not disturb the peace.

Finding 38: Plans submitted do not specify any mechanical devises that would potentially be visible from surrounding properties and streets. If any mechanical devises are placed on the premises the must be screened and operated without disturbing the peace. Placement and screening shall be reviewed as part of the final engineering approval process. (*See condition 2.17*)

Finding 39: Landscaping Required: As outlined under WMC 17.20.090(B), all MDR and HDR zones shall provide landscaping and open space. All required landscaping shall be

permanently maintained in a neat and orderly condition.

Finding 40: For new developments, a landscape plan shall be submitted for review by the city's development review committee. The final landscape plan must show:

- Location of all proposed vegetation;
- The common and botanical name of all proposed vegetation;
- The initial planting size (height or gallon) and the mature planting size; and
- Proposed methods of irrigation, if any.

Finding 41: A preliminary landscape plan has been provided for new development with the Site Plan Review application. Location of proposed vegetation is provided, as well as the rough size of proposed vegetation, but the final landscape plan will require the identification of all proposed vegetation (using both common and botanical names). A final landscaping plan is required to be submitted that identifies proposed vegetation (trees and shrubs) and proposed methods of irrigation for both existing property and proposed property. *(See conditions 2.18 and 2.19)*

Finding 42: Yard Projections: WMC 17.20.090(E) states that every required front, rear, and side yards shall be open and unobstructed from the ground to the sky unless otherwise provided for. *(See condition 2.20)*

Finding 43: The proposed development maintains open and unobstructed front, rear, and side yards in compliance with WMC 17.20.090.

Finding 44: Trash Receptacles: Except on trash pickup days, all trash receptacles must be screened from neighboring properties and public rights-of-way by an opaque visual barrier no lower than the maximum height of the receptacles. Recycling bins must be made available and be located within a close proximity to any trash receptacles and screened as outline above.

.15 cu. Yds. of garbage capacity per dwelling unit per week is recommended. Garbage capacity should equal at least 2.25 cu Yds, assuming weekly pick up.

.15 cu. Yds of recycling capacity per dwelling unit per week is recommended. Recycling capacity should equal at least 2.25 cu Yds, assuming weekly pick up.

A condition has been added that requires plans showing proposed screening measures for all trash and recycling enclosures on the site shall be provided to the City. *(See condition 2.21)*

Finding 45: A new trash enclosure is indicated on the preliminary site plan. A condition of

approval is added to provide specifications regarding the container and enclosure specifications including capacity and dimensions of all provided receptacles, as well as dimensions and plans for proposed new enclosure. (See *Condition 2.22*)

Conclusion: As conditioned, the proposed development can comply with these standards.

Off-Street Parking | WMC 17.56

Finding 46: WMC 17.56.050(E)(2) requires one and a half parking spaces to be provided for every one- or two-bedroom unit.

Finding 47: Proposed development consists of a total of 23 one- and two-bedroom apartments. Per Woodland Municipal Code, 23 one- and two-bedroom units requires a total of 34 parking spaces.

Finding 48: Development has proposed a total of 34 parking spaces between the new development and existing parking, which is in compliance with WMC.

Finding 49: WMC 17.56.070 dictates that parking lots with the proposed 90-degree parking angle must utilize a drive aisle of at least 24 feet.

Finding 50: Plans provided by the applicant indicate that the applicant intends to use gravel driveways and parking lots similar to existing parking lot facing Bozarth, with parking spaces on a 90-degree angle and a 24-foot drive aisle.

Finding 51: Per WMC 17.56.090(A), Vehicle accommodation area, including driveways, drive aisles, and parking spaces, shall be graded and surfaced with asphalt, concrete, or other material that the Public Works Director has determined supplies equivalent protection. A condition has been added that all driveways, drive aisles, and parking spaces, both proposed and existing, be surfaced with either asphalt or concrete, or another common surfacing materials that will not be tracked into the public right of way. (See *condition 2.23*)

Conclusion: As conditioned, the proposed development can comply with the city's off-street parking standard.

Criteria and Standards for Accessory Structures | WMC 17.20.100

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Finding 52: No accessory structures have been proposed as identified on submitted preliminary site plans. Any future accessory structures must follow all criteria and standards outlined within WMC 17.20.100 and may be subject to further site plan review.

Conclusion: The proposed development can comply with these standards.

Sign Requirements | WMC 17.52

Finding 53: No signs have been proposed as a part of this application.

Finding 54: A separate building permit is required for any signs not exempted by WMC 17.52.130. (*See conditions 2.24 and 2.25*)

Conclusion: As conditioned, the proposed development can comply with these standards.

Fire Safety

All buildings must be constructed in accordance with WA Building and Fire Codes. Plan revisions and building plans must be submitted directly to Clark-Cowlitz Fire Rescue (CCFR) for fire review.

Finding 55: Applicant is required to comply with all comments and/or conditions provided by CCFR as a part of their site plan review process. A condition has been added that applicant must comply with all conditions dictated by CCFR and is subject to all required field inspections and correction as identified by CCFR. (*See condition 2.26*)

Finding 56: Building construction plans shall be submitted to CCFR separately, along with any fire alarm and/or fire sprinkler alterations. A condition has been added that all construction plans be submitted separately. (*See condition 2.27*)

Conclusion: The proposal can comply with this standard.

Public Works and Engineering Comments

Finding 57: Any work within the City's Right-of-Way Requires an accepted Right of Way Permit. A condition has been added that any work within the Right-of-Way requires a permit. (*See condition 2.28*)

Finding 58: All roadway improvements, erosion control measures, and/or utility structure

must comply with the updated City of Woodland Engineering/Construction standards, dated 2022. Standards can be found: <https://www.ci.woodland.wa.us/publicworks/page/construction-standards>. (See condition 2.29)

Finding 59: Civil plans shall address the preliminary engineering review attached to this decision. A condition has been added that applicant addresses engineering comments and provides written responses to engineering comments. (See condition 2.29A)

Conclusion: The proposal can comply with this standard.

Preliminary Site Plan Approval | WMC 19.10.070

Finding 60: The applicant submitted a preliminary site plan. Per WMC 19.10.070, the applicant is required to submit for final civil plan approval and submit a final site plan application. (See Condition 2.30)

Conclusion: The preliminary site plan can be approved with conditions.

IV. FINDINGS – MINOR VARIANCE

Minor Variances – Applicability | WMC 17.81.180(A)

Finding 61: Variances regarding specific lot and building characteristics, including lot area, setbacks, lot dimensions, as well as lot coverage and building height standards, may be deemed minor in nature, and approved, approved with conditions, or denied by the development review committee (DRC) so long as the variance is not greater than 30%.

Finding 61b: The height limit within High Density Residential zoning districts is 35 feet. Proposed development has an officially calculated height, measured from base to the midpoint of the roofline, of 40 feet and nine inches, meaning that the applicant is asking for a 5-foot 9 inch height variance.

Finding 62: The proposed variance for 5 feet and 9 inches is a 16% variance to the building height standards. Minor variances to height limits are allowed to be approved by the DRC as per WMC 17.81.180(A)(1).

Conclusion: This proposed variance can be approved as a minor administrative variance.

Minor Variances – Approval Criteria | WMC 17.81.180(B) & WMC 17.081.020(B)

Finding 63: Per WMC 17.81.180(B)(1) no variance shall be approved by the DRC which will allow an increase in the number of dwelling units on a parcel 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.

Finding 64: The 23 units that result from this proposal meets the maximum density of 35 units per acre as allowed by WMC 17.20.070(B) as outlined in **Finding 34a**. This complies with WMC 17.81.180(B)(1) as the proposed height variance will not allow any increase in the density or the number of units allowed on the parcel(s) over that allowed by code.

Finding 65: All minor variances must confirm with requirements outlined by WMC 17.81.020(B) for major variances.

Finding 66: WMC 17.81.020(B)(1) states that a variance must be necessary because of special circumstances or conditions relating to the size, shape, topography, location, or surroundings of the subject property or to provide it with use, rights, and privileges permitted to other properties in the vicinity and zone in which the subject property is located.

Finding 67: A height variance of 16% would allow proposed development to maximize housing density within a High-Density Residential district. The stated Comprehensive Plan designation is meant to promote multi-family development with a recommended density of up to 35 dwelling units per acre, which the proposal is consistent with.

Finding 68: WMC 17.81.020(B)(2) specifies that proposed variance shall 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.

Finding 69: Applicant has provided preliminary site plans that generally confirm to the Woodland Municipal Code outside of proposed height variance, and developer has expressed a willingness to comply with all relevant zoning requirements. Applicant will complete street improvements in order to comply with WMC and mitigate impact of proposed new residential units and shall provide parking as to comply with code.

Finding 70: WMC 17.81.020(B)(3) states that should a request for a variance be denied, no reapplication shall be accepted within one year of the date of denial.

Finding 71: Application for a variance will be approved with conditions. WMC 17.81.020(B)(3) does not apply to approved proposals.

Finding 72: Per WMC 17.81.020(B)(4) an approved variance shall go with or be assigned to

the subject property and shall not be transferable to another property. A condition has been added that any approved variance is not transferable. (*See condition 3.1*)

Finding 73: Proposed use is as multi-family residential dwelling units. This is a permitted use not effected by the variance

Finding 74: Per WMC 17.81.210, Approved variance shall be good for 3 years during which building permits must be obtained and substantial progress made towards construction. (*See condition 3.2*)

Finding 75: Applicant is proposing a height variance to allow for the construction of a multi-family dwelling with a maximum height of up to 40.75 feet, measured from base to the half point of the roof's peak. A condition has been added that variance, if approved, allows for the construction of a building with a maximum height of 40.75 feet. (*See condition 3.3*)

Conclusion: As conditioned, the proposed variance can comply with these criteria.

V. Comprehensive Plan Review

Land Use: Under the City of Woodland Comprehensive Plan, as established in 2016, the purpose and primary goal of our established Comprehensive Plan Land Use Map is to protect and enhance the character and long-term stability of the city through current standards for land development and subdivision utilizing proper and clear zoning policy.

Finding 76: The proposed development is located within a High-Density residential district as defined by the Comprehensive plan, the purpose of which is to designate areas primarily for multi-family residences of three or more units with a recommended residential density of up to 35 dwelling units per acre.

Conclusion: The proposed development is a multi-family dwelling with 15 new units proposed. As proposed, new development has a residential density of 35 dwelling units per acre, consistent with the City of Woodland Comprehensive plan.

Housing: Under the City of Woodland Comprehensive plan, as established in 2016, the goal of the City's Housing plan is to maintain and enhance existing neighborhoods while accommodating new growth to accommodate the greater community.

Finding 77: The proposed development shall provide rental housing in Woodland's urban core, which is consistent with the Comprehensive Plan's goal to provide fair and equal access to housing for all people throughout the city regardless of race, color, national or ethnic origin, religion, or any other protected class (H1).

Finding 78: It is a goal within the City of Woodland Comprehensive Plan to promote desirable neighborhoods by fostering the maintenance and improvement of the physical condition of the existing housing stock and neighborhoods in the city. Proposed development can be consistent with stated goal.

Finding 79: It is the City's intention to provide for a variety of housing types and densities as well as a range of affordable housing options. Proposed development provides increased options for high density, multi-family housing within an existing High Density Residential district.

Finding 80: It is the City's intention to locate housing in areas with compatible surrounding uses and where residents can access needed amenities. Specifically, regarding High Density residential development, the comprehensive plan specifies that should be located in districts that are located near commercial, downtown areas, schools, employment centers, and parks and other recreational facilities.

Finding 81: Proposed development is located within Woodland's general downtown district, close to a commercial corridor as well as schools and several parks and public recreational opportunities. These include Horseshoe Lake Park (approximately 0.5 miles from proposed development), Hoffman Plaza (approximately 0.3 miles from proposed development), the Woodland Library (Approximately 0.35 miles from proposed development), the Woodland Community Center (Approximately 0.38 miles from proposed development), Hoffmann Park (Approximately 0.41 miles from proposed development) and the Woodland Middle School fields and track (Approximately 700 ft from proposed development).

Finding 82: Furthermore, the Comprehensive Plan states that High Density Residential development should be encouraged in regions where sewer, water, and storm drainage facilities are available, where streets are capable of a high level of service, and where access is safe and convenient.

Finding 83: Proposed development is located along Bozarth Avenue, which serves as the City's truck bypass of Davidson Avenue in Downtown Woodland and has the capacity to handle further development. Sewer and water service is available along both Bozarth and 5th streets, as are existing stormwater systems.

Finding 84: Comprehensive plan policy H 6.4 states that the City of Woodland shall encourage appropriately scaled infill development of vacant residentially classified land that is integrated into the neighborhood.

Finding 85: Proposed development will serve as an infill development within and existing

high density residential district. Placement of the new construction is between existing multi-unit housing and single-family residential districts.

Conclusion: The proposed development is consistent with the goals and policies outlined with the Comprehensive Plan's housing component, providing 15 units of High-Density Residential housing as an infill project in Woodland's downtown core, and promoting a diversified housing market.

Environment: The primary goal of the Comprehensive plan's Environmental outline is to ensure that the City of Woodland remains an effective steward of the environment, protects critical areas, and conserves land, air, water, cultural, and energy resources.

Finding 86: The proposed development has been submitted for a SEPA review, as well as generally providing required environmental protection documentation as outlined in the Woodland Municipal Code.

Conclusion: Proposed development under consideration is consistent with the goals and policies of the Comprehensive Plan's environmental outline.

VI. ENVIRONMENTAL REVIEW

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request. This Determination of Non-significance (DNS) is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

VII. DECISION

Per WMC 16.34.050, the above application for the Boundary Line Adjustment is hereby **APPROVED WITH CONDITIONS** by the City of Woodland's Development Review Committee (DRC) based on the criteria and standards outlined in Woodland Municipal Code (WMC).

Per WMC 19.08.030, the above application for the preliminary Site Plan Review is hereby **APPROVED WITH CONDITIONS** by the City of Woodland's Development Review Committee (DRC) based on the criteria and standards outlined in Woodland Municipal Code (WMC).

Per WMC 17.81.180, the above application for a minor height variance is hereby **APPROVED WITH CONDITIONS** BY THE City of Woodland Development Review Committee (DRC) based on the criteria and standards outlined in Woodland Municipal Code (WMC).

VIII. CONDITIONS OF APPROVAL

Based on the application materials provided, the findings of fact, and conclusions of law, the application is hereby APPROVED subject to the following conditions:

Boundary Line Adjustment

- 1.1. Provide a full utility plan noting any utilities moved and/or easements abandoned.
- 1.2. The case number, BLA-21-004 shall be added to each page of the BLA Mylar.
- 1.3. Add the legal descriptions on the face of the map and the language of any and all covenants, deed restrictions, or other property use limitations together with the auditor's file number, volume, and page where such language is recorded.
- 1.4. Signature block for the owner, CCFR Fire Marshal, and the City of Woodland must be added to the face of the BLA to be recorded.
- 1.5. Collect the required signatures on two 24" x 36" maps. Contact the City to arrange for signature. Additionally, provide an electronic copy. Signature must be obtained from CCFR prior to submission to the City for final approval.
- 1.6. After the City has signed the copies, record the map and any related documents with the County Auditor.
- 1.7. Submit one paper copy and an electronic copy of the recorded documents and map to the Community Development Department.
- 1.8. Record the BLA within three years from the date of this decision. The BLA must also be recorded prior to issuance of any building permits.

Site Plan Review

- 2.1. All impact fees shall be paid prior to issuance of building permits per WMC 3.41 and WMC 3.42.
- 2.2. The following Impact fees have been estimated based on the information provided with this preliminary application and will be due at the time of building permit issuance:
 - i. School District Impact Fees:
 1. Multi-Family Dwelling (Per Unit): \$76,800 (\$2,000 per studio Unit x 3 + \$5900 per two-bedroom Unit x 12 units)
 - ii. Fire Impact Fees:
 1. Multi-Family Dwelling (Per Unit): \$21,390 (\$1426 per Unit x 15 units)
 - iii. Park/Recreation Impact Fees:
 1. Multi-Family Dwelling (Per Unit): \$12,465 (\$831 per Unit x 15 units)
 - iv. Transportation Impact Fees:
 1. Multi-Family Dwelling: 15 units x \$519.56 = \$7,793.40

Water and sewer assessment fees are required based on meter size in accordance

- with the Woodland rate schedule.
- 2.3. Approval is contingent on proposed completion of half-street frontage improvements along 5th Street and Bozarth Avenue in accordance with the City of Woodland's Construction Standards as found on the city's website.
 - 2.3A. Right-of-Way shall be dedicated alongside 5th Street and maintained along Bozarth Avenue.
 - 2.4. Utilities must be connected to City water and sewer systems.
 - 2.5. As part of final engineering, the applicant will be asked to provide flow projections and any other relevant engineering information as requested by the city. The applicant will be required to contribute an equitable proportional share to upgrades to downstream sewer capacity necessary to accommodate the proposal should it be determined that the proposal would require system upgrades. All required financial contributions made for said improvements must be paid prior to issuance of building permits.
 - 2.6. A geotechnical soils report shall be submitted alongside your building permit application(s).
 - 2.7. Per Washington State code, please modify final plans to note the inclusion of at least 2 parking spaces (10% of proposed parking spaces, rounded up) equipped with required electric vehicle charging infrastructure. At least one must be ADA compliant.
 - 2.8. Applicant must provide calculations to show compliance with IBC Chapter 5.
 - 2.9. Provide all required documentation as outlined within provided building notes to establish compliance with updated energy code requirements.
 - 2.10. Building permits are required before initiating construction.
 - 2.11. A final erosion control plan will be required with final engineering. Applicant is required to install and maintain erosion control measures per the Best Management Practices as outlined in WMC 15.10.
 - 2.12. All grading and filling of land must utilize only clean fill. All other materials may be considered solid waste and permit approval may be required from the local jurisdictional health department prior to filling.
 - 2.13. All removed debris resulting from this project must be disposed of at an approved site. Contact the Cowlitz County Environmental Health Unit (EHU) for information regarding proper management of these materials. The Cowlitz County EHU can be found at: <https://www.co.cowlitz.wa.us/1600/Environmental-Health-Unit-EHU>
 - 2.14. Submit a final Stormwater Technical Memo for this project. Comply with erosion control requirements.
 - 2.15. All proposed site modifications must be consistent with the assumptions in the submitted drainage plan and all proposed site drainage improvements must comply with WMC 15.12 and the City Engineering Standards.
 - 2.16. Compliance with WMC 17.20.070(F) is contingent on either;
 1. City approval of 14% maximum height variance under application number VAR-22-001;

2. Or, in the absence of city approval of variance application VAR-22-001, submission of alternative plan found to be in compliance with WMC 17.20.070(F).
- 2.17. All mechanical equipment must be screened from view from all public streets and adjacent lots and/or parcel(s) and/or uses, per WMC 17.20.090(A).
- 2.18. A final landscaping plan meeting all requirements within WMC 19.10.050(A)(9) is required to be submitted alongside the final site plan application prior to final approval.
- 2.19. The final landscaping plan shall show the location of proposed vegetation, the common and botanical name of the proposed vegetation, the initial planting size (height or gallon) and the mature planting size, and proposed methods of irrigation, if any. Landscaping plan should include the full site, including existing structure(s). Landscaping proposed in and around buildings, on the perimeter of the site and within proposed parking areas shall be indicated. In addition, street trees or other forms of landscaping within the public rights-of-way shall be indicated.
- 2.20. Front, rear, and side yards must be maintained in such a way that they remain unobstructed and free of debris during construction and throughout occupancy of the premises, outside of any exceptions listing within WMC 17.20.090(E).
- 2.21. All trash and recycling receptacles must be screened from view from the street and neighboring lots. Provide screening enclosure dimensions with final engineering submittals.
- 2.22. Specifications regarding the dimensions and capacity of all proposed garbage and recycling containers must be indicated within final engineering submission. All receptacles must be able to be properly screened by proposed screening measures identified, and overall garbage and recycling capacities must meet or exceed expected required capacities as noted in Finding # 44.
- 2.23. Parking lot(s) associated with proposed development, both proposed and existing, must be considered paved, utilizing typical paving methods and indicated on Civil Plan submittal.
- 2.24. All signs must meet the standards set within WMC 17.52.
- 2.25. All signs not exempt under WMC 17.52.130 require a separate building permit prior to placement.
- 2.26. CCFR approval must be obtained including for any required revisions with the civil engineering submission. All work is subject to field inspection and correction as identified at the time of the on-site inspection; all work shall be compliant with the applicable standards and codes; to include the adopted edition of the International Fire Code and the City's Municipal Code.
- 2.27. Building construction plans shall be submitted to CCFR separately, along with any fire alarm and/or fire sprinkler alterations.
- 2.28. A Right-of-Way Permit is required for any work done within the City of Woodland Right-of-Way. More information can be found at:

<https://www.ci.woodland.wa.us/publicworks>.

- 2.29. All construction and engineering must comply with the most recent City of Woodland’s Construction and/or Engineering Standards, released in 2022 and found online at: <https://www.ci.woodland.wa.us/publicworks/page/construction-standards>.
- 2.29A. Applicant shall address, and comply with, provided engineering comments, and provide a written response to attached engineering comments at time of Civil Plan submittal.
- 2.30. Per WMC 19.10.070, the applicant is required to submit for final civil plan approval and submit a final site plan application. Submit three (3) copies of full-sized and one (1) copy of reduced size (11” x 17”) as-built plans including AutoCAD and .pdf formats.

Variance

- 3.1. Variances are not transferable to any other lot, tract, or other subdivision of land other than the lot for which it has been approved.
- 3.2. Building permits must be issued and construction started within three years to maintain valid minor height variance.
- 3.3. Final plans must adhere to a minor variance of 17% with a maximum height of 40.75 feet, measured from the grade to the highest point of the coping of a flat roof, or the deck line of a mansard roof, or the average height of the highest gable of a pitch or hip roof.

IX. APPEALS | WMC 19.08

Per WMC 17.81.180(G), the DRC’s administrative decision approving a minor variance may be appealed to the planning commission within ten (10) days from the date the DRC’s written decision is issued. The appeal shall be made in writing and be consistent with all requirements outlined within WMC chapter 19.08. Appeals can be submitted to the Community Development Department by 5:00 PM on **April 29, 2022**.


Other than the approval of a variance with conditions, the administrative decisions for which this staff report serves as notice, including a Site Plan Review, Boundary Line Adjustment and/or the City’s SEPA threshold determination may be appealed to the Hearing Examiner no later than fourteen (14) days following the date of issuance. The appeal shall be made in writing and shall include a statement specifying the basis for such appeal per WMC 16.34.070, WMC 19.06.040, and WMC 19.08.030 and shall include the appeal fee. Appeals can be submitted to the Community Development Department by 5:00 PM on **May 3, 2022**.

Staff

Contact: David Lukaczer, Associate Planner

City of Woodland
P.O. Box 9
230 Davidson Ave
Woodland, WA 98661
lukaczerd@ci.woodland.wa.us

Date: April 19th, 2022

Signature: 
David Lukaczer, Associate Planner

CC: Applicant

Owner
Mayor
Engineer
Planning Commission
City Administrator

Building Official

Fire Marshal
City of Woodland Website
Counter Copy
Executive Team
File

