

## STAFF REPORT

### Guild Road Industrial

<b>Land Use Application Nos.:</b>	CAP-22-001 (Critical Area Permit) SPR 22-006 (Site Plan Review – Type 2) SEP 22-006 (SEPA) VAR-22-002 (Major Variance)
<b>Applicant &amp; Owner:</b>	Part IV Properties C/O Dennis Wubben 12313 NE 99 <sup>th</sup> Street Vancouver, Washington, 98682
<b>Site Location:</b>	Unaddressed
<b>Parcel &amp; Size:</b>	508350100, 4.31 Acres
<b>Zoning Designation:</b>	Light Industrial, I-1
<b>Date Application Received:</b>	June 28 <sup>th</sup> , 2022
<b>Notice of Application &amp; Likely DNS issued:</b>	August 19 <sup>th</sup> , 2022 [See: case # SEP-22-006]
<b>Comment Period &amp; SEPA Appeal Period Ended:</b>	September 14 <sup>th</sup> , 2022
<b>Staff Report Issued:</b>	October 27 <sup>th</sup> , 2022
<b>DRC Recommendation:</b>	Approve with Conditions
<b>Hearing Date:</b>	November 1 <sup>st</sup> , 2022, 1:30PM <a href="https://meet.goto.com/310832213">https://meet.goto.com/310832213</a>

## I. DESCRIPTION OF PROPOSAL

Applicant has proposed the development of a multi-building light industrial development with associated amenities for light industrial use. Goerig Slough, a type F (fish bearing) stream flows from east to west along the northernmost boundary of the lot and has historically been utilized by Consolidated Diking District #2 for stormwater management purposes. Applicant has proposed to reduce the standard 200' buffer to 50' through both a Critical Areas Permit and a major variance to required buffers.

app comments incorrectly stated the threshold requirement at 20 PMPHT. (See Condition 2)

**Finding 6:** Impact fees are collected at the time of building permit issuance. (See conditions 1 and Condition 3)

Calculations are based upon gross floor area (GFA). Actual impact fees will be calculated and collected at the time of building permit issuance.

**Conclusion:** As conditioned, the project can comply with this requirement.

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## Streets and Sidewalks | WMC 12

**Finding 7:** Street trees along the sidewalk in the right-of-way are required.

**Finding 8:** The proposed landscaping plan does not identify street trees along the frontage along Guild Road. Applicant will be required to identify street trees prior to final/civil engineering approval as is consistent with the City of Woodland's approved street tree list as outlined within the small street tree list that can be found online here: <https://www.ci.woodland.wa.us/publicworks/page/street-trees> (See condition 4)

**Finding 9:** The street frontage at Guild Road is not developed. Replacement of existing half-street HMA will be required along with construction of new curb and gutter, attached sidewalk, street lighting, and landscaping will be required. Construction of frontage improvements shall be in conformance with City of Woodland standards. A condition is added that all improvements in the public right-of-way shall be completed in accordance with City of Woodland standards. (See conditions 5 and 6)

**Finding 10:** Proposed frontage improvements has not been identified on preliminary plans, however the applicant acknowledges within the narrative provided that, "Public frontage improvements along Guild Road will be completed to add sidewalk, curb, and gutter." Applicant shall provide full civil plans for City review and approval with their civil review application. (See condition 7)

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

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## Water and Sewage | WMC 13

**Finding 11:** Water and sewer mains are complete in the fronting street and utility stubs are extended to the property. Abandon-in-place any unused stubs. Comply with

**Finding 16:** The existing slough on-site is part of a stormwater conveyance system that ultimately discharges runoff for management by the Cowlitz County Diking Improvement District No. 2. CDID #2 will require upsizing the existing 12-inch storm culverts to 36-inch. *(See condition 13)*

**Finding 17:** Applicant has acknowledged that they are voluntarily upsizing the existing storm culverts, and are not requesting that a maintenance agreement and/or easement be provided with CDID #2 per their response to the port's comments. The applicant has acknowledged their responsibility to maintain the culvert. A condition has been added that the applicant shall provide a note on the final Site Plan that they will maintain the culvert. *(See Condition 15.a)*

**Conclusion:** As conditioned, the proposal can comply with these standards.

### III. CRITICAL AREA PERMIT (CAP-22-001)

*Pursuant to the requirements of the Growth Management Act of 1990 and as amended, RCW 36.70A, the City of Woodland adopted the critical area ordinance (WMC 15.08) to protect wetlands, areas with critical recharging effect on potable water, frequently flooded areas, geologically hazardous areas, and fish and wildlife habitat conservation areas. The director is given the authority to interpret and apply, and responsibility to enforce this chapter to accomplish the stated purpose. The city may withhold, condition or deny permits or approvals to ensure that the proposed action is consistent with this chapter (WMC 15.08.020).*

*If the proposed project is likely to impact a critical area, the city requires the applicant to have a critical area report prepared by a qualified professional. The City will determine if any mitigation proposed by the applicant is sufficient to meet the requirements of WMC 15.08.*

*Mitigation for lost or diminished wetland and buffer functions shall rely on Wetland Mitigation Banks, In-Lieu Fee Mitigation, or Permittee-Responsible Mitigation.*

*Furthermore, the applicant has proposed the reduction of the required 200-foot buffer for the Goerig Slough, a mapped Type-F (fish bearing) stream that flows westerly along the northern property boundary that provides limited riparian function. In total, the applicant is requesting a buffer reduction of 150 feet, or a 75% buffer reduction, which requires a major variance as well as a Critical Area Permit. For the purpose of this application, this section shall address a 50% buffer reduction as permissible under a Critical Area Permit, while section V shall address the specific request for a variance under WMC 17.81.020(B).*

**Finding 24:** Environmental Land Services (ELS) is a licensed and bonded environmental consulting firm based out of Longview, Washington. Both ELS, and staff associated with ELS, has been accepted as Qualified Experts on multiple previous occasions, and their stated qualifications have been verifiable and consistent. Both Stephanie Taylor and Sara Hastings, based on the information provided within the report and publicly available information provided on the ELS website, hold the qualifications required to be considered qualified professionals under this code section.

**Finding 25:** ELS' report was conducted using a typical methodology meeting our requirements for utilizing the Best Available Science per WMC 15.08.080.

**Finding 26:** WMC 15.08.160(C) outlines the minimum required submittals for a critical area permit.

**Finding 27:** Provided application packet, critical areas report, and mitigation plan meets the requirements of WMC 15.08.160(C).

**Conclusion:** As proposed, the project can comply with this standard.

### Mitigation Requirements | WMC 15.08.180

**Finding 28:** Per WMC 15.08.180(A), an applicant shall avoid all impacts, to the extent possible, that degrade the functions and values of a critical area(s) or its buffer. The applicant shall compensate for unavoidable alteration to a critical area or buffer as required by an approved mitigation plan.

**Finding 28A:** Applicant has acknowledged proper mitigation sequencing and has considered avoidance and minimization prior to compensation for impacts as required by WMC Chapter 15.08.

**Finding 28B:** Applicant has identified four unavoidable impacts to the mapped wetland and buffer that are unavoidable, either for safety or access concerns. These unavoidable impacts are summarized below:

Identifier	Impact	Amount
Goerig Slough	New Crossing	0.019 acres
Riparian Buffer	New Impervious Surface	0.065 acres
Oaks 1-4	New Impervious Surface within critical root zone	0.013 acres
Redwood Trees	Removal	11 trees



Redwood Trees	Tree Removal (11 Trees)	<ul style="list-style-type: none"> <li>• Install 22 douglas fir trees throughout enhancement area to achieve a 2:1 ratio of mitigation to impact area.</li> </ul>
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**Finding 28D:** Applicant’s proposed mitigation plan has identified unavoidable impacts for which cannot be avoided and has provided appropriate compensation to mitigate against the degradation of critical areas’ functions and values.

**Finding 29:** WMC 15.08.180(B) requires mitigation to be in-kind and on-site when possible, and requires mitigation to be sufficient to maintain the functions and values of the critical area, and to prevent risk from a hazard.

**Finding 29A:** Proposed mitigation is not in-kind, as the applicant is proposing the replacement of eleven non-native redwood trees with 22 Douglas Fir trees. However, all other mitigation proposals are in-kind and this is acceptable to the City.

**Finding 29B:** All proposed mitigation is on-site, within the slough and the potentially reduced buffer. This is acceptable to the City.

**Finding 29C:** Based on the provided information, proposed mitigation will likely improve the existing function and value of the critical area, providing a variety of appropriate native planting along the bottom and side(s) of the Slough while maintaining the existing banks of the slough.

**Finding 30:** WMC 15.08.180(C) requires that the City must approve a critical area permit that includes a mitigation plan prior to implementation of any mitigation.

**Finding 30A:** Applicant has applied for a critical area permit and has included a mitigation plan. A condition of approval has been added that no mitigation shall be implemented until the critical areas permit has been approved. *(See condition 14)*

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

### Reduction of Habitat Buffer Widths | WMC 15.08.730(D)(6)

**Finding 31:** The applicant has requested that the City consider a reduction of the required riparian habitat buffer from the required 200-foot buffer to a 26-50 foot buffer. The applicant has also applied for a major variance by a hearing examiner in

**Finding 35:** The existing buffer area currently has a slope of less than ten percent and is dominated by regularly mowed pasture grass with patches of non-native blackberries primarily within the slough banks. Proposed mitigation plan includes a buffer enhancement plan that will significantly improve buffer functions. This proposed buffer enhancement plan includes:

- Removal of invasive species by pulling them out by the roots during grading, spraying, or a combination of both. These invasive species are primarily blackberries, but also include teasel and reed canarygrass.
- Replacement of these invasive species within remaining buffer with a native seed mix as well as a variety of native trees and shrubs.
- Northern side of the slough will be enhanced along the bank slopes. Two large woody material piles will be placed at the east and west side of the enhancement area and two downed logs will be provided alongside enhancement area.
- Two post-mounted bat houses and two bird houses will also be provided to mitigate against habitat loss that may be present on the site.

**Finding 36:** Provided critical area report and buffer enhancement plan identifies the limited vegetation presently located within the buffer(s) and identifies proposed measures to provide significant enhancements to the buffers.

***(c) No direct or indirect, short-term or long-term, adverse impacts to habitats will result from the proposed activity;***

**Finding 37:** Applicant has provided a mitigation plan meeting the specifications outlined within WMC 15.08.180 and has identified measures that will ensure that no direct or indirect, short-term or long-term adverse impacts will result from the proposed activity.

***(d) As required by the director, a five-year monitoring program of the buffer and habitat shall be included. Subsequent corrective actions may be required if adverse impacts to the habitats are discovered during the monitoring period;***

**Finding 38:** A five-year monitoring and maintenance plan has been submitted as a part of the critical area report and mitigation plan. Provided maintenance plan includes:

- Monitoring and reporting conducted by the applicant in years 1,2,3, and 5;
- Oregon White Oaks to be counted and assessment as a part of planned monitoring activities;
- Establishment of five monitoring plots following plant installation; and
- Establishment of at least eight photo sections.

**Finding 43:** Proposed development does not abut a residential zone and must comply with the typical setback requirement within light industrial zoning districts.

**Finding 44:** Proposed setbacks indicated are as follows:

- Front yard setback: 210.21 ft.
- Side Yard Setback (West): 109 ft.
- Side Yard Setback (East): 197 ft (Through Phase II), 97 ft (Potential Phase III).
- Year Yard Setback: 10 ft.

**Finding 45:** Proposed development complies with setback requirements per WMC 17.44.070.

**Conclusion:** As proposed, the project can comply with this standard.

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### **Building Height | WMC 17.44.080**

**Finding 46:** Buildings within a light industrial zoning district shall not have more than three separate stories and should adhere to a maximum height limit of forty-five (45) feet on lots that are smaller than one acre in size, or fifty-five (55) feet on lots greater than one acre.

**Finding 47:** Lot in question (parcel number 507870102) is 4.65 acres in area, and has a proposed building height of approximately 33 feet and 3 inches at its peak, which complies with WMC 17.44.080.

**Conclusion:** As proposed, the project can comply with this standard.

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### **Off-Street parking and loading | WMC 17.44.100 & WMC Chapter 17.56**

**Finding 48:** Per WMC 17.56.040 parking and loading facilities shall be located at the side or rear of buildings, provided that necessary parking and loading facilities may be permitted at the front only when appropriately landscaped according to the standards set out in WMC chapter 17.44.

**Finding 49:** On the provided preliminary site plan parking has been located to the front and side of the proposed building. Parking area is appropriately landscaped with proposed landscaping that meets the requirements within WMC Chapter 17.44. Additionally, the critical area plantings will provide additional screening.

**Finding 55:** The applicant has noted that 4 truck loading docks shall be proposed for the development for the business. A condition has been added that the final site plan provided alongside a Civil Submittal shall clearly identify these proposed loading areas. *(See condition 17)*

**Conclusion:** As conditioned, the proposal can comply with these standards.

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## **Vehicular Access | WMC 17.44.120**

**Finding 56:** Per WMC 17.44.100, vehicular access to properties within the light industrial zoning districts shall occur via an arterial or system of arterials to minimize industrial use traffic traveling through residential districts.

**Finding 57:** Proposed development will utilize a single access point to Guild Road, which is classified as 'Local Access.' Guild Road becomes a 'major collector' approximately 1,000 feet East of the property, which intersects Schurman Way, another 'major collector' at the same point.

**Finding 58:** The City of Woodland's Road classifications were changed to match those of the Washington State Department of Transportation (WSDOT), and the city no longer has separate street classifications. Most of the City's industrially designated land is served by a network of collectors and local access roads.

**Finding 59:** With the understanding that no current or new industrial development would be permitted based on these requirements, and under the understanding that staff has been tasked with amending this code section to permit development on lots given access by a system of major collectors.

**Conclusion:** This project will access the road system on the highest classified frontage street available. This is the only option as no arterials are available.

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## **Landscape Design and Screening | WMC 17.44.133 – WMC 17.44.136**

**Finding 60:** A landscaping plan guaranteeing the healthy growth of proposed landscaping in compliance with WMC 17.44 and signed by a certified landscaping professional is required prior to issuance of the preliminary site plan approval.

**Finding 61:** A landscaping plan was submitted with this preliminary site plan review application. A Condition of approval has been added that a final landscaping plan be provided alongside civil engineering review. *(See Condition 18)*



2-in. caliper may be challenging. The proposed plant schedule is acceptable if they remain close to size requirements. (*See conditions 18*)

**Finding 67:** Per WMC 17.44.135 (F), shrubs shall be planted from a five-gallon container or larger at the recommended spacing as certified by a certified landscaping professional.

**Finding 68:** No shrubs are indicated, however any shrubs added to the landscaping plan shall be planted in 5-gallons or larger tubs. The proposed plant schedule and shrub sizes can comply with WMC 17.44.135 (F) based on provided preliminary landscape plan. (*See Condition 18.e*)

**Finding 69:** Per 17.44.135 (I), the use of drought-tolerant plant species is encouraged and shall be required when irrigation is not available. Irrigation will be provided according to note 1 on the landscaping plan.

**Finding 70:** Per WMC 17.44.136 (B), in the front yard landscaping area, trees, shrubs, and plant ground cover should be planted along the entire road frontage area and meet the requirements of WMC 17.46.

**Finding 71:** The proposed plantings in the front yard setback meet the requirements of WMC 17.44.136 (B). A row of trees are indicated running along the front setback, and the existing foliage that runs along Goerig Slough.

**Finding 72:** Per WMC 17.44.136 (F), a minimum of ten percent of the total surface area of all proposed parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. The preliminary landscaping plan does not provide a calculation for parking lot area or parking lot landscaping percentage. A condition of approval has been adding that final landscaping plan provide the calculation for parking lot area and parking lot landscaping percentage. (*See condition 18.d*)

**Finding 73:** At a minimum, one tree per five parking spaces shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than twenty spaces shall include landscape islands with trees at both ends and in between to break up the parking area into rows of not more than ten contiguous parking spaces.

**Finding 74:** The proposed parking lot consists of 46 parking spaces and 11 trees, which exceeds the 9 trees required to meet this standard. Landscaping islands are indicated that generally comply with WMC 17.44.136 (F)(2) with trees flanking the parking islands and in between rows of parking.

## Performance Standards | WMC 17.48

**Finding 80:** The requirements of this section cover hazards and nuisances including sound level, vibration, air emissions, smoke, dust, odors, industrial wastes, fire hazards, heat, glare, radioactivity and radio transmitters.

The applicant will be responsible for ensuring that their operation is complying with all performance standards. (*See condition 21*)

**Conclusion:** As conditioned, the proposal can comply with this standard.

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### 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 81:** Applicant is required to receive CCFR site plan approval and comply with all comments and/or conditions. (*See condition 22*)

**Finding 82:** Building construction plans shall be submitted to CCFR separately, along with any fire alarm and/or fire sprinkler alterations. (*See condition 23*)

**Conclusion:** As conditioned, the proposal can comply with Fire Code.

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### Building

*The City has adopted the 2018 edition of the International Building Code (IBC) through WMC Title 14. All commercial building review is conducted by Townzen & Associates.*

**Finding 83:** Site plan is required to show access to the public way from building entrances. (*See Condition 24.a*)

**Finding 84:** All Geotech recommendations and requirements will be required to be implemented into the design of the structures. (*See Condition 24.b*)

**Finding 85:** The site plan shows two ADA parking spaces. These meets building code requirements.

**Finding 86:** Per Washington State Code 51-50-0429 Section 429, electric vehicle charging infrastructure must be provided for at least ten percent of provided parking spaces. For the proposed 46 parking spaces, this would require 3 EV spaces be available

*subject property, to provide it with use, rights, and privileges, permitted to other properties in the vicinity and in the zone in which the subject property is located;*

**Finding 93:** The proposed development is contingent on the approval of the major variance.

**Finding 94:** The applicant has stated that the variance is required for the applicant to successfully operate their business on the property. Specifically, the applicant has identified that the reduction of the required buffer is necessary to ensure an adequate turning radius be provided for tractor trailers to back into the loading docks on a daily basis, as well as to permit the development to adhere to current zoning standards, however the applicant has not provided any alternative site plan configurations that demonstrate that no other configuration can accommodate truck turning movements.

**Finding 95:** Goerig slough, the type F fish bearing stream, terminates in the Woodland bottoms at a pumping system operated by CDID # 2 that pumps the stormwater that drains the stormwater pond. That pond has Goerig slough, as well as several similar sloughs and ditches, to the Columbia River. These pumps do not permit fish passage and limits the potential habitat value of the slough for fish and other aquatic species.

**Finding 96:** Goerig Slough runs along the entire frontage of the property approximately 20-30 feet to the South of Guild Road. As the mapped slough runs across the entirety of the property's frontage, any future development proposing access off Guild Road would have unavoidable impact to the Slough and the existing Riparian buffer zone due to installation and/or modification of the access point(s) as well as road improvements.

A full 200-foot riparian habitat buffer would cover the majority of the buildings as proposed, and would limit the feasibility of any development consistent with typical light industrial, distribution, and/or warehousing uses. A reduced, 100-foot Riparian habitat buffer would encroach approximately 50 feet into the proposed parking lot on the Northwest and Northeast portion(s) of the property, which would almost certainly make the proposed development impractical, if not impossible to adhere to City of Woodland Zoning standards, specifically the requirements for on-site parking and loading facilities.

Specifically, a 100-foot riparian habitat buffer would impact six parking spaces located at the far-Northwest corner of the parking lot and three at the far-northeast corner of the parking lot. The buffer area would also functionally isolate the twenty parking spaces in the rear of the property.

**Finding 97:** A reduced 100-foot riparian habitat buffer would cover approximately 95,035 SF. With a total of 202,769 SF, this would constitute approximately 46% of the

Furthermore, a 50% reduced buffer of 100 feet granted through a critical area permit would continue to limit the property owner's ability to utilize the subject property in a manner consistent with the use, rights, and privileges, permitted to other properties in the vicinity and in the zone in which the subject property is located. Due to the meandering nature of the slough, a 100-foot buffer would eliminate nearly the entirety of the Northwest parking and loading areas, as well as much of the Northeast parking area which would limit the development's ability to provide the required parking spaces and loading docks necessary to operate a distribution, manufacturing, and/or warehousing business.

Staff is recommending that a major variance be approved with conditions permitting a reduced 40-foot Riparian Habitat buffer, rather than the applicant's proposed reduced buffer that ranges from 26 to 50 feet. Staff has determined that the proposed development can meet this 40-foot buffer with minor modifications, primarily to the northwestern corner of the parking lot and the pedestrian access point(s). A 40-foot buffer would require to realignment of the pedestrian access path from the Western to the Eastern side of the property, and the redesign of the northwestern corner of the parking lot to accommodate a 40-foot buffer. Based on preliminary calculations, this redesign of the parking lot would only require cutting out a 40 ft by 10 ft section. (See *Condition 26.d*)

**Conclusion:** With mitigation, the proposed development can comply with this standard.

*WMC 17.81.020(B)(2): That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated;*

**Finding 102:** Goerig slough is located within approximately 20-30 feet from existing roadway that already handles a notable amount of traffic daily. These impacts are expected to continue. Proposed development will be conditioned on the construction of public improvements to include new curb and gutter, attached sidewalk, street lighting, and landscaping in order to mitigate any potential impacts on the roadway.

**Finding 103:** Fish and Wildlife raised concerns about water quality. The Proposed on-site stormwater management system will collect and retain stormwater on-site, and treat the collected stormwater prior to release into the slough. The on-site stormwater system will help mitigate impacts from stormwater from the property and entering the slough.

Ryan Walters with Gibbs and Olson, who serves as the City's engineer on a contractual basis and managed the review of the proposed stormwater system(s) for compliance with WMC Chapter 15.12. Staff has recommended that the City's decision be conditioned on the applicant providing a final Stormwater Technical Information Report



*WMC 17.81.020(B)(5): No use variance shall be granted except for lawfully created pre-existing uses in accordance with WMC 17.60.*

**Finding 110:** Proposed variance is to the required riparian habitat buffer. A variance to the required riparian habitat buffer does not qualify as a use variance.

**Finding 111:** Per WMC 17.81.020(B), approval of a major variance shall be void after three years unless a building permit has been issued and substantial construction has taken place. The community development director, for good cause, may extend approval for no more than one year. *(See Condition 26.c)*

## VI. Agency Comments

### Engineering

*All engineering is reviewed by Gibbs & Olson, the City's engineering services consultant. Notes have been provided by Ryan Walters, who serves as the City Engineer.*

**Finding 112A:** Applicant is responsible for taking appropriate action to address concerns expressed by the associated engineering memo prepared by Ryan Walters, P.E. with Gibbs & Olson and dated 05/27/2022.

**Finding 112B:** Findings and conditions associated with the preliminary review have been integrated into this staff report under the following subjects;

- **WMC 3.42: Development Impact Fees**
- **WMC Title 12: Streets and Sidewalks**
- **WMC Title 13: Water and Sewage**
- **WMC 15.10: Erosion Control**
- **WMC 15.12: Stormwater Management**

Conditions have been added that the applicant must adhere to provided engineering comments, and that the applicant shall provide responses acknowledging the submitted comments. *(See conditions 27 and 28)*

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### Washington Department of Ecology Comments

**Finding 113:** Applicant is responsible for taking appropriate action to address concerns expressed by the memo prepared by the Washington State Department of Ecology and dated September 14<sup>th</sup>, 2022:

- 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 your local jurisdictional health department prior to filling.

following Best Management Practices (BMPs) should be followed during active construction:

- The oak tree's critical root zone should be protectively fenced at either the dripline or a foot per inch dbh, whichever is larger;
- If any digging needs to occur in the critical root zone, it should only be done under the supervision of an ISA certified arborist;
- Avoid cutting tree roots greater than 4" in diameter.

**Finding 116:** The applicant's consulting biologist, Steffanie Taylor with Ecological Land Services, provided responses to WDFW's comments on October 20<sup>th</sup>, 2022. Specifically to WDFW's comments regarding protection of Oregon White Oaks during construction, Taylor noted that:

- Fencing is not possible due to the construction of the sidewalk and other public improvements in close proximity to the identified OWOs, and furthermore the grade of the slough banks to the south of the oaks.
- An arborist will be onsite when construction activities occur around the oaks.
- Excavation to remove the eastern crossing and restoration of the slough slopes may encounter larger oak roots. Taylor notes that an arborist will be present onsite during construction and will be consulted on how to proceed if roots over 4 inches in diameter are present.

**Finding 117:** Staff acknowledges that, due to the location of the Oregon White Oaks present and proposed road improvements, full protection of the existing Oregon White Oaks would be challenging should this project move forward. The applicant has proposed a mitigation plan that includes the planting of 15 5-gallon Oregon White oaks within the enhancement area and acknowledged their intentions to adhere to the BMPs to the extent possible. A condition of approval has been added that best practices available shall be utilized whenever possible to minimize potential impact to Oregon white oaks present on the site both during and following construction. (*See Condition 30*)

**Finding 118:** WDFW noted that best management practices should be put in place to protect the on-site Oregon White Oaks present. Specifically, they noted that the following Best Management Practices (BMPs) should be followed following completion of the development:

- Monitor the tree annually 3-5 years to determine if there were long term impacts from the construction activities
- Avoid placing permanent irrigation near the OWO as oak trees are drought tolerant and do not need irrigation.

**Finding 119:** The applicant's consulting biologist, Steffanie Taylor with Ecological Land Services, provided responses to WDFW's comments on October 20<sup>th</sup>, 2022. Specifically

**Finding 126:** WDFW strongly recommended that should a buffer reduction be approved, the resulting buffer be no less than 100 feet in order to maintain the pollutant removal function.

**Finding 127:** Steffanie Taylor with Ecological Land Services responded that the project is not feasible without impacting area within a 100-foot buffer due to the required turning radii for semi-trucks, required parking, and minimum building size. Taylor also referenced the proposed enhancement and mitigation measures proposed including the removal of invasive species, and planting of the area with a variety of native trees, shrubs, and a native seed mix. Per her response, Ecological Land Services believes that these enhancement measures along with the post-construction stormwater treatment will adequately replace any lost pollutant removal functions.

**Finding 128:** As noted within section V of this report, a 100-foot buffer would prevent the construction of much of the Northwestern parking and loading areas required to operate a distribution business. The flow of the slough would also inhibit potential turning movements, particularly of larger vehicles, that would be required for many potential industrial uses of the property. The primary buildable area on the property would be along the rear property line, slightly off-center to the eastern portion of the property. With this alignment, due to the curvature of the slough, and thus a potential 100 foot buffer, providing adequate turning movement for any warehousing, manufacturing, or other light industrial use would be challenging while maintaining compliance with the City's zoning code.

The grasses that make up most of the existing buffer outside of the slough bank provides only limited beneficial habitat function(s), and between the comprehensive stormwater system and proposed mitigation measures will improve site conditions. Furthermore, the stormwater system will assist in replacing the stormwater cleaning functions of this limited vegetative covering within the existing buffer.

The applicant also redesigned the proposed structures extensively following the pre-application conference held on September 9<sup>th</sup>, 2021 in order to minimize the impact of the project on the Slough. These modifications included the relocation of the proposed buildings as close to the rear property line as possible, the reimagining of the access pattern to be able to restore the slough in the areas previously occupied by two separate entrances while consolidating potential impacts due to traffic over the slough to a singular entrance point, and a reduction in the size of the building(s). The new design also includes large areas of maintained landscaping, minimizing impervious surface on the property in question.

**Finding 129:** Separately, Brittney Salter with WDFW, commented that based on previous discussions with the applicant the redwoods on the site were going to remain, and asking for clarification on the removal of these redwoods.

**Finding 135:** WMC Chapter 17.56 outlines off-street parking requirements for new developments, with WMC 17.56.040 outlining off-street requirements for light industrial zoning districts and WMC 17.56.170 outlining loading requirements.

**Finding 136:** No dedicated truck parking spaces are required per WMC 17.56.04. A general requirement for all zoning districts is that all developments in all zoning districts provide enough parking spaces to accommodate the number of vehicles that ordinarily are likely to be attracted to the development in question.

**Finding 137:** Provided narrative noted that four truck loading docks will be provided with the development, as well as two at-grade loading doors proposed for daily deliveries and pick ups like UPS and Fed Ex.

**Finding 138:** WMC 17.56.170(A) outlines required loading areas for freight terminals or railroad terminals, hospitals, sanitariums, schools and other institutional uses, or any similar use which has or is intended to have an aggregate gross floor area of ten thousand square feet or more.

**Finding 139:** Per the table within WMC 17.56.170(A), such uses with an aggregate gross floor area of 40,001 to 64,000 require three dedicated loading and unloading spaces. The four truck loading spaces called out in the narrative exceeds this standard. A condition of approval has been added that the applicant must clearly identify the four truck loading/unloading spaces on the final site plan submitted along with final engineering. (*See Condition 16*)

**Finding 140:** Addressing the Port's concerns related to the maintenance of the slough and culverts, Scott Taylor with SGA engineering provided the following comments:

- Taylor stated that the applicants did reach out to CDID # 2 regarding the on-site slough and culverts;
- Taylor reiterated CDID's request that the existing 12" culverts be upsized to two 36" culverts running underneath proposed new entrance;
- Taylor stated that CDID # 2 declined the opportunity to own and maintain the slough, as has been verified by the City; and,
- Taylor stated that the property owner will maintain the slough and all existing vegetation, including ensuring that sight distance is maintained at the new site access driveway.

**Finding 141:** CDID # 2 is a third party that operates the dike running along part of the banks of the Columbia and Lewis Rivers. CDID # 2 also utilizes a system of culverts, ditches, and other stormwater conveyance systems that directs stormwater runoff to two pumping stations along the Lewis and Columbia Rivers where the collected stormwater is dispersed.



Per WMC 19.08.030, staff recommends that above application for a Major Variance be **PARTIALLY APPROVED WITH CONDITIONS** by the City of Woodland’s Hearing Examiner permitting a reduced 40-foot riparian buffer based on the criteria and standards outlined in Woodland Municipal Code (WMC). *See Section IX for conditions of approval.*

## **IX. CONDITIONS OF APPROVAL**

1. The following impact fees have been estimated based on the first phase of the preliminary application and will be due at time of building permit issuance:
  - a. Fire Impact Fees:
    - i. Commercial: \$25,276.11 (\$.51 per square foot of commercial space).
  - b. Transportation Impact Fees:
    - i. Commercial:
      1. Total: 33.20 PM peak hour trips X \$838 per trip = \$2782.60.
      2. Phase 1 + 2: 16.75 PM peak hour trips X \$838 per trip = \$14,036.50
      3. Phase 2 will be calculated based off provided traffic study at time of building permit issuance.

Water and sewer assessment fees are required based on meter size in accordance with the Woodland rate schedule.

2. Submit a traffic impact analysis (TIA) with final/civil engineering.
3. All impact fees are charged with building permit issuance. All provided calculations are estimates and subject to change.
4. Street trees are required to be provided within the Right-of-Way. Final landscaping plan shall identify proposed street trees from the City of Woodland Street Tree List found here: <https://www.ci.woodland.wa.us/publicworks/page/street-trees>
5. Replacement of existing half-street HMA will be required along with installation of new curb and gutter, attached sidewalk, street lighting, and landscaping
6. All improvements in the public right-of-way shall be completed in accordance with City of Woodland standards per Title 12.
7. All proposed frontage improvements must be approved by the Public Works director through Civil Review.
8. Construct proposed utilities in accordance with applicable WMC.
9. Comply with water supply backflow and cross-connections requirements of WMC 13.28.
10. The fire mains shall be public mains with a 15-foot-wide easement to the City.
11. Apply for a fill and grade permit and NPDES permit.
12. Submit a final stormwater TIR.
13. Up-size the existing 12-inch stormwater culverts to 36-inch per comments received from CDID #2.

- standards and codes; to include the adopted edition of the International Fire Code and the City's Municipal Code.
23. Building/construction plans must be submitted to CCFR separately, along with fire alarm and/or fire sprinkler alterations. It is the responsibility of the applicant to comply with any and all conditions placed upon the development by CCFR as the City of Woodland will not approve any proposed development without CCFR approval.
  24. Applicant must adhere to the following building conditions:
    - a. Site plan will need to show access to the public way from building entrances.
    - b. All Geotech recommendations and requirements will be required to be implemented into the design of the structures.
    - c. Three EV spaces must be provided, including one ADA compliant EV space per Washington State Code 51-50-0429.
    - d. A solar zone shall be provided on non-residential buildings that are 20 stories or less in height above grade plane. The solar zone shall be located on the roof of the building or on another structure elsewhere on the site. The solar zone shall be in accordance with Sections C411.2 through C411.8 and the International Fire Code.
  25. All proposed signs must comply with the standards of WMC 17.52.080 governing signage in industrial districts, and will require separate sign permit(s).
  26. For Variances:
    - a. Should the application for a variance be denied, no reapplication shall be made within one year from the date of denial.
    - b. Proposed variance goes with the subject property and is not transferable to any other property.
    - c. An approved variance expires after three (3) years unless a building permit has been issued and substantial construction taken place.
    - d. Provide an updated site plan with civil engineering submission demonstrating that the updated site design complies with a 40-foot Riparian area buffer.
  27. It is the applicant's responsibility to make any relevant revisions based on provided engineering comments. Refusal to address concerns brought up within the provided engineering notes, as well as further feedback provided as a part of the Civil review process, may lead to delay of approval as well as increased financial costs. If the applicant believes any comments were made in error, these concerns should be brought up so they can be addressed.
  28. Applicant shall provide responses acknowledging and responding to (if required) the submitted engineering comments with their submission for Civil Review, and any subsequent review.
  29. It is the applicant's responsibility to make any relevant revisions and/or acquire any relevant permits based on provided comments from the Department of Ecology.

Website  
Mayor  
City Administrator  
DRC

ATTACHMENTS

A. Site Plan



## I. ADDENDUM "A" CRITICAL AREAS CHECKLIST

CRITICAL AREAS CHECKLIST		
Please answer the following questions concerning indicators located on or within 200 feet of the site.	Yes	No
Are you aware of any environmental documentation that has been prepared related to critical areas that include the subject site? <i>If yes, please attach a list of document titles.</i>	●	
Are there any surface waters (including year-round or seasonal streams, lakes, ponds, bogs, or swamps)?	●	
Have any wetlands been identified? Is any vegetation present that is associated with wetlands?		●
Are there areas where the ground is consistently inundated or saturated with water?	●	
Is the project located within a Flood Hazard Zone?		●
Are there state or federally listed sensitive, endangered or threatened species or habitats?		●
Are there slopes of 15% or greater?	●	
Are there any landslide hazard areas?		●

## II. ADDENDUM "B" SITE PHOTOS



Interior of Goerig Slough, taken from Road Right of Way to South of property





Goerig Slough, looking to the east, showing distance from Slough to roadway





Edge of Slough looking West





Looking into slough from Western entrance to property





Storm water facility constructed along Goerig Slough through neighboring development(s) to the East of development

### III. ADDENDUM “C” PHS CLASSIFICATION GEODATABASE



WDFW PHS database showing highlighted Goerig Slough

PHS Species/Habitats Details:

Freshwater Forested/Shrub Wetland	
Priority Area	Aquatic Habitat
Site Name	N/A
Accuracy	NA
Notes	Wetland System: Freshwater Forested/Shrub Wetland - NWI Code: PSSC
Source Dataset	NWIIWetlands
Source Name	Not Given
Source Entity	US Fish and Wildlife Service
Federal Status	N/A
State Status	N/A
PHS Listing Status	PHS Listed Occurrence
Sensitive	N
SGCN	N
Display Resolution	AS MAPPED
ManagementRecommendations	<a href="http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html">http://www.ecy.wa.gov/programs/sea/wetlands/bas/index.html</a>
Geometry Type	Polygons

WDFW PHS classification details for Goerig Slough

## **IV. ADDENDUM "D" PLANS**



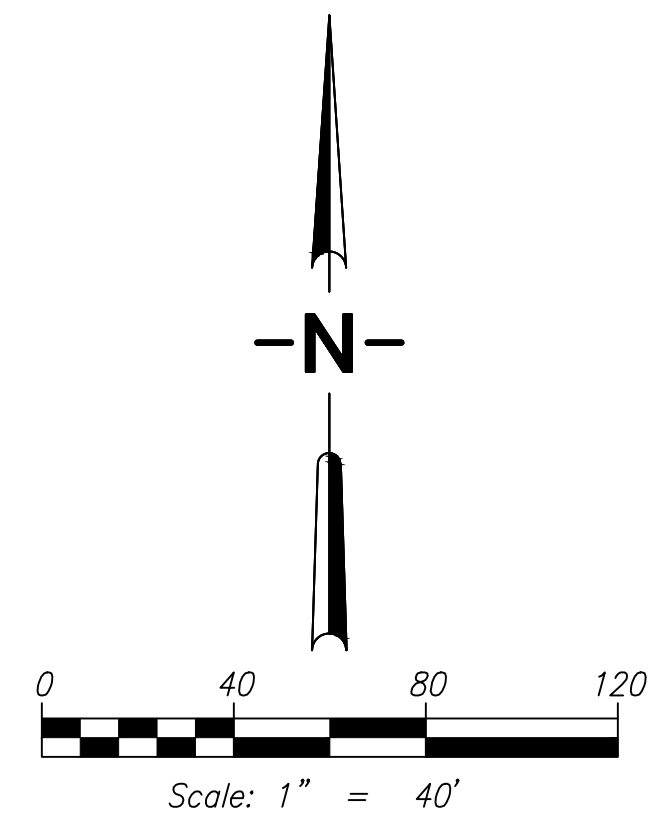
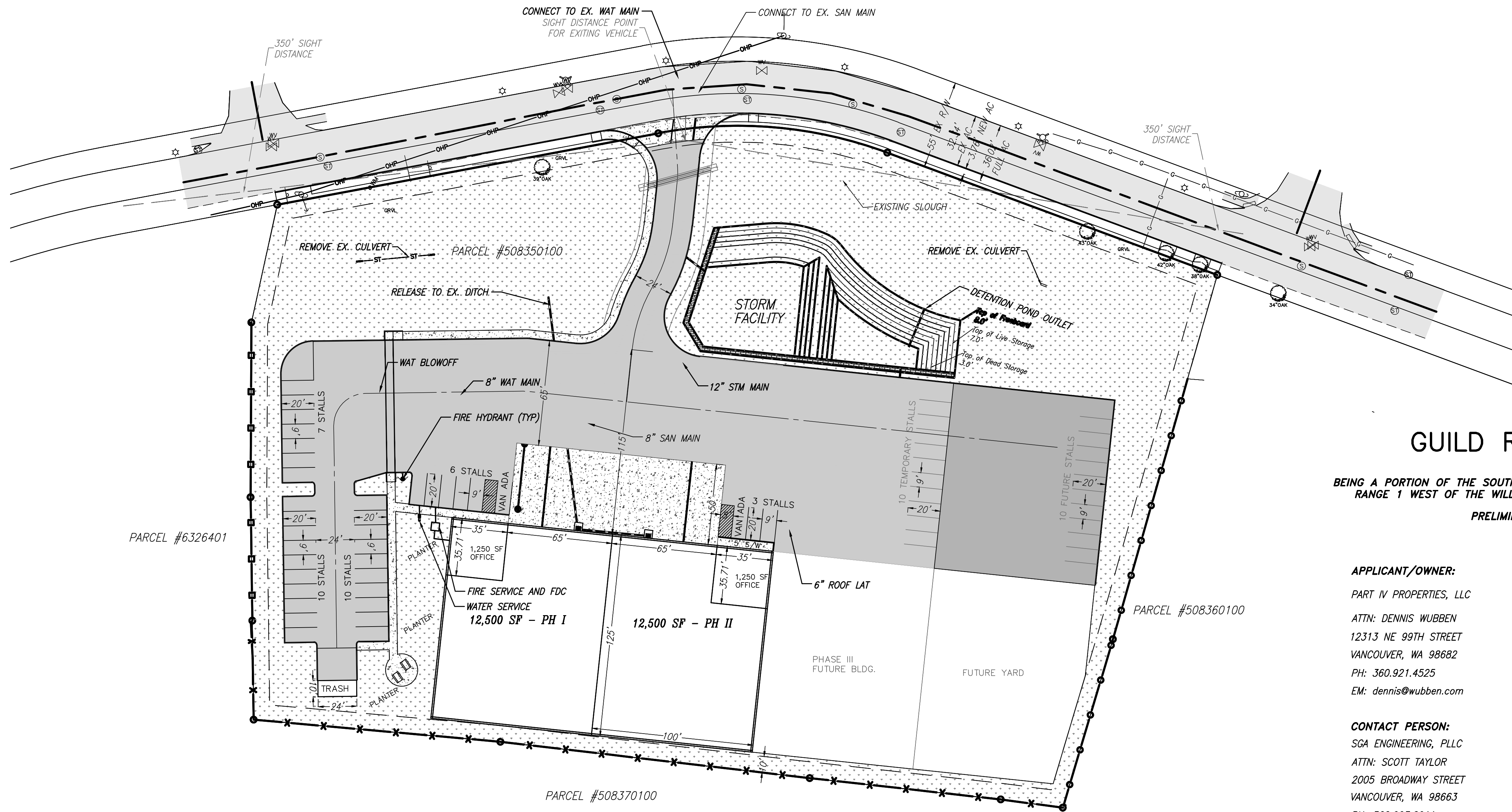








© SGA ENGINEERING, PLLC - DATE PLOTTED: Jun. 28, 2022 - 3:33 PM SGA DRAWING FILE: W:\DWG\2126- GUILD ROAD INDUSTRIAL PARK\DRAWINGS\2-PRELIM SHEET SET\PRE3.0 STREET AND UTILITIES.DWG



## GUILD ROAD INDUSTRIAL

BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH,  
RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, COWLITZ COUNTY, WASHINGTON  
**PRELIMINARY SITE PLAN APPLICATION**  
JUNE 2022

**APPLICANT/OWNER:**  
PART IV PROPERTIES, LLC  
ATTN: DENNIS WUBBEN  
12313 NE 99TH STREET  
VANCOUVER, WA 98682  
PH: 360.921.4525  
EM: dennis@wubben.com

**PROPERTY ADDRESS:**  
GUILD ROAD BETWEEN ROBINSON ROAD AND  
SCHURMAN WAY  
WOODLAND, WA 98674  
PARCEL# 508350100

**CONTACT PERSON:**  
SGA ENGINEERING, PLLC  
ATTN: SCOTT TAYLOR  
2005 BROADWAY STREET  
VANCOUVER, WA 98663  
PH: 360.993.0911  
FX: 360.993.0912  
EM: STAYLOR@SGAENGINEERING.COM

**EXISTING SITE INFORMATION**

EXISTING PARCEL NUMBERS	508350100
CURRENT USE	VACANT LAND
ZONING DESIGNATION	I-1 - LIGHT INDUSTRIAL
GROSS SITE AREA	4.65 ACRES      202,769 S.F.
TRANSIT ROUTES	NEAREST STOP IS UNKNOWN
EXISTING WATER AND SEWER	PUBLIC SEWER FROM CITY PUBLIC WATER FROM CITY

**ENVIRONMENTAL CONDITIONS**

THE SITE CONTAINS AGRICULTURAL DITCHES. THE SITE IS LOCATED IN THE COLUMBIA RIVER WATERSHED. THE SITE WAS EVALUATED FOR WETLANDS BY ECOLOGICAL LAND SERVICES. NO WETLANDS WERE IDENTIFIED ON THE SITE.

**EXISTING CONDITIONS DISCLAIMER**

THE EXISTING CONDITIONS SHOWN ON THIS PLAN WERE OBTAINED FROM INFORMATION PROVIDED BY MINISTER & GLAESER SURVEYING, AND PUBLIC SOURCES. SGA ENGINEERING, PLLC DOES NOT GUARANTEE THE ACCURACY OF THIS INFORMATION.



2005 BROADWAY  
VANCOUVER, WA 98663  
PHONE (360)993-0911  
FAX (360)993-0912



STREET AND UTILITIES PLAN

# GUILD ROAD INDUSTRIAL

WASHINGTON

CITY OF WOODLAND

**VERSION 1**

REVISIONS

DESIGNED BY: CWWD/JAI  
DRAWN BY: CWWD/JAI  
CHECKED BY: JAI, SAT  
SCALE: 1" = 40'

JOB NUMBER  
2126

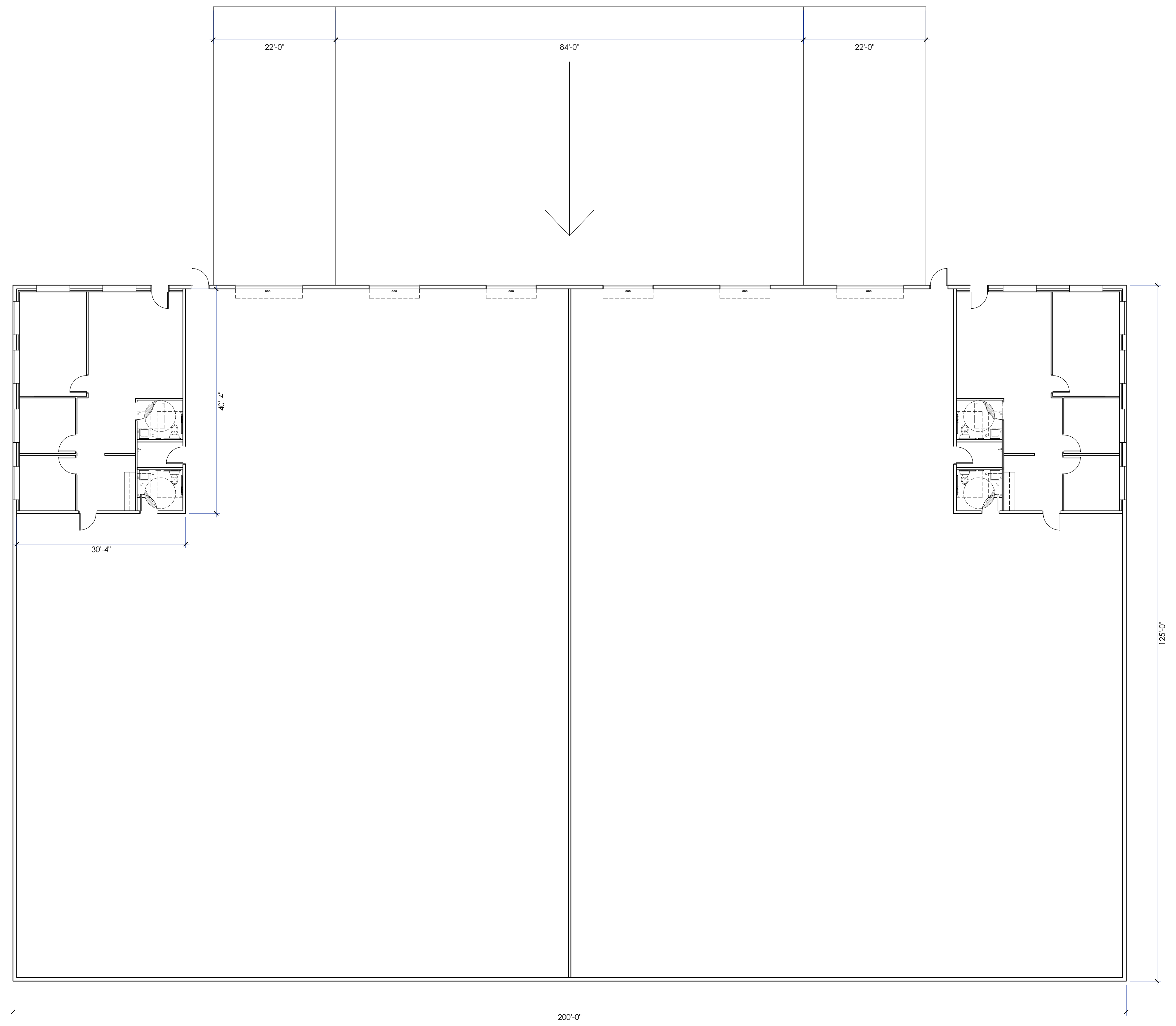
SHEET  
PRE3.0



**general notes**

- A. Contractor shall verify existing conditions and drawings prior to commencing work.
- B. Contractor shall report any discrepancies between conditions and the drawings to the Architect.

preliminary  
not for  
construction



**1 floor plan**  
SCALE: 1/8" = 1'-0"

**Guild Road**

Industrial Building

PARCEL: 508350100  
OWNER: Part IV Properties, LLC

**site plan review**

PROJECT ABBREVIATION:	22_050	
DRAWN BY:	JS	
DATE ISSUED:	06.27.2022	
REVISIONS	TYPE	DATE
△		

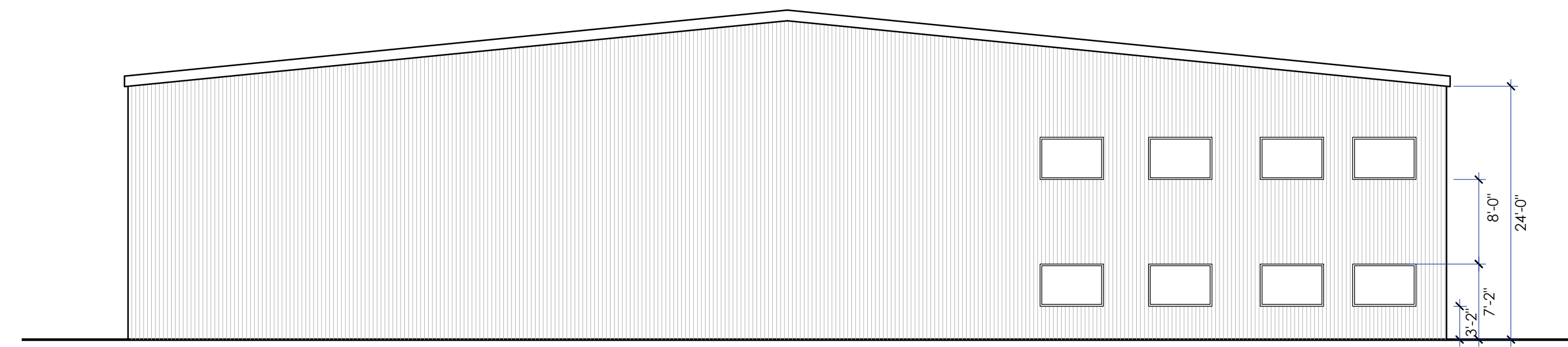
**floor plan**

**A201**  
Covalent Architecture, LLC. © 2022

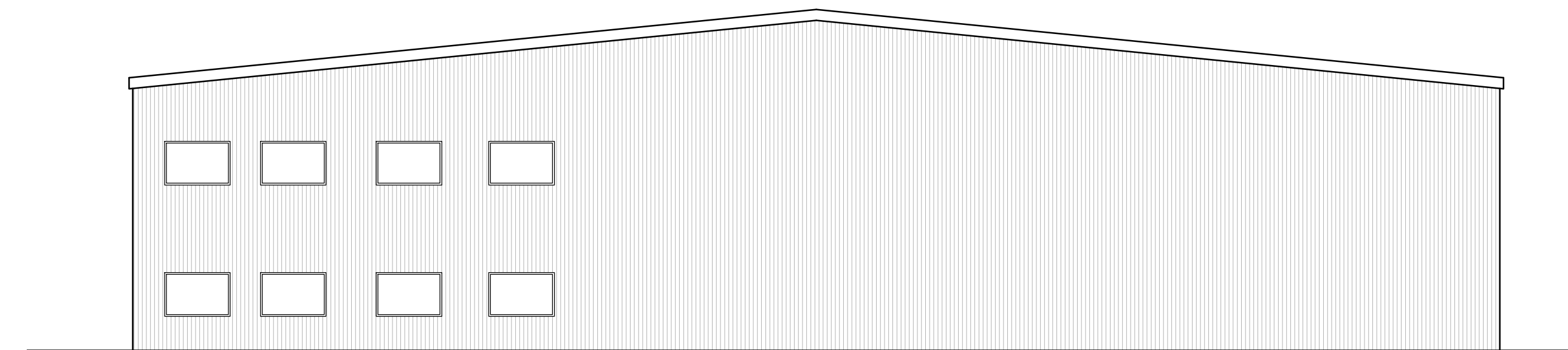
**general notes**

- A. Contractor shall verify existing conditions and drawings prior to commencing work.
- B. Contractor shall report any discrepancies between conditions and the drawings to the Architect.

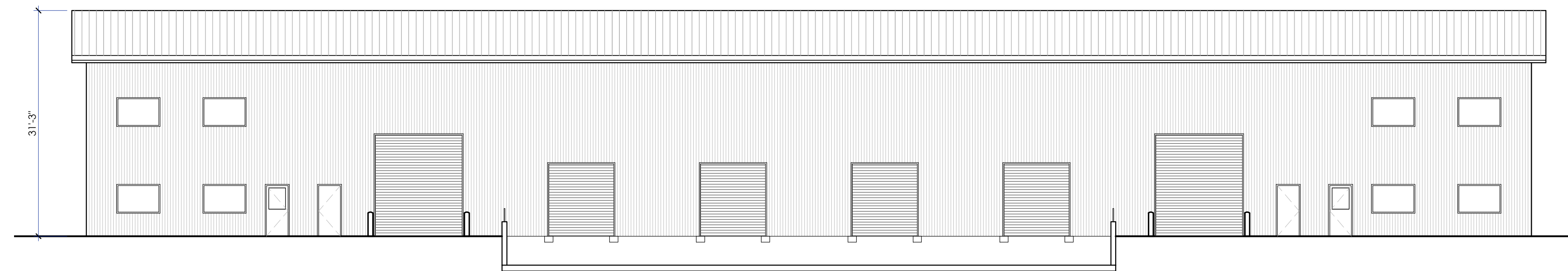
preliminary  
not for  
construction



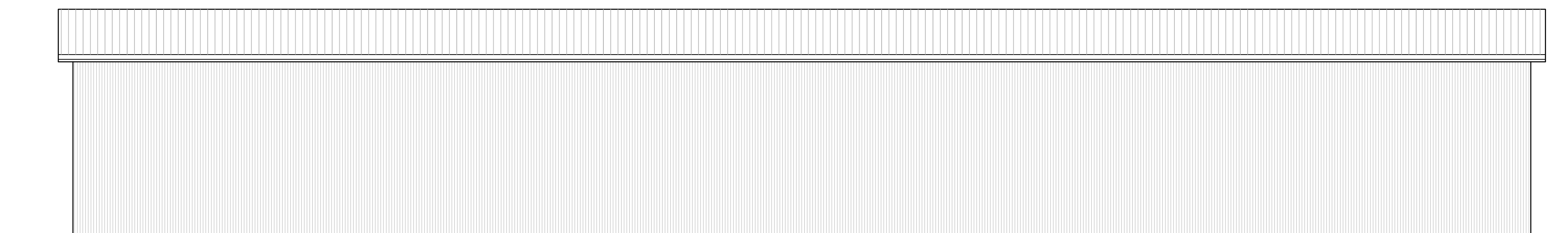
① east elevation  
SCALE: 3/32" = 1'-0"



② west elevation  
SCALE: 3/32" = 1'-0"



③ north elevation  
SCALE: 3/32" = 1'-0"



④ south elevation  
SCALE: 3/32" = 1'-0"

**Guild  
Road**

Industrial Building

PARCEL : 508350100  
OWNER : Part IV Properties, LLC

*site plan review*

PROJECT ABBREVIATION:	22_050	
DRAWN BY:	JS	
DATE ISSUED:	06.27.2022	
REVISIONS	TYPE	DATE
△		

**exterior elevations**

**A501**  
Covalent Architecture, LLC © 2022





October 20, 2022

City of Woodland  
David Lukaczer  
230 Davidson Avenue  
Woodland, WA 98674

Re: Guild Road Industrial Project Comment Response

Dear Mr. Lukaczer:

Ecological Land Services, Inc. (ELS) is providing this response to the Washington Department of Fish and Wildlife (WDFW) comment letter and emailed comments dated October 14, 2022. WDFW comments are summarized below in italics followed by our response in regular font.

*Oregon White Oaks*

*One concern is with the protection of the Oregon White Oaks (OWO) both within and near the project site.*

As mentioned in your letter, George Fornes met with ELS and the project engineer onsite to look at the oaks and discuss potential impacts and avoidance and minimization measures. The oaks will not be removed for the project; however, they are located immediately adjacent to the existing road, and with City-required sidewalk improvements, dripline impacts cannot be avoided. A draft arborist report was prepared on June 6, 2007, which included a preliminary assessment of oaks and states “There is virtually no opportunity to do any road widening or sidewalk construction adjacent to these trees [oaks] without creating unacceptable impacts on the trees.” The final arborist report will contain recommendations for protection and minimization of impacts during construction. Best management practices (BMPs) listed below as mentioned in your letter will be followed to the extent practical as will the arborists recommendations. Construction will impact 0.013 acres of oak critical root zone. Fifteen 5-gallon oaks are proposed for planting to compensate for these impacts.

*Notable BMPs to follow that are especially important for OWO [Oregon white oak]*

- *The oak tree’s critical root zone should be protectively fenced at either the dripline or a foot per inch dbh, whichever is larger.*

Fencing is not possible because the sidewalk will be adjacent to the oak trunks (or nearly so), and the ground slopes steeply down to the slough just south of the oaks. The current edge of asphalt is between 3 feet and 12 feet from the oak trunks.

- *If any digging needs to occur in this critical root zone, it should only be done under the supervision of an ISA certified arborist*

An arborist will be onsite when construction activities occur around the oaks.

- *Avoid cutting tree roots greater than 4" in diameter*

Excavation to remove the eastern crossing and restore the slough slopes may encounter larger oak roots. The arborist will be onsite during construction and will be consulted on how to proceed if roots over 4 inches in diameter are present. This may result in a more sinuous excavation on the north bank in the channel restoration area.

#### *BMPs After Construction*

- *Monitor the tree annually 3-5 years to determine if there were long-term impacts from the construction activities*

The following performance standard will be added to the mitigation plan:

Performance Standard 2k: Monitor impacted Oregon white oak trees for signs of stress and decay during annual monitoring visits. Record observations in annual monitoring reports. If oaks show a decline in health the project arborist will be consulted, and contingency measures may be implemented.

- *Avoid placing permanent irrigation near the OWO. Oak trees are drought tolerant and do not need irrigation. In fact, when permanent irrigation is present it has been linked to OWO death.*

No irrigation will be placed near the oak trees.

*To avoid impacting the ecological functions of OWO on site we ask that at least 10m beyond the dripline be undeveloped.*

The current edge of asphalt is between 3 feet and 12 feet from the north side of the oak trunks; therefore, there is no way to avoid impacting the northern dripline of the oaks and mitigation is proposed. South of the oak trunks, the ground slopes steeply to the slough. Only restoration activities involving removing the eastern crossing will occur within the southern dripline of the oaks. The remaining dripline will not be impacted as the trees overhang the slough on the south.

#### *Type F Stream (Goerig Slough)*

*The new Riparian Management Recommendations identify the riparian setback at 215 feet for this project location... Based on WDFW recommendations the Guild Road Industrial project should be redesigned to accommodate this larger buffer. If that is not possible, compensatory mitigation should be required to offset the impact of reducing the buffer.*

It is understandable that science evolves and so do recommendations based on the best available science. Although the science has changed, site specific circumstances have not. Being amenable to a smaller buffer was also based on site-specific circumstances including poor habitat quality and the intent to not only improve the remaining buffer habitat, but also restore portions of Goerig Slough providing a greater overall ecological benefit to the system as detailed in the *Level 1 Habitat Assessment Guild Road Permitting* (habitat assessment; ELS April 5, 2022). We believe the mitigation and restoration measures proposed in the habitat assessment adequately compensate for the reduced buffer functions.

*Moreover, WDFW strongly recommends that the buffer be no less than 100ft in order to maintain the pollutant removal function, which would be especially important in this area given the use of the property.*

The project is not feasible without impacting area within a 100-foot buffer. Turning radii for semi-trucks, required parking, and minimum building size needed pushes the developed area north towards the slough. Pollutant removal functions will be provided by a wet pond. As stated above and further described below, the remaining buffer will be enhanced by removing invasive species and planting the area with a variety of native trees, shrubs, and a native seed mix. We believe these enhancement measures along with post-construction stormwater treatment will adequately replace any lost pollutant removal functions.

October 14, 2022 Emailed Comment

*I wanted to also note that after speaking with George Fornes, he told us that during his site visit he was told that the redwoods on the project site were going to remain however the project plans show they will be removed. We would be interested in learning more about them to ensure their removal would not impact any critical habitats on the property.*

A row of 11 non-native redwood (*Sequoia sempervirens*) trees were historically planted on the property. The redwoods are upwards of 100 feet tall with diameters at breast height of approximately 5-8 feet. We were unable to save the redwood trees as described in the habitat assessment. The existing redwoods do provide riparian function but are separated from the slough by approximately 50 to 100 feet of mowed grass. Removal of the redwood trees may eliminate big brown bat (*Eptesicus fuscus*) roosting habitat; however, the remaining trees around the site perimeter also provide roosting habitat. The proposed building may also provide roosting habitat following construction.

To mitigate the lost functions of the redwoods, 22 Douglas-fir trees will be planted throughout the enhancement area in addition to the proposed riparian plantings. The remaining riparian buffer will be enhanced with native trees, shrubs, habitat features, and invasive species will be removed. This will create a continuous corridor along the slough (except for the access drive) where there currently is only a riparian fringe along the slough banks. The slough banks will also be planted, and two existing crossings will be removed with the restoration areas also planted. Two bat houses will also be installed near the east and west enhancement perimeters, on or adjacent to the existing Douglas-fir trees. Material for the downed logs and large woody material (LWM) piles will be sourced from the removed redwoods. Each LWM pile will have at least 10 branches, that are at least 5 inches in diameter and at least 6 feet long. Downed logs will meet priority habitat specifications. Additional information on enhancement measures is detailed in the habitat assessment.

If you have questions or need additional information, please email me at [steff@eco-land.com](mailto:steff@eco-land.com) or call me at (360) 578-1371.

Sincerely,



Steffanie Taylor  
Senior Biologist/Principal



## Community Development Department

Building | Planning | Code Enforcement  
P.O. Box 9, 230 Davidson Avenue  
(360) 225-7299, [www.ci.woodland.wa.us](http://www.ci.woodland.wa.us)

### Development Impact Fees | WMC 3.42

**Finding 1:** Transportation Impact Fees (TIF) are currently on Holiday and will not be required on new development at this time.

A preliminary estimate of PM peak hour trips (PMPHT) for this project has been calculated by SGA, based upon the current ITE manual, specifically the land use category of “#140 – Manufacturing.”

Calculations are based upon gross floor area (GFA). Per the most recent submittal, the total gross floor area for current and future phases is 49,561 square feet. The ITE designates 0.67 PMPHT per 1,000 square feet of GFA.

$$\text{PMPHT} = (49,561 \text{ SF} / 1,000 \text{ SF}) \times 0.67 \text{ PMPHT} = 33.20 \text{ PMPHT.}$$

A traffic impact analysis (TIA) will be required for this project as the City requires these when PMPHT total exceeds 10 PMPHT for new development. The pre-app comments incorrectly stated the threshold requirement at 20 PMPHT. *See Condition #1.*

**Finding 2:** Fire Impact Fees are required on new development. Fees are calculated based on \$.51 per sq ft of building. Fees are calculated and due at the time of building permit issuance. A condition is added to pay all impact fees when building permits are issued. *See Condition #2.*

**Conclusion:** As conditioned, the project can comply with this standard.

---

### Streets and Sidewalks | WMC Title 12

- **Finding 3:** The street frontage at Guild Road is not developed. Replacement of existing half-street HMA will be required along with construction of new curb and gutter, attached sidewalk, street lighting, and landscaping will be required. Construction of frontage improvements shall be in conformance with City of Woodland standards. A condition is added that all improvements in the public right-of-way shall be completed in accordance with City of Woodland standards. *See Condition #3.*

**Conclusion:** As conditioned, the project can comply with this standard.

---

## Water and Sewage | WMC Title 13

**Finding 4:** Water and sewer mains are complete in the fronting street and utility stubs are extended to the property. Abandon-in-place any unused stubs. Comply with backflow and cross-connection requirements of WMC 13.28, as well as all other applicable WMC. *See Conditions #4 and #5.*

**Finding 5:** On-site fire hydrants will be as required by Clark-Cowlitz Fire & Rescue (CCFR). Fire mains (if applicable) shall be public mains with a 15 ft wide easement to the City. The layout of these utilities shall meet the requirements of the City Engineering Standards and WMC. *See Condition #6.*

**Finding 6:** Water and Sewer Assessment Fees: Connection charges and assessments for water and sewer will be assessed in accordance with the applicable rate schedule.

**Conclusion:** As conditioned, the project can comply with this standard.

---

## Erosion Control | WMC 15.10

**Finding 7:** Applicants are required to install and maintain erosion control measures per the Best Management Practices as outlined in the 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 fill and grade permit is required. *See Condition #7.*

**Conclusion:** As conditioned, the project can comply with this standard.

---

## Stormwater Management | WMC 15.12

**Finding 8:** A condition of approval is added to submit a final stormwater TIR. *See Condition #8.*

**Finding 9:** The existing slough on-site is part of a stormwater conveyance system that ultimately discharges runoff for management by the Cowlitz County Diking Improvement District No. 2. A stormwater easement and/or maintenance agreement with the District will not be required as part of this project. CDID #2 will require upsizing the existing 12-inch storm culverts to 36-inch. *See Condition #9.*

**Finding 10:** A reduced, enhanced buffer for Goerig Slough shall be developed per the Mitigation Plan from ELS and in conformance with the Washington State Department of Fish and Wildlife.

**Conclusion:** As conditioned, the project can comply with this standard.

---

## **I. CONDITIONS OF APPROVAL**

1. Submit a traffic impact analysis (TIA).
2. Pay all impact fees when building permits are issued per WMC 3.42.
3. All improvements in the public right-of-way shall be completed in accordance with City of Woodland standards per Title 12.
4. Construct proposed utilities in accordance with applicable WMC.
5. Comply with water supply backflow and cross-connections requirements of WMC 13.28.
6. The fire mains shall be public mains with a 15-foot-wide easement to the City.
7. Apply for a fill and grade permit and NPDES permit.
8. Submit a final stormwater TIR.
9. Up-size the existing 12-inch stormwater culverts to 36-inch per comments received from CDID #2.
10. Enhance the reduced buffer as required by George Fornes, Cowlitz County Habitat Biologist (WDFW) per the Mitigation Plan developed by ELS.



## David Lukaczer

---

**From:** Jennifer Keene <jkeene@portofwoodland.com>  
**Sent:** Monday, August 29, 2022 10:12 AM  
**To:** David Lukaczer  
**Cc:** Travis Goddard  
**Subject:** RE: Information on SPR 22-006, SEP-22-006 and VAR 22-002

David

In reviewing the documents for this project, there are two items to address. One, in the habitat assessment, there is discussion on the inclusion of truck parking. In reviewing the plan set, I am not seeing truck parking- just the standard stall and length to those. Given that there will be no other surrounding truck parking available, and that the 2 buildings and 2 future buildings will have significant number of roll up docks, there should be adequate truck parking as to not create additional on street or turn lane parking of trucks (like we are seeing on Schurman Way with Actech on a daily basis).

The second item is if the CDID 2 is requiring upsizing the culverts, which I completely agree to, are they going to be also maintaining the culvert area/ditch since they are making such requirements? Per another report, it states that the CDID 2 does not maintain the ditches. Just wondering how they are requiring something they are not maintaining, especially if the city is the one maintaining the stormwater throughout the city with the newly implemented fee.

Beyond that, I have no other concerns with the development nor the removal of the trees. I think that will also increase safety of potential branches falling on the roadway, which we have seen in past wind events with those trees into the roadway. I am assuming they will be completely sidewalks also?

Thank you



Jennifer Wray-Keene  
Executive Director  
1608 Guild Road  
Woodland, WA 98674  
360.225.6555 (o)  
360.977.8416 (c)  
[jkeene@portofwoodland.com](mailto:jkeene@portofwoodland.com)

*This email is confidential and should only be read by the intended recipient. Any email received or sent by the Port of Woodland may be subject to disclosure under the Open Public Records Act of Washington State RCW 42.56.*

**From:** [staylor@sgaengineering.com](mailto:staylor@sgaengineering.com)  
**To:** [David Lukaczer](#); "Dennis Wubben"  
**Cc:** [Travis Goddard](#); "Jason Mattos"  
**Subject:** RE: SPR-22-006: Letter - Fully Complete  
**Date:** Friday, October 7, 2022 5:45:46 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)

---

Hello David. Could you please send this email to Jennifer at the Port. For some reason my email system is having trouble sending it directly to her. Not sure why. Thanks and let me know when you receive this email and are able to send it to her. Really appreciate the assistance.

Jennifer,

We have provided responses below in [blue text](#).

Thanks for the email and questions on the project. Let us know if you need anything else or if you have any other questions.

Sincerely,

**Scott Taylor, L.A.**

Partner, Landscape Architect  
& Land Use Planner  
SGA Engineering & Design  
2005 Broadway  
Vancouver, WA 98663  
Office: 360-993-0911  
Cell: 360-609-9540  
Fax: 360-993-0912

**From:** Jennifer Keene [jkeene@portofwoodland.com](mailto:jkeene@portofwoodland.com)  
**Sent:** Monday, August 29, 2022 10:12 AM  
**To:** David Lukaczer [lukaczerd@ci.woodland.wa.us](mailto:lukaczerd@ci.woodland.wa.us)  
**Cc:** Travis Goddard [GoddardT@ci.woodland.wa.us](mailto:GoddardT@ci.woodland.wa.us)  
**Subject:** RE: Information on SPR 22-006, SEP-22-006 and VAR 22-002

David

In reviewing the documents for this project, there are two items to address. One, in the habitat assessment, there is discussion on the inclusion of truck parking. In reviewing the plan set, I am not seeing truck parking- just the standard stall and length to those. Given that there will be no other surrounding truck parking available, and that the 2 buildings and 2 future buildings will have significant number of roll up docks, there should be adequate truck parking as to not create additional on street or turn lane parking of trucks (like we are seeing on Schurman Way with Actech on a daily basis). [This project will have ample room for truck parking on-site. There will not be a need for any parking of trucka on the public streets. There is room for trucka to come on-site and deliver or pick up shipments. We don't anticipate a high volume of semi-truck traffic for this project.](#)

The second item is if the CDID 2 is requiring upsizing the culverts, which I completely agree to, are they going to be also maintaining the culvert area/ditch since they are making such requirements? Per another report, it states that the CDID 2 does not maintain the ditches. Just wondering how they are requiring something they are not maintaining, especially if the city is the one maintaining the stormwater throughout the city with the newly implemented fee. [We reached out to CDID#2 and they declined the opportunity to own and maintain the slough/ditch. They requested that we upsize the existing 12" culverts to 36" x 2. We accepted this response and have proposed one new crossing with two 36" culverts to make sure an not impact the flow in the slough. The property owner will maintain the slough and all the existing vegetation. The property owner will make sure to maintain the vegetation so that sight distance is maintained at the new site access driveway.](#)

Beyond that, I have no other concerns with the development nor the removal of the trees. I think that will also increase safety of potential branches falling on the roadway, which we have seen in past wind events with those trees into the roadway. I am assuming they will be completely sidewalks also? [Yes, we will develop new sidewalks along the south side of Guild Road and on-site for pedestrian use.](#)

Thank you



Jennifer Wray-Keene  
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**From:** staylor@sgaengineering.com <staylor@sgaengineering.com>  
**Sent:** Monday, October 3, 2022 11:45 AM  
**To:** 'David Lukaczer' <lukaczerd@ci.woodland.wa.us>; 'Dennis Wubben' <dennis@wubben.com>  
**Cc:** 'Travis Goddard' <GoddardT@ci.woodland.wa.us>; 'Jason Mattos' <JMattos@sgaengineering.com>  
**Subject:** RE: SPR-22-006: Letter - Fully Complete

Yes, SGA and the applicant will prepare a response to the Port's comments/questions. Thanks for the heads up and talk to you soon on this.



State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**  
Southwest Region 5 • 5525 South 11<sup>th</sup> St Ridgefield, WA 98642  
Telephone: (360) 696-6211 • Fax: (360) 906-6776

October 14, 2022

City of Woodland  
230 Davidson Avenue  
P.O. Box 9  
Woodland, Wa 98674

Dear David Lukaczer:

Thank you for the opportunity to comment on the Guild Road Industrial project. The Washington Department of Fish and Wildlife (WDFW) has reviewed the proposal and offers the following comments for your consideration.

**WDFW is concerned that the project could have adverse ecological impacts on both the mature, functional Oregon White Oaks (OWO) present on site and Goerig Slough, the Type F stream (fish bearing stream). It has come to my attention that Habitat Biologist George Fornes had previously communicated concerns for the OWO and noted that a reduction of the 200-foot riparian buffer to the stream would be acceptable due to the current state of the habitat quality. However, since these communications with the applicant back in January 2021, WDFW has been refining our management recommendations to reflect the best available science. The most current recommendation for riparian areas would be to use Site Potential Tree Height at 200 years (SPTH<sub>200</sub>) which would be 215 feet. As science continues to evolve so too does the recommendations of WDFW.**

***Oregon White Oaks (OWO)***

**One concern is with the protection of the Oregon White Oaks (OWO) both within and near the project site.** It is noted that an arborist report will be prepared to determine if this activity will affect the oaks. We have not had the opportunity to review this report, so we want to broadly emphasize the importance of implementing best management practices to protect the OWO on site. We also want to note that, while only four OWO are identified in the project plans, our PHS map identifies several more oaks in the area. If there are additional trees within or near the site, they should be afforded the same protections described below.

We are concerned about the protection of OWO, because while once commonly distributed throughout the lowlands of Cowlitz County, they are disappearing at an alarming rate. Oregon White Oaks are a slow growing organism, take decades to reach maturity, and can live for upwards of 600 years. Because of the rate at which trees are being removed and their slow growth, large OWO are increasingly rare in this area. The four OWO on-site are large, with the smallest having a 38 dbh, each could be upwards of 500 years old. OWO this size and in this location provide invaluable food and habitat for many native Washington wildlife species including Columbia White Tailed Deer, elk, squirrels, migratory birds (rufous hummingbirds, band-tailed pigeons, chipping sparrows and more), nuthatches, woodpeckers, raptors, and

a wide array of invertebrates, including oak-obligates. For all these reasons, it is critical that proper care and attention is given to protecting these four trees (and any others on the site) during construction activities. Moreover, we would ask that additional measures are taken to protect these OWO after the project is completed. These are described below

#### *BMPs During the Construction*

Follow the BMPs outlined in [\*Tree Protection on Construction and Development Sites\*](#) published by Oregon State University Extension Service.

Notable BMPs to follow that are especially important for OWO

- **The oak tree's critical root zone should be protectively fenced at either the dripline or a foot per inch dbh, whichever is larger.**
- **If any digging needs to occur in this critical root zone, it should only be done under the supervision of an ISA certified arborist**
- **Avoid cutting tree roots greater than 4" in diameter**

#### *BMPs After Construction*

- **Monitor the tree annually 3-5 years to determine if there were long-term impacts from the construction activities**
- **Avoid placing permanent irrigation near the OWO. Oak trees are drought tolerant and do not need irrigation. In fact, when permanent irrigation is present it has been linked to OWO death.**

Lastly, we want to emphasize that one of the characteristics that makes OWO valuable as wildlife habitat, is the death of and dropping of limbs. The dead and downed wood associated with OWO provides critical food and habitat resources and should be left in place. However, for this reason, we encourage the applicant to be proactive and not place any infrastructure under or near the OWO to prevent future conflict with this natural process.

**To avoid impacting the ecological functions of OWO on site we ask that at least 10m beyond the dripline be undeveloped.** However, we would be supportive of including OWO into any required greenspace or other feature if the above considerations are met.

#### *Type F Stream (Goerig Slough)*

**The new Riparian Management Recommendations identify the riparian setback at 215 feet for this project location and The Guild Road Industrial project plans show to be well within the recommended setback.** WDFW no longer has a set buffer width for fish and non-fish bearing streams, and instead bases it on the Site Potential Tree Height of 200 years (SPTH<sub>200</sub>) to ensure the riparian ecosystem has the greatest functionality. These ecological functions outlined in *Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications (Quinn et al. 2020)* include, but are not limited to: stream morphology, erosion and sedimentation process, fish and wildlife habitat availability, wood recruitment, stream temperature, shading, pollutant removal, and nutrient cycling.

Based on WDFW recommendations the Guild Road Industrial project should be redesigned to accommodate this larger buffer. If that is not possible, compensatory mitigation should be required to offset the impact of reducing the buffer. Moreover, WDFW strongly recommends that the buffer be no

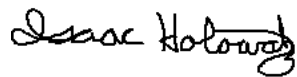


less than 100ft in order to maintain the pollutant removal function, which would be especially important in this area given the use of the property.

Thank you for allowing WDFW to comment and I hope that you will consider implementing protections for OWO during and after construction as well as all revisiting the riparian buffer for Goerig Slough. In a time of climate change and flooding issues and utilizing the SPTH<sub>200</sub> can help mitigate future flooding risk.

We also want to note that we are pleased to see undersized culverts in the stream being upgraded as this will help sustain and restore aquatic ecosystems by improving fish passage and natural stream functions at road crossings. We are happy to assist and help with any questions that may arise from this letter or to talk about riparian areas and OWO protection in general.

Thank you for your consideration,

A handwritten signature in black ink that reads "Isaac Holowatz". The signature is written in a cursive style with a large initial "I" and a long, sweeping underline.

Isaac Holowatz  
Habitat Biologist,  
Washington Dept of Fish and Wildlife  
5525 South 11th St. Ridgefield, WA

**From:** [Salter, Brittney R \(DFW\)](#)  
**To:** [David Lukaczer](#)  
**Cc:** [Holowitz, Isaac T \(DFW\)](#)  
**Subject:** RE: Guild Road Industrial project  
**Date:** Friday, October 14, 2022 2:05:41 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Hello David,

Sorry for the additional email. I wanted to also note that after speaking with George Fornes, he told us that during his site visit he was told that the redwoods on the project site were going to remain however the project plans show they will be removed. We would be interested in learning more about them to ensure their removal would not impact any critical habitats on the property.

Thanks again,



**Brittney Salter**

Habitat Biologist, WDFW Habitat Program

5525 S 11<sup>th</sup> St Ridgefield, WA 98642

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