



City of Longview

1525 Broadway
Longview, WA 98632
www.ci.longview.wa.us

Agenda

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Tg4aml4VnpqVmpTd09](https://us02web.zoom.us/j/89240177116?pwd=c09jSFluYkNFS
Tg4aml4VnpqVmpTd09)

Meeting ID: 892 4017 7116 Passcode: 1923

Call-in number: +1 253 215 8782 US (Tacoma)

Planning Commission

Wednesday, March 3, 2021

7:00 PM

City Hall

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.

1. ROLL CALL

2. APPROVAL OF MINUTES

21-000600 MINUTES OF THE FEBRUARY 3, 2021 REGULAR MEETING

3. AUDIENCE PARTICIPATION OF CORRESPONDENCE

4. DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARANCE OF FAIRNESS

5. PUBLIC HEARINGS

21-000601 PC 2020-5 PROPOSED CODE AMENDMENTS FOR MOBILE VENDORS AND FOOD TRUCKS

Recommended action: Hold a public hearing on the proposal. Make any changes to the draft code and motion to adopt the findings of the staff report and recommend the City Council adopt the proposed amendments to the Longview Municipal Code.

6. PLANNER'S REPORT

7. ADJOURNMENT



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Minutes

Agenda

This is a virtual public meeting. Attend the Zoom Meeting using the link below or call in using the phone numbers given.

<https://us02web.zoom.us/j/89240177116?pwd=c09jSFJuYkNFSTg4aml4VnpqVmpTdDZ09>

Meeting ID: 892 4017 7116

Passcode: 1923

253 215 8782 US (Tacoma)

February 3, 2021 Planning Commission Meeting

1. ROLL CALL

Chairman Collins called the meeting to order at 7:00 p.m.

Present: Member Craig Collins, Member Trey Davis, Member Bill Josh, Member Ramona Leber, Member Kalei LaFave, Member Stacey Dalgarno

Absent: Member Shawn Marvin

Staff Present: Ken Hash, Public Works Director; Steve Schuman, Assistant City Attorney; Adam Trimble, Planner; Sam Barham, Engineer; Karl Enyeart, Engineer; Lisa Vertrees, Administrative Assistant

3. APPROVAL OF MINUTES

21-000563 MINUTES OF THE JANUARY 20, 2021 SPECIAL MEETING

A motion was made by Member Ramona Leber, seconded by Member Stacey Dalgarno, to Approve the Planning Commission special meeting minutes of January 20, 2021. The motion carried by the following vote:

*Ayes: Member Craig Collins, Member Trey Davis, Member Bill Josh, Member Ramona Leber, Member Kalei LaFave, Member Stacey Dalgarno
Nays: None*

4. AUDIENCE PARTICIPATION OF CORRESPONDENCE

Mary Craig, citizen and food truck owner, was in attendance.

5. DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARNESS OF FAIRNESS

Waived

2. PUBLIC HEARINGS

None at this time.

7. NON-PUBLIC HEARING ITEMS

20-000562 PC 2020-5 WORKSHOP ON CODE AMENDMENTS FOR FOOD TRUCKS/MOBILE VENDORS

RECOMMENDED ACTION: Review and provide direction to staff on the amended code. Set a public hearing for March 3, 2021 if ready.

*Draft code language was provided prior to the meeting.
Mr. Trimble gave an on-screen presentation.*

Five scenarios were presented and discussed:

1. Sidewalk vending

Can be handled administratively with a form, with the vendor being required to obtain acknowledgement from neighboring brick and mortar restaurants.

The Planning Commission agreed.

2. On-Street Parking

Mobile food units in the public right-of-way. The Planning Commission agreed to allowing vendors to choose spaces they'd like to occupy, with the permission of any brick and mortar restaurants within 50 feet of the ROW spot. Mr. Trimble will also take this option to the Downtown Advisory Committee for their input.

3. Food Trucks temporary uses (vending from private property)

Amend the Seasonal Sales code to include mobile food vendors. Each site would require an annual permit (ie: \$60). Permit as a temporary use outright, with no notification required to neighboring businesses as the sites are on private property. Permit fees may be limiting to vendors as to how many sites they could choose. The Planning Commission agrees food trucks should be allowed in the neighborhood commercial zones, but hold off on amending the zone for the Civic Center district.

4. Food Trucks permanently located on private property, or Food Truck Pods

The main change is allowing pods in more zones. They require a Special Property Use permit in pedestrian and office type commercial zones. Special Property Use permits do require a public hearing, but it does give neighboring businesses a chance to comment. Planning Commission agreed with staff recommendations.

5. Special Events

No proposed changes. This did bring up the idea of a food truck "rally", or invited gathering. Discussion involved site review, temporary use permits, allowing a certain number of occurrences that would not require a permit. Staff will discuss with the Health Department and do more research on this type of event.

Planning Commission would like to see a final draft of the proposed code amendments/changes prior to the public hearing.

A motion was made by Member Ramona Leber, seconded by Member Bill Josh, to set a public hearing for code amendments for food trucks/mobile vendors for the next regular Planning Commission meeting March 3, 2021. The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Bill Josh, Member Ramona Leber, Kalei LaFave, Stacey Dalgarno

Nays: None

6. OTHER BUSINESS

Mr. Trimble presented a proposed site map for a possible manufactured home park. This is a preview only but will require a binding site plan approved by the Planning Commission if the project moves forward.

8. PLANNER'S REPORT

A pre-app meeting has been scheduled with a developer for townhouse style multi-family units in an area already zoned multi-family.

21-000564 PROPOSED MANUFACTURED HOME PARK 5600 BLOCK OCEAN BEACH HWY

Staff will preview an upcoming project requiring review by the Planning Commission. It is still in the staff review phase and changes may occur.

9. ADJOURNMENT

The next regular Planning Commission meeting is scheduled for March 3, 2021 at 7 p.m.

With no further business to discuss, the meeting adjourned at 9:00 p.m.

Lisa Vertrees, Recorder



TO: Longview Planning Commission

FROM: Adam Trimble, Interim Planning Manager

HEARING

DATE: March 3, 2021

SUBJECT: Amend the following sections of the zoning code to permit Mobile Food Vendors/Food Trucks on private property:
Chapter 19.41 Seasonal Sales- Temporary Use Permits
19.44, Commercial Zoning Districts, Uses.
19.58 Industrial zoning districts, Uses.
5.14 Mobile Vendors; Business Licenses and Regulations
11.65 Special parking space permits.

CASE #: PC 2020-5

TYPE OF

DECISION: Legislative

BACKGROUND

The Planning Commission has initiated an effort to recommend code amendments to permit food trucks aka mobile vendors, food carts and walk-up food establishments in the city. These businesses are currently allowed in three manners:

- as food truck ‘pods’ which are permanent locations on private property, pre-approved through a public hearing process, in certain commercial zones; and
- as mobile vendors which use the public streets, either parked and observing parking rules, moving and stopping occasionally or visiting private property only to serve people working there; and
- As vendors at special events like festivals and celebrations, the fair, or at City parks as licensed by the City.

The Mobile Vendors ordinance, Longview Municipal Code (LMC) 5.14, dates back to 1980 and essentially allows ice cream trucks and mobile lunch catering which would typically serve mill sites or large employers. It was not written with today’s food truck trends in mind.

The goal of this planning effort is four fold- to allow food trucks in more zones, to permit them outright instead of requiring a public hearing process, to adopt reasonable requirements to protect the public welfare and not create a hazard in the immediate area either for pedestrian or vehicular traffic, and recommend changes to the mobile vendor code to accommodate food trucks and other mobile food vendors.

The Planning Commission has heard from food truck owners who desire to have a few locations for vending and would like flexibility to hold spontaneous events and use the public right of way.

PROPOSAL

The zoning code and business licenses and regulations codes will be amended to allow mobile food vendors/food trucks in 5 different ways. If adopted the following sections of the zoning code will be amended to permit Mobile Vendors/Food Trucks on private property:

- Chapter 19.41 Seasonal Sales- Temporary Use Permits is amended to include Mobile Food Vendor permits in addition to Seasonal Sales permits and the section is re-named ‘Temporary Uses.’
- The permitted uses table of 19.44, Commercial Zoning Districts, is amended to allow ‘Temporary Uses’ in all commercial zones.
- The permitted uses table 19.58 Industrial Zoning Districts, is amended to add ‘Temporary Uses – Mobile Food Vendors’ in the LI-A&B and Mixed-Use Commercial/Industrial zones (seasonal sales are not allowed).
- The Mobile Vendors section 5.14, from the Business Licenses and Regulations title is amended to
 - remove prohibition of sales on private property and to refer to the amended Temporary Use permit requirement under 19.41 for such use.
 - The amended section 5.14.045 will allow limited use of supermarket /shopping center parking lots up to 6X per year without a permit to accommodate spontaneous food truck gatherings and promotion events where mobile vendors are invited.
 - Specify conditions for extended use of public parking and sidewalks- section 5.14.035 is added to require that use of a sidewalk or on-street parking space only occur if the business owner has invited the mobile vendor and applied for a sidewalk business license for the activity. In addition permission of any restaurant within 50 feet is required.
- The Special Parking Space permits chapter under LMC 11.65 is amended to add mobile vendor vehicle permits (11.65.045). Mobile food vendors may apply and pay for a monthly \$75 or 3 consecutive month \$150 parking pass to exceed on or off street public parking time limits.

The proposed changes are attached as Exhibit A. Below, the approach of the Planning Commission to address the various types of mobile food vending is provided in Table form:

Desired location				
Sidewalk vending in the Public Right of Way (ROW)	Mobile Food Vendor in the Public Right of Way (ROW)	Mobile Food Vendor on Private Property — Temporary	Mobile Food Vendor on Private Property — Permanent	Mobile Food Vendors at Special Events, Parks or promotional events
A mobile sidewalk food vending unit (push cart) that locates on the public sidewalk for >1 hour.	A mobile food vending unit (truck/trailer) that locates on the sidewalk or on-street parking space for >1 hour.	A mobile food vending unit (cart or truck/trailer) that locates on private property and leaves the site daily.	A mobile food vending unit (cart or truck/trailer) that locates on private property and does not leave the site daily.	A mobile food vending unit that is invited to a public event, a licensed park vendor or at a promotion event
Longview licenses and requirements:				
1. Mobile Vendor License 2. Sidewalk Business license (obtained by adjacent business) 3. Permission from any restaurant within 50 feet	1. Mobile Vendor License 2. Sidewalk Business license (obtained by adjacent business) 3. Permission from any restaurant within 50 feet. 4. Allowed in commercial zones only. 5. May exceed parking time limits with paid permit.	1. Mobile Vendor License 2. Temporary Use Permit- Mobile Food Vendor (each location) 3. Exemption for limited use of supermarket /shopping center parking lots up to 6X per year. 4. Allowed in Commercial and Light Industrial Zones.	1. Permits for water & sewer connections. 2. Access to permanent restrooms 3. Special Property Use permit in Downton Commerce, Neighborhood Commercial, and Office Commercial zones. 4. Not allowed in Industrial zones.	1. Allowed with a Park Vendor permit or 2. Allowed under Special Event Permits 3. Limited use of supermarket /shopping center parking lots up to 6X per year exempt from Temporary Use permit or special event permit.
Others: Health Department, Labor & Industries Truck/Trailer permit (varies), State/city business license.				

S.E.P.A. Determination

An Environmental Checklist for the proposed zoning code revisions was reviewed pursuant to the State Environmental Policy Act and a determination of non-significance was issued on February 17, 2021. [E 2021-2 SEPA checklist] The comment period for the SEPA checklist ends March 3, 2021. SEPA documents are attached as Exhibit B.

Additional Information

Pursuant to Chapter 19.81 of the Longview Municipal Code, a legal notice was published in the Longview Daily News on February 21, 2021 and February 28, 2021.

Citizen Correspondence

As of this writing, the City has received no comments.

Comprehensive Plan Goal and Policies

The comprehensive plan contains multiple goals, objectives and policies relating to land use compatibility including the following:

- | | |
|-----------------|---|
| Goal LU-F | Support existing businesses and provide an energetic business environment for new industrial and commercial activity providing a range of service, office, commercial, and mixed uses. |
| Policy LU-A.1.5 | Facilitate redevelopment of existing developed land when appropriate, and encourage infill development on vacant or underdeveloped land. |
| Policy LU-A.1.4 | Assure compatibility of new development's siting, design, and scale with the surrounding natural and built environment. |
| Goal LU-B | Ensure that the location and design of new development is appropriate in type, density, and location considering existing land-use patterns, capacity of public facilities, natural characteristics of the land, and community preferences. |
| Policy ED-A.4.1 | Strive to preserve existing industrially zoned land for industrial uses. Work to protect from those lands from rezoning. |
| Policy ED-B.1.7 | Provide for community festivals, the farmers' market, performing arts, or other community events for all ages especially those offering residents the opportunity to market homemade/home grown items. |

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The proposal will affect areas in Commercial and Light Industrial classifications.

COMPREHENSIVE PLAN INTENT STATEMENT

Neighborhood/Convenience Commercial

...Encouraged uses are small groceries and "mini-marts"; gas stations; beauty and barbershops; small restaurants; and small drug, gift, and variety stores. Discouraged uses include large

discount or variety department stores and fast food restaurants. Development in Neighborhood/Convenience Commercial areas should be oriented primarily to pedestrian access...

STAFF DISCUSSION

City staff is recommending the change proposed be adopted to increase opportunity for new businesses to be able to open in Longview. As consumer trends change and the focus of certain zones adapts to pedestrian oriented walk-up businesses and other means of promotion of events through social media.... the zoning code will be amended to accommodate the businesses that support the demand. The change proposed would allow additional production oriented businesses along with greater flexibility for attractive and unique brewpub businesses that integrate sales of their product with restaurant offerings. It is also a narrowly tailored request to permit a restaurant only in conjunction with a brewing operation. Restaurants are not permitted in light and heavy industrial areas to preserve industrial areas for industrial uses and ensure compatibility of land uses and their corresponding vehicle trips. This request is not likely to result in a number of brewpubs that would undermine the purpose and function of the light industrial zones.

STAFF FINDINGS

Staff has examined the merits of the proposal to amend the Longview Zoning Code and makes the following findings:

1. The amendments are proposed in response to community preferences for mobile food vendor businesses and are designed to be compatible with the zones where the activities will be permitted.
2. The changes proposed will encourage use of vacant and underdeveloped land in commercial and industrial zones.
3. Existing licenses and permit processes are adapted to help ensure public safety in the siting, design and surrounding built environment around mobile vendor locations.
4. Requiring written permission from an adjacent business and any abutting restaurants before use of any sidewalk or on-street parking by a mobile vendor supports existing businesses while creating potential for an energetic business environment.
5. The proposal will preserve existing industrially zoned land for industrial uses.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt the staff findings and recommend the City Council adopt the subject zoning and related code amendments.

EXHIBITS

- A. Application for Zone Text Amendment
- B. SEPA Documents

Report Date: February 27, 2021

This document contains draft code amendments for mobile food vendors/food trucks. Underline denotes added text. ~~Strikethrough~~ indicates text to be removed. The first is amendments to existing chapter 19.41 Seasonal Sales, Temporary Use Permit.

Chapter 19.41

~~SEASONAL SALES~~ TEMPORARY USE PERMITS

Sections:

19.41.010 Purpose and application.

19.41.020 Temporary use permit- Mobile Food Vendor

19.41.025 Temporary use permit- Seasonal Sales

19.41.030 Temporary use permit general requirements.

19.41.010 Purpose and application.

Temporary uses are characterized by their short-term or seasonal nature and by the fact that permanent improvements are not made to the site. For the purposes of this chapter, temporary uses ~~are include mobile food vendors such as food trucks or trailers and~~ seasonal sales such as tree sales, produce stands and similar seasonal goods. ~~for celebrations in November and December, pumpkin sales for celebrations in October or November, flower sales for Mother's Day in May and produce stands during growing seasons between April 1st and November 1st.~~ Fireworks stands are not regulated under this chapter; see Chapter 18.10 LMC. This chapter is applicable to the ~~NC, GC, CBD, O/C, D-C, RC and RF-1~~ zoning districts where Temporary Uses are allowed. (Ord. 3291 § 2, 2015; Ord. 3171 § 2, 2011; Ord. 3139 § 1, 2010).

19.41.020 Temporary use permit- Mobile Food Vendor

Food trucks located on private property (e.g. parking lot): Food trucks and mobile food vendors may be located on private property, subject to site plan review and any permit conditions. Long-term or problem displacement of required onsite parking may require mitigating measures or may be cause for denial of the selected location. Mobile A Mobile Food Vendor may be approved for multiple locations but must apply for a temporary use permit for each site. Permanent situation on private property is not permitted under a temporary use permit. The Mobile Food Vendor must leave the site daily or as approved under conditions of the temporary use permit. Food Vendor Temporary Uses are permitted in the NC, GC, CBD, O/C, D-C, RC, MU-C/I, LI A&B and RF-1 zoning districts.

19.41.025 Temporary use permit- Seasonal Sales

These types of uses occur only during the local growing season or during the time leading up to the celebration such as tree sales for celebrations in November and December, pumpkin sales for celebrations in October or November, flower sales for Mother's Day in May and produce stands during growing seasons between April 1st and November 1st. The use shall not occur at any one site more than 90 days in any one calendar year, except produce stands, which may operate the entire time from April 1st to November 1st. No more than one temporary use can be at a site at one time. For the purpose of this chapter, a community farmers' market that is a contractor under the Farmers' Market Nutrition Program per Chapter 246-780 WAC is recognized as one use. Otherwise, any one vendor represents one use. Seasonal Sales Temporary Uses are permitted in the NC, GC, CBD, O/C, D-C, RC and RF-1 zoning districts.

19.41.030 Temporary use permit general requirements.

~~These types of uses occur only during the local growing season or during the time leading up to the celebration. The use shall not occur at any one site more than 90 days in any one calendar year, except produce stands, which may operate the entire time from April 1st to November 1st. No more than one temporary use can be at a site at one time. For the purpose of this chapter, a community farmers' market that is a contractor under the Farmers' Market Nutrition Program per Chapter 246-780 WAC is recognized as one use. Otherwise, any one vendor represents one~~

~~use.~~ The city’s community development director or his/her designee (“director”) shall approve, approve with conditions or deny a temporary use permit based on findings that all of the criteria are satisfied as follows:

- (1) The use is permitted in the underlying land use district and does not violate any conditions of approval for the property (e.g., prior development permit approval);
- (2) The applicant has proof of the property owner’s permission to place the use on his/her property;
- (3) No parking will be utilized by customers and employees of the temporary use which is needed by the property owner to meet their minimum parking requirement under Chapter 19.78 LMC, Off-Street Parking and Loading, unless otherwise approved by the director;
- (4) The use provides adequate vision clearance and shall not obstruct pedestrian access on public streets;
- (5) Ingress and egress are safe and adequate when combined with the other uses of the property;
- (6) The use does not create adverse off-site impacts including vehicle traffic, noise, odors, vibrations, glare or lights that affect an adjoining use in a manner in which other uses allowed outright in the district do not affect the adjoining use;
- (7) The temporary use shall not be on public right-of-way;
- (8) The temporary use must conform to setbacks of the zone where it is located;
- (9) No temporary use shall utilize any handicap parking stalls; and
- (10) Only one on-site temporary nonilluminated sign (e.g., sandwich board or A-frame sign) is allowed per street frontage. The temporary sign(s) size shall have no more than two faces with each face no larger than 12 square feet in size. The sign(s) must be completely removed from street and neighboring properties’ view during off-hours and out-of-season times. No off-site signs are allowed and the temporary sign(s) shall not be placed on street rights-of-way. In addition, banners, advertising flags, streamers or clusters of pennants, balloons and other temporary signage placed outside are prohibited. (Ord. 3171 § 2, 2011; Ord. 3139 § 1, 2010).

The next section is the permitted uses table from 19.44, Commercial Zoning Districts

19.44.020 Uses.

Table 19.44.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that particular zone.

Table 19.44.020-1. Permitted uses in commercial zones.

Use						
Retail Sales and Service	D-C	CBD	RC¹	NC²	GC	O/C
Sales oriented: stores selling, leasing, or renting consumer, home and business goods	P	P	P	P	P	P ¹²
Personal service oriented: financial, insurance, real estate, professional outlets and offices, and beauty/barber shops	P	P	P	P	P	P
Health care providers ³	P	P	P	P	P	P
Repair oriented: repair of TVs, bicycles, clocks, watches, shoes, guns, appliances and office equipment; photo or laundry drop-off; quick printing; tailor; locksmith; and upholsterer	P	P		P	P	P
Stand-alone liquor store		P ¹⁰	P		P	
Recreational marijuana retail outlets per LMC 19.44.100		P	P		P	P

Use						
Eating and Drinking Establishments	D-C	CBD	RC¹	NC²	GC	O/C
Restaurant	P	P	P	P	P	P
Restaurant, with incidental consumption of alcoholic beverages	P	P ¹⁰	P	SPU	P	P
Bars, taverns, and nightclubs	P	P ¹⁰	P		P	
Restaurant, with drive-through facility	SPU	P	P		P	P
Restaurant, with seating in the public right-of-way	P	P		P	P	P
Walk-up food establishment with no indoor seating	SPU	<u>P</u>		<u>-SPU</u>	<u>SPUP</u>	SPU
Brewpub	P	P	P ¹¹		P	P
Lodging, temporary stay	D-C	CBD	RC¹	NC²	GC	O/C
Hotels, motels and lodges	P	P	P ⁴		P	P
Recreational vehicle (RV) parks per Chapters 19.65 and 19.90 LMC					P	
Bed and breakfast inns	P ⁵			P		
Vehicle sales, renting, service, and storage	D-C	CBD	RC¹	NC²	GC	O/C
Vehicle repair and service of consumer motor vehicles, including motorcycles, all-terrain vehicles and light and medium trucks		P			P	P
Automobile, light and medium truck dealers		P			P	P ¹²
Bus, heavy truck, RV, travel trailer or other large vehicle dealers						
Bicycle, motorcycle, all-terrain vehicle dealers	P ⁶	P	P		P	
Boat or marine craft dealer					P	P
Vehicle storage, outdoor					P	
Vehicle washing					P	P
Vehicle renting and leasing		P			P	P
Vehicle fueling station		P	P ¹³	P ¹⁴	P	P ¹²
Amusement/Cultural	D-C	CBD	RC¹	NC²	GC	O/C
Indoor continuous entertainment activities such as bowling alleys, skating rinks, game arcades and pool halls	P	P	P		P	
Outdoor continuous entertainment activities such as miniature golf and skateboard facilities					P	
Theaters, indoor	P	P	P		P	
Drive-in theaters, stadiums and arenas					P	
Museums, botanical and zoological gardens, public plazas, performing and cultural arts studios	P	P			P	
Athletic, health and racket clubs	P	P	P	P	P	P
Circuses, carnivals, or amusement rides		SPU			SPU	
Membership clubs such as fraternal organizations	P ⁷	P			P	

Use						
Gambling casinos, card rooms, bingo parlors, pari-mutuel betting parlors, and video arcades		SPU ¹⁰				
Residential	D-C	CBD	RC¹	NC²	GC	O/C
Residential dwellings above the first story of commercial buildings	P	P		P	P	P
Mixed-use multifamily residential/commercial developments per LMC 19.46.015					P	
Congregate care, assisted living and continuing care facilities and nursing homes for elderly individuals; including accessory services to the above uses	SPU				SPU	SPU
Existing residences without any increase in density			P			
Transitional housing facility	SPU ⁸					SPU
Emergency shelters for homeless persons and families per LMC 19.44.110					SPU	SPU
Residential care facilities per Chapter 19.17 LMC	P	P	P	P	P	P
Education	D-C	CBD	RC¹	NC²	GC	O/C
Schools that meet state requirements for elementary, secondary or higher education, public or private	SPU					
Vocational or technical institutions and colleges	SPU	P			P	P
Dance, music or art schools or studios; athletic, sports-training or martial arts facilities or schools	SPU	P		SPU	P	P
Driving school	SPU	P			P	P
Miscellaneous	D-C	CBD	RC¹	NC²	GC	O/C
Day care facilities for the care of more than 12 children	SPU	P		P	P	P
Commercial off-street parking lots and garages	SPU	P			P	P
<u>Temporary Uses per 19.41</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Sidewalk businesses in accordance with LMC 12.30.090 through 12.30.140	P	P		P	P	P
Funeral parlors		P			P	P
Basic utility facilities, non-building structures ¹⁵	SPU	SPU	SPU	SPU	P	SPU
Self-service storage (mini warehouses)					P	SPU
Convention centers	SPU	P	P		P	P
Bus terminals and stations, transportation and transit facilities	SPU	P	P	P	P	P
Drive-in and drive-through facilities associated with an allowed use	SPU	P	P		P	P
Telecommunications structures and equipment, subject to the provisions of Chapter 16.75 LMC		P	P	P	P	P
Small animal clinics or veterinary hospitals	P ⁹	P ⁹			P ⁹	P ⁹
Pet grooming	P	P	P	P	P	P
Boat marinas						P

Use						
Microbrewery/microwinery/craft distillery		SPU			P	
Religious assembly and institutions, community centers	P ⁷	P			P	P
Public safety facility		P	SPU		SPU	P

1. See LMC 19.44.050 for further clarification on what is a permitted use within the regional commercial district.
2. See LMC 19.44.040 for further clarification on what is a permitted use within the neighborhood commercial district.
3. Providers of ambulance services need a special property use permit.
4. Motels/hotels and lodging facilities shall have a minimum of 40 guest rooms.
5. Bed and breakfast inns must be located above the first floor in the D-C district.
6. No outdoor display of motorized vehicles is allowed.
7. In the D-C district any property use intended to primarily provide meeting areas for secular and nonsecular uses without an ongoing active ground floor use is prohibited. An “active ground floor use” means a retail, business, or entertainment use where persons come and go on a constant and frequent basis.
8. No ground floor residential.
9. The medical care and services administered to animals shall occur only within the confines of the principal building located on the premises.
10. These uses are not allowed within 700 feet of the centerline of the west end of the city street named Mark Morris Court.
11. Brewpubs are permitted outright only in conjunction with LMC 19.44.050(4), sit-down restaurants with a minimum enclosed floor area of 5,000 square feet.
12. These uses are only allowed in the O/C district if they are located west of 12th Avenue, except Assessor’s Parcel Number 08749 is allowed to have these uses also.
13. Per LMC 19.44.050.
14. Per LMC 19.44.040.
15. City water, sewer, and drainage pump stations are permitted outright in all commercial districts and are not subject to setback requirements of this chapter.

(Ord. 3425 § 2, 2020; Ord. 3421 § 2, 2020; Ord. 3395 § 3, 2019; Ord. 3362 § 2, 2017; Ord. 3358 § 1, 2017; Ord. 3297 § 7, 2015; Ord. 3268 § 3, 2014; Ord. 3262 § 2, 2014; Ord. 3202 § 14, 2012).

The following chapter is 19.58 Industrial zoning districts

19.58.020 Uses.

Table 19.58.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that zone.

Table 19.58.020-1. Permitted uses in industrial zones.

Use			
	LI-A & B	HI	C/I
Light manufacturing and fabrication	P	P	P
Warehousing and storage including cold storage	P	P	P
Wholesale distribution	P	P	P
Wholesale trade of durable goods including but not limited to: motor vehicle parts and supplies; furniture and home furnishings; lumber and other construction materials; professional and commercial equipment and	P	P	P

Use			
	LI-A & B	HI	C/I
supplies; metal and mineral (except petroleum); electrical goods; hardware, and plumbing and heating equipment and supplies; machinery, equipment, and supplies			
Wholesale trade of nondurable goods including but not limited to: druggists' sundries; apparel, piece goods, and notions; groceries and related products; beer, wine, and distilled alcoholic beverages; paint, varnish, and supplies	P		P
Wholesale trade of paper and paper products	P	P	P
Vehicle towing and storage services	P		P
Motor vehicle rental, repair or service including auto, motorcycle, truck trailer, boat, recreational vehicles and equipment including charging stations for electricity-powered vehicles	P		P
Service stations for vehicle fleets including retail cardlock facilities	P		P
Mortuaries			P
Office equipment and home appliance sales, rental, service, and repair			P
Printing, publishing and lithographic shops	P		P
Duplicating, addressing, blueprinting, photocopying, mailing, and stenographic services			P
Services to buildings (including dwellings), cleaning and exterminating	P		P
Incidental retail sales of durable products fabricated on site	P	P	P
Convenience store, restaurant, branch banks (drive-up and drive-through service is allowed)			P
<u>Temporary Uses- Mobile Food Vendors</u>	<u>P</u>		<u>P</u>
Large scale commercial development per LMC 19.58.090			P
Legally existing commercial and industrial uses and structures	P	P	P
Outdoor agriculture activities		P	
Indoor crop production (e.g., hydroponics business, plant nursery)	P	P	P
Recreational marijuana retail outlets per LMC 19.58.120			P
Recreational marijuana producers and processors per LMC 19.58.120	P	P	P
Adult entertainment establishments	P – See note 1	P – See note 1	P – See note 1
Wireless facilities ²	See note 2	See note 2	See note 2
Vehicle wrecking yards licensed per Chapter 46.80 RCW and junkyards ³	SPU in LI-A	P	
Brewery/winery/distillery	P	P	
Microbrewery/microwinery/craft distillery	P		P
Brewpub only in conjunction with a full-serve sit-down restaurant	P		P
Indoor shooting range subject to LMC 19.58.110	P	P	P
Bowling centers with a minimum of 32 indoor lanes ⁶			P
Public safety facility	P	P	P

Notes:

¹Adult entertainment establishments are only permitted if they meet the criteria and standards contained within Chapter 19.70 LMC.

²Please see Chapter 16.75 LMC for wireless communication locations, standards and requirements.

³Vehicle wrecking yards and junkyards must meet the criteria and standards given in LMC 19.58.100.

⁴Only public parks and playgrounds in existence as of January 1, 2015, are permitted.

⁵Only recreational vehicle parks that are associated with a public park are permitted in the heavy industrial district.

⁶Allowed uses accompanying the bowling center include a restaurant/bar, game arcade, other play areas and outdoor activities such as miniature golf.

⁷City water, sewer, and drainage pump stations are permitted outright in all industrial districts and are not subject to setback requirements of this chapter.

(Ord. 3425 § 3, 2020; Ord. 3395 § 4, 2019; Ord. 3377 § 1, 2018; Ord. 3362 § 3, 2017; Ord. 3329 § 1, 2016; Ord. 3293 § 1, 2015; Ord. 3268 § 4, 2014; Ord. 3267 § 1, 2014; Ord. 3262 § 4, 2014; Ord. 3254 § 3, 2013; Ord. 3202 § 16, 2012; Ord. 3175 § 9, 2011).

This chapter is outside the zoning code, 5.14 Mobile Vendors

Chapter 5.14

MOBILE VENDORS

Sections:

5.14.010 Definitions.

5.14.020 License required.

5.14.030 Display of license.

5.14.035 Geographical restrictions – Public street parking and sidewalk locations.

5.14.040 Geographical restrictions – Public parks.

5.14.045 Geographical restrictions – Private property.

5.14.050 License application – Contents.

5.14.060 License fee.

5.14.070 Exemption from business and occupation tax.

5.14.080 Health regulations.

5.14.090 Violations – Revocation of license.

5.14.100 Penalties.

5.14.010 Definitions.

As used in this chapter:

(1) “Concessionaire” means a person, firm or corporation operating or maintaining a concession stand for the sale of food, in the public parks in the city, in accordance with an agreement or permit therefor.

(2) “Food” shall have its usual and ordinary meaning, and shall include all items designed for human consumption, including, but not by way of limitation, candy, gum, popcorn, hot dogs, sandwiches, peanuts, soft drinks and dairy products.

(3) “Mobile vendor” means a vendor or seller of food from a vehicle or other conveyance upon the public streets, alleys or public ways of the city, or upon privately owned premises as permitted ~~by this chapter.~~ per Chapter 19.41, Temporary Use Permits – Mobile Food Vendor.

(4) “Special events” shall be as defined in LMC 7.40.010. (Ord. 3111 § 1, 2009; Ord. 2253 § 1, 1986; Ord. 2093 §§ 1, 2, 1982; Ord. 2007 § 1, 1980).

5.14.020 License required.

No person, firm or corporation shall engage in the business of a mobile vendor without having first obtained a license therefor from the city clerk. (Ord. 3111 § 1, 2009; Ord. 2007 § 1, 1980).

5.14.030 Display of license.

All licenses for mobile vendors shall be prominently displayed upon all vehicles from which a mobile vendor conducts business. (Ord. 3111 § 1, 2009; Ord. 2007 § 1, 1980).

5.14.035 Geographical restrictions – Public street parking and sidewalk locations.

No mobile vendor shall park on a public street or locate on a public sidewalk for a period of time greater than 1 hour without the abutting business (or property owner, if no business is present) first obtaining a sidewalk business license for the mobile vending activity pursuant to Chapter 12.30.120 of the Longview Municipal Code. The sidewalk business license application shall include written permission from any existing eating establishment(s) located within 50-feet (measured from the point of the parcel nearest to the eating establishment in a straight line along the sidewalk to the area of operation). Such written permission shall be provided to the City along with the parking space or sidewalk location where the applicant proposes to engage in business as a mobile vendor. A special parking space permit pursuant to Longview Municipal Code chapter 11.65 is required to use parking spaces in excess of the time limits applicable to the parking space occupied by such vehicle.

5.14.040 Geographical restrictions – Public parks.

No mobile vendor license shall include the privilege to conduct the business of a mobile vendor within any public park of the city nor within 200 feet of any public park where there is a concessionaire. Provided, however, that with regard to Lake Sacajawea Park, no mobile vendor shall exercise the privilege within 500 feet of the location of a park concessionaire providing similar services, as determined by the parks and recreation director, nor within 200 feet north and south of the intersection of Hemlock Street and Nichols Boulevard. No such mobile vendor license shall include the privilege to conduct the business of a mobile vendor within 500 feet of any permitted vendor or organization during the course of a special event when such vendor or organization is permitted to engage in the sale of merchandise and food in such public park. (Ord. 3298 § 1, 2015; Ord. 3111 § 1, 2009; Ord. 2007 § 1, 1980).

5.14.045 Geographical restrictions – Private property.

No mobile vendor license shall include the privilege to conduct the business of a mobile vendor upon private property within the city except for the following:

(1) At a site approved per LMC Chapter 19.41, with a Mobile Food Vendor Temporary Use Permit.

(2) At a commercial supermarket or shopping center with a parking lot containing in excess of 100 parking stalls, up to six times per year without a Mobile Food Vendor Temporary Use Permit. ~~for the temporary stopping of the vehicle for the specific purpose of conducting sales to persons employed upon such private property~~ As disclosed in the application for mobile vendor license under the provisions of LMC 5.14.050. (Ord. 3111 § 1, 2009; Ord. 2253 § 2, 1986).

5.14.050 License application – Contents.

(1) Any person, firm or corporation desiring to secure a license as a mobile vendor shall make application to the city clerk, upon forms to be provided by the city clerk.

(2) The application for mobile vendor license shall state the name and address of the applicant, the vehicle license numbers of all vehicles from which the applicant proposes to conduct business, a description of the general type of food proposed to be sold by the applicant, and the place or places where the applicant proposes to engage in business as a mobile vendor.

(3) Such application shall be accompanied with the license fee as provided for in this chapter. (Ord. 3111 § 1, 2009; Ord. 2093 § 3, 1982; Ord. 2007 § 1, 1980).

5.14.060 License fee.

The license fee for a mobile vendor license shall be \$25.00 for each calendar month, or portion thereof, per vehicle, for which license is sought.

Mobile vendor licenses may be issued for one or more vehicles by the city clerk. (Ord. 3111 § 1, 2009; Ord. 2007 § 1, 1980).

5.14.070 Exemption from business and occupation tax.

Upon payment of the license fee as required by this chapter, a mobile vendor shall be exempt from the business and occupation tax of the city as provided in Chapter 5.04 LMC. (Ord. 3111 § 1, 2009; Ord. 2007 § 1, 1980).

5.14.080 Health regulations.

All mobile vendors engaged in the sale of food shall comply with all applicable laws, rules and regulations regarding food handling, and all vehicles used for the sale of food by mobile vendors shall comply with all the laws, rules and regulations respecting such vehicles. (Ord. 3111 § 1, 2009; Ord. 2093 § 4, 1982; Ord. 2007 § 1, 1980).

5.14.090 Violations – Revocation of license.

The license of a mobile vendor who violates this chapter, or engages in sales in areas prohibited by this chapter shall, after notice in writing and an opportunity to be heard by the city council at its next regular meeting, be revoked, and such mobile vendor shall not be entitled to a subsequent license to engage in business as a mobile vendor for one year after such revocation. (Ord. 3111 § 1, 2009; Ord. 2007 § 1, 1980).

5.14.100 Penalties.

(1) Criminal Penalties. Any violations of this chapter that may meet the criteria of a criminal act, such as theft, malicious mischief or other applicable crime, shall be referred to the Longview police department for investigation and charges. The penalties for such criminal act shall be that as set forth in the applicable laws of the Longview Municipal Code or state of Washington.

(2) Civil Penalties. Any violations not otherwise determined to be a “criminal act” shall be processed in accordance with Chapter 1.33 LMC. To supplement that chapter, civil penalties for violation of this chapter shall be as follows:

(a) Basic initial penalty of \$200.00 per violation, plus restitution, if any, except as otherwise stated; and

(b) Revocation of license as provided in LMC 5.14.090; and

(c) Additional initial penalties and/or offset of such penalties as provided in LMC 1.33.430. (Ord. 3111 § 1, 2009).

This chapter is outside the zoning code, 11.65 SPECIAL PARKING SPACE PERMITS

Chapter 11.65

SPECIAL PARKING SPACE PERMITS

Sections:

- 11.65.010 Special parking space permits authorized.
- 11.65.015 Overtime parking permits.
- 11.65.020 Construction/demolition activity permits.
- 11.65.030 Service vehicle permits.
- 11.65.035 Service vehicle permits – Special event activities.
- 11.65.040 Debris container permits.
- 11.65.045 Mobile Vendor vehicle permits.
- 11.65.050 Repealed.

The Longview police department is authorized to issue monthly, quarterly, semiannual or annual special parking space permits for the parking of motor vehicles or the placement of debris containers in available on-street or off-street parking spaces as provided in this chapter. The granting of any permit hereunder shall not constitute any assurance that parking space is available to the permit holder or to the vehicle or container to which such permit applies. Vehicles may be parked and debris containers may be placed only where there are available vacant designated parking spaces. Vehicles or debris containers displaying such permits as provided herein shall be exempt from the time limits applicable to the parking space occupied by such vehicles or containers; provided, however, special parking space permits shall not be applicable to parking spaces, the parking time of which is less than two hours. Special parking space permits are not transferable or subject to assignment. All special parking space permits shall expire on December 31st of the year in which issued.

(1) Application shall be made to the Longview police department on a form to be provided by such department. Said application form shall require the name of the applicant, the license number of the vehicle sought to be exempt from time limits, and the length of time for which such permit is sought.

(2) Such application shall also state whether such permit is sought for construction/demolition activity, service vehicles, mobile food vending or for debris containers.

(3) Vehicles described in special parking space permits may not be parked in regulated on-street or off-street parking spaces in excess of the time limits applicable to the parking space occupied by such vehicle except when the owner, operator, or user thereof is engaged in the activity for which such permit was issued. Failure to comply with this provision shall constitute grounds for denial of renewal or extension of any special parking space permit.

(4) Special parking space permits for the placement of debris containers or drop boxes shall not be issued by the Longview police department until approved by the city engineering department, which department shall have the authority to impose conditions as deemed necessary to protect the public streets and the surface of off-street parking facilities from damage from such containers or drop boxes.

(5) Upon completion of the application, approval by the city engineering department (where appropriate), and payment of the appropriate fee, the Longview police department shall issue to the applicant a special parking space permit, which shall be in the form of a decal which shall be affixed to the inside, lower left corner, of the windshield of such vehicle to which such permit applies. In the case of a debris container, such decal shall be affixed in a location that is readily visible, at approximately shoulder height within 12 inches from a corner of such container. At the beginning of each calendar year the color or design of such decals shall be changed, and all such decals shall be numbered and the number thereof shall be shown in the application form.

(6) In the event that the vehicle or container to which a special parking space permit is affixed is sold, destroyed, or no longer used by the permit holder, and the permit holder desires to transfer such permit to another vehicle, upon surrender of the issued decal to the Longview police department, or upon satisfactory proof of its destruction, a replacement decal shall be issued to the permit holder without charge.

(7) The cost for such special parking space permits shall be as follows:

(a) Construction/demolition activity permits:

(i) One month: \$40.00

(ii) Three successive months: \$130.00

(iii) Semi-annual: \$275.00

(iv) Annual: \$600.00

(b) Service vehicle permits:

(i) One month: \$25.00

(ii) Three successive months: \$60.00

(iii) Semi-annual: \$130.00

(iv) Annual: \$275.00

(c) Debris container permits:

(i) One month: \$40.00

(ii) Three successive months: \$130.00

(iii) Semi-annual: \$275.00 (Ord. 2755 § 2, 1999).

(d) Mobile Vendor vehicle permits:

(i) One month: \$75.00

(ii) Three successive months: \$150.00

11.65.015 Overtime parking permits.

The Longview police department is authorized to sell and issue overtime parking permits, entitling the motor vehicles in which such permits are displayed, to remain parked beyond the two- or three-hour free parking limitation prescribed by LMC 11.50.040, 11.62.030(3)(a) and 11.62.030(3)(b), for up to but not in excess of two hours. Such overtime parking permits shall be sold for the sum of \$2.00 each.

The motor vehicle in which such an overtime parking permit is displayed, as provided herein, shall be entitled to be parked in the on-street or off-street parking space occupied by it for a period of two hours in addition to the time otherwise permitted for such parking. All such overtime parking permits and the display thereof shall comply with the following provisions:

(1) Each overtime parking permit shall be numbered, the identity of the purchaser of such permit shall be maintained by the Longview police department, and prior to the use of such permit, it shall be signed by the operator of the motor vehicle in which it is displayed, and by the purchaser of such permit.

(2) Each overtime parking permit shall contain a blank space for insertion of the specific date on which it is valid, and a blank space for insertion of the license plate number of the motor vehicle in which it is displayed.

(3) Each overtime parking permit shall be designed to be attached to or hung from the rear view mirror of the motor vehicle in which it is displayed, and visible through the front windshield of such motor vehicle.

(4) All blank spaces shall be filled in, and such overtime parking permit shall be attached to or hung from the rear view mirror of the motor vehicle the license plate number of which is identified in the appropriate blank space.

(5) Overtime parking permits shall be used only one time and shall become invalid after use.

(6) Overtime parking permits are not transferable, and may be used only on the date inserted on the permit, and only in connection with the motor vehicle the license plate number of which is inserted on such permit.

(7) Overtime parking permits shall not be applicable to on-street parking spaces in which the parking time limits are other than two hours. (Ord. 2867 § 3, 2003).

11.65.020 Construction/demolition activity permits.

Any person, firm or corporation performing construction or demolition work along or near any street or off-street parking facility of the city, in which there are time limits for the parking of vehicles that are three hours or less, may be issued special parking space permits for vehicles that are necessary and used in such work. Such permits shall be subject to all of the provisions of this chapter and shall not be issued for a greater period of time than is reasonably necessary to accomplish the construction and/or demolition work. (Ord. 2755 § 2, 1999).

11.65.030 Service vehicle permits.

Any person, firm or corporation engaged in a service business that requires the performance of work at the site of a customer or customers whose business locations are within buildings situated along or near any street or off-street parking facility of the city, in which there are time limits for the parking of vehicles that are three hours or less, may be issued special parking space permits for vehicles that are necessary and used in such work. Examples of the service business to which this section is applicable include, but are not limited to, telephone and other communication services, computer services, electricians, plumbers, heating and air conditioning contractors, and cable television suppliers. Such permits shall be subject to all of the provisions of this chapter. (Ord. 2755 § 2, 1999).

11.65.035 Service vehicle permits – Special event activities.

Any person, firm or corporation engaged in a “special event activity” involving street closure, in which such person, firm or corporation is an active participant, may be issued a special parking space permit for the transportation vehicle of such participant and for vehicles that are necessary to the conduct of such special event. Such special parking space permits shall be for a period of time equal to the duration of such special event and shall allow the parking of motor vehicles within specified off-street parking facilities of the city. Such special parking space permits shall be valid for one hour prior to the commencement of the special event and for one hour after the conclusion thereof. (Ord. 2923 § 1, 2005).

11.65.040 Debris container permits.

Any person, firm or corporation engaged in the demolition, remodeling, construction or alteration of a building or structure that is situated along or near any street or off-street parking facility of the city, in which there are time limits for the parking of vehicles that are three hours or less, and who requires the use of a debris container or drop box, may be issued a special parking space permit for the placement thereof during the duration of demolition or construction. Such permits shall be subject to all of the provisions of this chapter. (Ord. 2755 § 2, 1999).

11.65.045 Mobile Vendor vehicle permits

A mobile food vendor holding a valid Mobile Vendor License issued under Chapter 5.14 of the Longview Municipal Code may be issued a special parking space permit to locate on any street or off-street parking facility of the city in which there are time limits for the parking of vehicles that are three hours or less. Such permits shall be subject to all of the provisions of this chapter and any conditions of a sidewalk business license where required by LM 5.14.

11.65.050 Sunset provision.

Repealed by Ord. 2899. (Ord. 2867 § 3, 2003).



February 17, 2021

To: Washington State E.C.Y., Environmental Review Section
 Cowlitz County Health Department
 Longview Downtown Partnership
 Kelso-Longview Chamber of Commerce
 Jen Wills, Longview Parks and Recreation Director
 Ted Sprague, Cowlitz County EDC
 Gregg Hannon, Solid Waste & Recycling Program Manager
 Brian Steveson, Utilities Manager
 John Reeves, Longview Police Captain
 Jon Dunaway, Longview Fire Marshal
 Mike Murray, Commercial Building Inspector
 The Daily News

From: Adam Trimble, Interim Planning Manager

Subject: SEPA Environmental Checklist Review - Application #E 2021-2

Project: A non-project action by the City of Longview to amend the zoning code and mobile vendor code to permit food trucks also known as mobile food vendors, food trailers and related businesses to operate on temporary and permanent basis in commercial and light industrial zones in the city.

The applicant has submitted an Environmental Checklist for review under WAC 197-11, the SEPA Rules. The non-project action will affect the zones: ***Light Industrial LI-A, B, and Mixed-use Commercial/Industrial, General Commercial, GC, Downtown Commerce, DC, and Office/Commercial, O/C, Central Business District, CBD, Neighborhood Commercial zone, NC and Regional Commercial District, RC.*** The Comprehensive Plan classification is ***various***. The commercial and industrial zones are located throughout Longview City limits.

The SEPA Responsible Official has determined that this proposal will not likely have an adverse impact on the environment and has issued a DNS on this application. Please review the attached SEPA documents and provide your written comments to me no later than **6:00 p.m. March 3, 2021.**

If you have any questions or need additional information, please contact me at (360) 442-5092.

Thank you.

Attachments: Proposed code amendments

Cc: Applicant: City of Longview
 File



**DETERMINATION OF NON-SIGNIFICANCE
SEPA RULES - WAC 197-11-970**

Description of Proposal: E 2021-2 – A non-project action by the City of Longview to amend the zoning code and mobile vendor code to permit food trucks also known as mobile food vendors, food trailers and related businesses to operate on temporary and permanent basis in commercial and light industrial zones in the city.

Proponents: Longview Planning Commission
Adam Trimble, Interim Planning Manager
PO Box 128
Longview, WA 98632
360-442-5092

Location of Proposal, Including Street Address, if any: This is a non-project action that affects properties in commercial and industrial zones in Longview city limits.

Lead Agency: City of Longview, Washington

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 a review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.



The comment period for this DNS ends at 6:00 on March 3, 2021

Date: February 17, 2021

Responsible Official: Ken Hash

Position/Title: Interim Director/Public Works Director

Department: Community Development

Address: PO Box 128, Longview, WA 98632

Contact Person: Adam Trimble, Interim Planning Manager

Phone: (360) 442-5092

SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants: [\[help\]](#)

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. background [\[help\]](#)

1. Name of proposed project, if applicable: *PC 2020-5 zone text amendments for mobile vending/food trucks.*
2. Name of applicant: *City of Longview*
3. Address and phone number of applicant and contact person:
Adam Trimble, Interim Planning Manager
PO Box 128/1525 Broadway Street
Longview, WA 98632
(360) 442-5092
4. Date checklist prepared: *February 11, 2021*
5. Agency requesting checklist: *City of Longview*
6. Proposed timing or schedule (including phasing, if applicable): *Planning Commission public hearing March 3rd, 2021, City Council decision March or April 2021.*
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *The changes will authorize administrative rules to be made when the laws are implemented.*
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. *None*
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. *None*
10. List any government approvals or permits that will be needed for your proposal, if known.
Longview City Council adopting an ordinance
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) *A non-project action by the City of Longview to amend the zoning code and mobile vendor code to permit food trucks also known and mobile vendors, food trailers and related businesses to operate on temporary and permanent basis in commercial and light industrial zones in the city.*
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. *The non-project action will affect the zones: Light Industrial LI-A, B, and Mixed-use Commercial/Industrial, General Commercial, GC, Downtown Commerce, DC, and Office/Commercial, O/C, Central Business District, CBD, Neighborhood*

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

Earth

a. General description of the site [\[help\]](#)

(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____ *Not applicable, this is a non-project action.*

b. What is the steepest slope on the site (approximate percent slope)?

Not applicable, the proposal is a non-project action

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. *Not applicable*

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. *Not applicable*

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. *Not applicable*

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. *Not applicable*

About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? *Not applicable*

Proposed measures to reduce or control erosion, or other impacts to the earth, if any: *Not applicable*

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. *The proposal is a nonproject action- as a result, a few mobile restaurants are expected to open and will likely rely on propane heat and internal combustion engines to operate.*

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. *Not applicable*

c. Proposed measures to reduce or control emissions or other impacts to air, if any: *The city will provide a standard for how to use electrical extension cords safely to prevent use of generators.*

3. Water

a. Surface Water: [\[help\]](#)

Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. *Not applicable, the proposal is a nonproject action*

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. *Not applicable*

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. *Not applicable*

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. *Not applicable*

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. *Not applicable*

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. *Not applicable*

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. *Not applicable, the proposal is a nonproject action*

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. *Not applicable*

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. *Not applicable*

2) Could waste materials enter ground or surface waters? If so, generally describe. *Not applicable*

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. *Not applicable*

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: *None*

4. Plants [\[help\]](#)

Check the types of vegetation found on the site: *Not applicable, the proposal is a nonproject action*

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered? *Not applicable*

c. List threatened and endangered species known to be on or near the site. *Not applicable*

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: *Not applicable*

e. List all noxious weeds and invasive species known to be on or near the site. *Not applicable*

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: *Not applicable*

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

b. List any threatened and endangered species known to be on or near the site. *Not applicable, the proposal is a nonproject action*

c. Is the site part of a migration route? If so, explain. *Not applicable*

d. Proposed measures to preserve or enhance wildlife, if any: *None*

e. List any invasive animal species known to be on or near the site. *Not applicable*

6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. *Not applicable, the proposal is a nonproject action*

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. *Not applicable*

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any: *Not applicable*

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe. *Not applicable, the proposal is a nonproject action*

Describe any known or possible contamination at the site from present or past uses. *Not applicable*

Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. *Not applicable*

Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. *Not applicable*

Describe special emergency services that might be required. *None*

Proposed measures to reduce or control environmental health hazards, if any: *Not applicable*

b. Noise

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? *Not applicable, the proposal is a nonproject action*

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. *Not applicable*

3) Proposed measures to reduce or control noise impacts, if any: *Not applicable*

8. Land and shoreline use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. *Not applicable, the proposal is a nonproject action*

b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a

result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? *Not applicable*

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: *Not applicable*

c. Describe any structures on the site. *Not applicable*

d. Will any structures be demolished? If so, what? *No*

e. What is the current zoning classification of the site? *The non-project action will affect the zones: Light Industrial LI-A, B, and Mixed-use Commercial/Industrial, General Commercial, GC, Downtown Commerce, DC, and Office/Commercial, O/C, Central Business District, CBD, Neighborhood Commercial zone, NC and Regional Commercial District, RC.*

f. What is the current comprehensive plan designation of the site? The proposal applies to the City's industrial and commercial classifications.

g. If applicable, what is the current shoreline master program designation of the site? *Not applicable*

h. Has any part of the site been classified as a critical area by the city or county? If so, specify. *Not applicable*

i. Approximately how many people would reside or work in the completed project? *Not applicable*

j. Approximately how many people would the completed project displace? *Not applicable*

k. Proposed measures to avoid or reduce displacement impacts, if any: *None*

L. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *None*

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: *None*

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. *Not applicable, the proposal is a nonproject action*

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. *Not applicable*

c. Proposed measures to reduce or control housing impacts, if any: *None*

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *Not applicable, the proposal is a nonproject action*

b. What views in the immediate vicinity would be altered or obstructed? *None*

c. Proposed measures to reduce or control aesthetic impacts, if any:

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? N/A

b. Could light or glare from the finished project be a safety hazard or interfere with views? *Not applicable*

c. What existing off-site sources of light or glare may affect your proposal? *Not applicable*

d. Proposed measures to reduce or control light and glare impacts, if any: *Not applicable*

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? *Not applicable, the proposal is a nonproject action*

b. Would the proposed project displace any existing recreational uses? If so, describe. *Not applicable*

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: *Not applicable*

13. Historic and cultural preservation

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. *Not applicable, the proposal is a nonproject action*

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. *Not applicable*

c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. *Not applicable*

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. *The City of Longview is a Certified Local Government.*

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. *Not applicable, the proposal is a nonproject action*

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? *Not applicable*
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? *Not applicable*
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). *Not applicable*
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. *Not applicable*
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? *Not applicable*
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. *Not applicable*
- h. Proposed measures to reduce or control transportation impacts, if any: *None*

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. *Not applicable, the proposal is a nonproject action*
- b. Proposed measures to reduce or control direct impacts on public services, if any. *None*

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____ *Not applicable, the proposal is a nonproject action*
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. *Not applicable*

C. Signature [\[HELP\]](#)

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete:



Signature: _____
Name of signee: *Adam Trimble*
Position and Agency/Organization: *Interim Planning Manager, City of Longview*
Date Submitted: *February 17, 2021*

D. supplemental sheet for nonproject actions [\[help\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? *The proposal is likely to result in a few mobile food vendors which will use propane, internal combustion engines and generators.*

Proposed measures to avoid or reduce such increases are: *Allow safe use of electrical extension cords.*

2. How would the proposal be likely to affect plants, animals, fish, or marine life? *The proposal is not likely to affect the above.*

Proposed measures to protect or conserve plants, animals, fish, or marine life are: *None*

3. How would the proposal be likely to deplete energy or natural resources? *Allowing mobile food vendors is not expected to result in many new businesses in Longview but will allow those business that exist or may exist to locate in more locations.*

Proposed measures to protect or conserve energy and natural resources are: *None*

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? *The proposal is not likely to effect any of the above.*

Proposed measures to protect such resources or to avoid or reduce impacts are: *None*

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposal is intended to permit:

- *mobile food vendors (food trucks) to use streets and sidewalks for vending with proper permits*
- *establish multiple daily locations on private property for temporary vending or*
- *permanent locations to establish food truck vending 'pods'.*

Proposed measures to avoid or reduce shoreline and land use impacts are: *The Longview Planning Commission has recommended several measures to reduce land use impacts:*

- *For on-street parking use- require written permission from any restaurant within 50' of the parking spot*
- *For sidewalk vending- require written permission from adjacent business*
- *For temporary use permits- require permit in advance, annual fee and site plan review and approval for each location.*
- *For permanent locations- require a special property use permit (public hearing) for locations in Neighborhood Commercial, Office Commercial and Downtown Commercial zones.*

6. How would the proposal be likely to increase demands on transportation or public services and utilities? *The proposal is not likely to significantly increase demands on the above. Police traffic enforcement and health department services will be impacted by the change.*

Proposed measures to reduce or respond to such demand(s) are: *None.*

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. *None known.*

SEE EXHIBIT A FOR PROPOSED CODE AMENDMENTS