



City of Longview

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

Agenda

In-person or Virtual Meeting Use this link to attend the meeting on

Zoom.us <https://us02web.zoom.us/j/86788038944>

Or Telephone: Dial (for higher quality, dial a number based on your current location):US: 253 215 8782 or 408-638-0968 Webinar ID: 867 8803 8944

Planning Commission

Wednesday, September 1,
2021

7:00 PM

City Hall

1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

21-000927 Minutes of the August 4, 2021 regular meeting

3. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

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

5. **PUBLIC HEARINGS**

21-000819 PC 2021-7 Public Hearing for Final Plat approval of Mt. Solo Place Phase 2a, for 16 lots and an extension of Bethany Street to connect to recently completed Phase 1, Schneider Drive.

Recommended Action: Motion to recommend the City Council approve the Final Plat with the condition that occupancy shall not be given for any home until the Mt. Solo Place sewer pumpstation is complete and in-service. .

21-000926 PC 2021-5 Public Hearing for proposed amendments to the zoning code to conform to new state requirements regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters as required by E2SHB 1220.

Recommended Action: motion to adopt the findings and recommendation of the staff report and forward a recommendation to the City Council to approve the proposed amendments.

Alternate Recommended Action: motion to adopt the findings and draft zoning code amendments with adjustments contained in PC memo 9-1-2021.

6. **NON-PUBLIC HEARING ITEMS**

21-000935 PC 2021-8 Set Joint Public Hearing for Shorelines Master program periodic update with Dept. of Ecology for October 6, 2021.

7. PLANNER'S REPORT

8. ADJOURNMENT



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Minutes

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Planning Commission

Wednesday, August 4, 2021

7:00 PM

City Hall

1. ROLL CALL

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

Present: Member Craig Collins, Member Trey Davis, Member Ramona Leber, Member Shawn Marvin, Member Kalei LaFave, Member Stacey Dalgarno

Absent:

Staff Present: Steve Schuman, Assistant City Attorney; Adam Trimble, Planner; Sam Barham, Engineer; Christopher Eastwood, Attorney; Lisa Vertrees, Administrative Assistant

2. APPROVAL OF MINUTES

A motion was made by Member Kalei LaFave, seconded by Stacey Dalgarno, to Approve the minutes of the July 7, 2021 regular Planning Commission meeting. The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Ramona Leber, Member Shawn Marvin, Kalei LaFave, Stacey Dalgarno

Nays: None

21-000880 Minutes of the July 7, 2021 Regular Meeting

3. AUDIENCE PARTICIPATION OF CORRESPONDENCE

None at this time.

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

Read for the record.

5. PUBLIC HEARINGS

21-000881 PC 2021-6 Preliminary Plat approval of Mt. Solo Place, Phases 4-5, a 76 lot residential subdivision.

Recommended Action: Motion to recommend the City Council adopt the findings and conditions of the staff report and and grant preliminary plat approval for the proposed subdivision.

A motion was made by Member Ramona Leber, seconded by Member Kalei LaFave, to recommend City Council adopt the findings and conditions of the staff report and grant preliminary plat approval for the proposed subdivision. The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Ramona Leber, Member Shawn Marvin, Kalei LaFave, Stacey Dalgarno

Nays: None

Mr. Trimble reviewed the staff report.

Present via Zoom for discussion of the subdivision: Joe Melo, Hinton Development; Scott Taylor, SGA Engineering; Jason (), SGA Engineering

Discussion of trees behind lots 131, 132. A variance from zoning standards for lot frontage width on a cul-de-sac for 7-8 lots was put to motion and vote.

Chairman Collins opened the public hearing. The following citizens spoke:

Velma Zonich

Hearing no further speakers, Chairman Collins closed the public hearing.

A motion was made by Member Kalei LaFave, seconded by member Stacey Dalgarno, to approve staff findings that the variance requested from zoning standards for lot frontage width on a cul-de-sac for 7-10 lots satisfies the criteria for a modification from adopted standards. The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Ramona Leber, Member Shawn Marvin, Member Kalei LaFave, Member Stacey Dalgarno

Nays: None

6. NON-PUBLIC HEARING ITEMS

21-000883 Workshop on emergency shelters preemption zoning amendments

Summary Statement: Staff is working with consultant services provided by the CWCOC to address changes required by recently passed legislation regarding regulation of emergency shelters and permanent supportive housing. Attached is an article from the Municipal Research and Services Center which explains the legislation and summarizes what is required of cities. The legislation calls for the removal of barriers to siting emergency shelters, and requires that they be permitted in all zones where hotels are allowed. Permanent supportive housing, as defined in the ordinance is to be permitted in all locations where homes are permitted. Attached is a presentation and draft strike-through of the zoning chapters that are affected by the requirements. At the workshop

staff will discuss areas where hotels may be desired to be removed as a permitted use and considerations of limits on occupancy, intensity of use and spacing.

Brandon Robinson, CWCOC, walked through many of the draft updates. Planning Commission members concurred with the changes, such as removing hotels from the R-4 zone, allowing definitions as drafted, not using controls (occupancy limits, etc.) as a barrier.

Staff will work on developing the amendments to bring back to the Planning Commission.

21-000884 PC 2021-5 Set Public Hearing for September 1, 2021 for consideration of amendments to the zoning code to remove barriers to siting emergency shelters and permanent supportive housing as required by E2SHB 1220.

A motion was made by member Stacey Dalgarno, seconded by Member Kalei LaFave, to set a public hearing for September 1, 2021 for consideration of amendments to the zoning code to remove barriers to siting emergency shelters and permanent supportive housing as required by E2SHB1220. The motion carried by the following vote:

Ayes: Member Craig Collins, Member Trey Davis, Member Ramona Leber, Member Shawn Marvin, Kalei LaFave, Stacey Dalgarno

Nays: None

7. OTHER BUSINESS

None at this time

8. PLANNER'S REPORT

** Mini golf development application received*

** Townhouse rental units application for Finch Dr. area*

** 48 unit apartment building on Ocean Beach Hwy, Westbrook Apts., permits issued*

** St. Helens Market apartment complex permits issued*

Public Works

Status Quo

9. ADJOURNMENT

The next regular Planning Commission meeting is scheduled for September 1, 2021, 7 p.m.

With no further business to discuss, Chairman Collins adjourned the meeting at 9:35 p.m.

Lisa Vertrees, Recorder

TO: Longview Planning Commission

FROM: Adam Trimble, Interim Planning Manager

MEETING DATE: September 1, 2021

SUBJECT: Case No. PC 2021-7 - Final Plat for Mt. Solo Place Phase 2a

The developer of Mt. Solo Place subdivision has applied for Final Plat approval. The necessary infrastructure and improvements have been installed or will be bonded for later construction.

The Longview City Engineer has indicated he is ready to sign the final plat.

- The staff report and the conditions of approval for phases 1-3 preliminary plat are attached to the agenda. Note, many are not applicable to this phase which is 2 of 4 planned. All major conditions apply to phase 4.
- The Longview Municipal code provides the approval process below: 19.80.160 Final plat procedure. The full process is below. The Planning Commission section requires:

“(6) Review by the Planning Commission – Subdivisions. After the inspection by the community development director, the planning commission shall review the proposed final subdivision for conformance with the preliminary plat and conditions approved by the council. Such review shall take place at a regular public meeting.

(a) If the planning commission finds a final plat to be conforming, the commission chairman shall signify the commission’s approval by signing the original drawing and Mylar copies, then shall forward them to the city clerk-treasurer for consideration by the council.

(b) If the commission finds that a final plat contains significant divergences from the approved preliminary plat, it shall withhold its approval, return the plat sheets to the applicant, and provide a statement indicating the reasons for the withholding of approval and the changes necessary. If the applicant does not modify the proposed final plat to the commission’s satisfaction, the city’s approval of the preliminary plat shall become null and void. To be reactivated, the plat must be resubmitted as a new preliminary plat subject to the provisions of this division, including payment of preliminary plat review fees.”

- This second of four phases of the project is a simple, straightforward extension of existing Bethany street which will loop and connect to the new Schneider Drive. A total of 16 lots will be created.
- There are no off-site improvements like parks or trails or traffic devices required on this phase.
- Unlike phase 1, the sewer main for this phase and all remaining phases, will direct to a new sewer pump station presently under construction. The City has agreed that this final plat may be recorded while the sewer pump station is under construction. A condition that occupancy for the homes will not be given until the pump station is in service will be attached to the approval. A bond will further ensure that utility service is finished.

August 28, 2021

- The attached final plat map has been found to conform with the original proposal and will result in a block of homes as approved under the preliminary plat.

Staff is recommending the Planning Commission make a determination the plat is conforming, direct the chairperson to sign, and make a motion recommending the city council consider the application for approval.

LMC 19.80.160 Final plat procedure

(4) Review by City Engineer. The owner shall submit the original drawing of the proposed final plat and supplementary information stipulated in this section to the department of community development for review. The city engineer shall:

- (a) Inspect the detail and computations of the final plat for conformance with the specifications and standards of this chapter;
- (b) Inspect the final plat for conformance with the preliminary plat approved by the city council and conditions made a part of such approval;
- (c) Determine either that all required improvements have been installed or that certain improvements may properly be deferred under LMC 19.80.210; and
- (d) When the city engineer is satisfied with the detail and computations of the plat, determines that the plat conforms to the preliminary plat and conditions and approves the subdivision, he/she shall signify their approval by signing the original and Mylar copies of the final plat. If the city engineer is not satisfied with the detail and computations of the final plat, and finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he/she shall withhold their signature until the matter is corrected or resolved by the applicant to the satisfaction of the engineer. Prior to approval of the final plat by the city engineer, all engineering review fees shall be paid in accordance with Chapter 19.06 LMC.

(5) Review by the Community Development Director. When the director is satisfied with the details of the plat, determines that the plat conforms to the approved preliminary plat and conditions set thereon, and determines that improvements either are complete or may properly be deferred, he/she shall forward the plat to the planning commission for review. If the director is not satisfied with the detail of the final plat, finds that the plat does not conform with the approved preliminary plat and conditions, determines that improvements were installed incorrectly, or is not satisfied with the extent or manner in which completion of improvements would be deferred, he/she shall return the plat to applicant until the matter is corrected or resolved by the applicant to the satisfaction of the director.

(6) Review by the Planning Commission – Subdivisions. After the inspection by the community development director, the planning commission shall review the proposed final subdivision for conformance with the preliminary plat and conditions approved by the council. Such review shall take place at a regular public meeting.

- (a) If the planning commission finds a final plat to be conforming, the commission chairman shall signify the commission's approval by signing the original drawing and Mylar copies, then shall forward them to the city clerk-treasurer for consideration by the council.
- (b) If the commission finds that a final plat contains significant divergences from the approved preliminary plat, it shall withhold its approval, return the plat sheets to the applicant, and provide a statement indicating the reasons for the withholding of approval and the changes necessary. If the applicant does not modify the proposed final plat to the commission's satisfaction, the city's approval of the preliminary plat shall become null and void. To be reactivated, the plat must be resubmitted as a new preliminary plat subject to the provisions of this division, including payment of preliminary plat review fees.

(7) Review by the City Council – Subdivisions. The city council shall review final plats at a public meeting considering the factors set forth below. The council review shall occur after the director and planning commission have completed review. The council shall determine whether:

- (a) The final plat substantially conforms to the approved preliminary plat and conditions set thereon;
- (b) The public uses and interest will be served by the subdivision and the final plat meets the requirements of Chapter 58.17 RCW and of this chapter;
- (c) Improvements have been completed or properly guaranteed to be completed in accordance with LMC 19.80.210;
- (d) The required dedications, certifications and acknowledgments and signatures required by this chapter have been duly stated and obtained;
- (e) Inspection and street sign fees have been paid;
- (f) Proposed covenants are in satisfactory form and ready for recording with the final plat; and
- (g) Any other supplementary materials required by this division or by the council have been satisfactorily completed. If the council affirmatively makes the above determinations, the mayor shall inscribe and execute the council's will on the face of the original drawing and Mylar copies of the final plat. If the council withholds approval, it shall return the plat sheets and supplementary material to the applicant and provide a statement of reasons for its decision and of the changes necessary to permit granting approval. (Ord. 3090 § 2, 2009).



Final Subdivision Plat Application

Community Development Department • 1525 Broadway, P.O. Box 128 • Longview, WA 98632 • 360.442.5086/Fax 360.442.5953

Application for a Final Subdivision Plat

LMC 19.80.160

Application Number: PC 2021-7

Preliminary Plat Application Number: PC 2018-1

THIS SECTION FOR OFFICE USE ONLY:

Name of Subdivision: Mt. Solo Place

Applicant: SOLO, LLC _____ Phone: 360-921-7410 _____
(Print All Information)

Contact Name: Joe Melo _____ Email: joe@hintondevelopment.com

Mailing Address: 14010-A NE 3rd Court _____
(Street or PO Box)

City: Vancouver _____ State: WA _____ Zip: 98685 _____

Property Owner: same as applicant _____ Phone: _____
(Print All Information)

Contact Name: _____ Email: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Represented By: Jaima Johnson, Krista Harrington, Deanna Haake _____ Phone: 360-980-0124 _____
(If Different From Above)

Mailing Address: 655 W Columbia Way, #200 _____ Email: builderdev@fnf.com _____

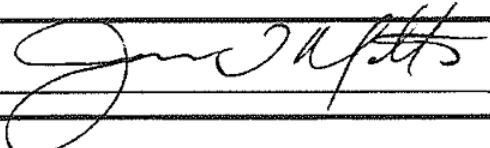
City: Vancouver _____ State: WA _____ Zip: 98660 _____

Relationship to Owner: Title Company – Fidelity National Title _____

Applicant's Engineer: SGA Engineering – Jason Mattos _____ Phone: 360-993-0911 _____

Mailing Address: 2005 Broadway _____ Email: jmattos@sgaengineering.com _____

City: Vancouver _____ State: WA _____ Zip: 98663 _____

Signature of Engineer or Surveyor: <u></u>	
Total Acreage of Site: 3.56 _____	Total Number of Lots: 16 _____
Buildable: 16 _____	Common: _____
<u>FILING FEE:</u>	
Base Fee:.....	\$1,738 +
Number of Lots (16) times \$81.00 fee per lot.....	\$1296.00 _____
Total Fee:	\$3034.00 _____
Comments: _____	
<u>SUPPLEMENTARY MATERIALS PER LMC 19.80.160(2) INCLUDING:</u>	
Two copies of the final plat on Mylar material:.....	_____
Copy of Deed Restrictions and Restrictive Covenants (CCR's):	_____
Title Report:	_____
As-Built Plans:	_____
Complete Survey and Field Computation Notes:	_____
Plat Performance Bond: Amount	_____
All items listed under LMC 19.80.160(2):	_____
Comments: _____	
<u>LONGVIEW PLANNING COMMISSION:</u>	
Public Hearing Scheduled: Date: _____	 7:00 PM
Comments: _____	

LONGVIEW CITY COUNCIL:

Public Hearing Scheduled: Date: _____ 7:00 PM

Comments: _____

FOR STAFF USE ONLY:

_____ A short description/narrative addressing how each site specific and standard condition of approval has been complied with. Documentation showing compliance with conditions of approval that can be complied with prior to submittal of the final plat application, so shall be provided with this application or the application shall be deemed incomplete and will not be processed.

_____ 15 full size set of Construction plans per LMC 19.80.150 *and/or* engineering staff guidance

_____ One 8½ x 11 reproducible copy of the Final Plat

_____ Final plat drawings per LMC 19.80.170 for recording: Two reproducible (mylar) sets and one electronic copy of the final engineering construction drawings (as-builts) showing street, sidewalk, sewer, pump station, irrigation facilities, street trees, and any other public improvements.

_____ Supplementary Materials per LMC 19.80.160 (2) The original hard copy drawing of the final plat shall be accompanied by:

- At least two copies of the final plat on Mylar material;
- A minimum of 10 additional paper copies of the final plat, on 11-inch by 17-inch copy;
- A copy of any deed restrictions and restrictive covenants proposed by the applicant;
- A title report issued by a title insurance company issued within the last 60 days, showing all parties whose consent is necessary and their interest in the premises and listing all encumbrances;
- "As-built" plans of such required improvements as have been completed, unless other arrangements are made to guarantee that "as-built" plans will be submitted;
- A lot closure report;
- If required improvements have not been completed, plat performance bond or other security conforming to LMC 19.80.210;
- If a local improvement district is proposed, a petition for creation of the district, unless the city council in approving the preliminary plat indicated it would create a district by resolution;
- Payment of any inspection and final application fees as required by this chapter and Chapter 19.06 LMC;
- Bill of sale for all infrastructure as applicable;
- Quit claim deed for all public real property and dedication deeds as required;
- Affidavit of no liens;
- Maintenance bond and warranty deeds; and
- Three copies of operations and maintenance manuals for all mechanical components installed.

Comments: _____

NOTES TO APPLICANT/SUBDIVIDER:

1. If the City Council, Planning Commission or City Staff determine that additional and/or revised information is needed, and/or if other unforeseen circumstances arise, any dates outlined for processing the application may be rescheduled by the City.
2. All items shall be completed as determined by the Community Development Department prior to the application being deemed complete for processing.
3. All costs incurred by the City in reviewing this application shall be paid prior to any public hearings.
4. Evidence of a Plat Performance Bond shall be submitted to the Engineering Division.
5. Evidence of a Cash Bond Deposit for future street tree planting shall be submitted to the Engineering Division.
6. The applicant or authorized representative must attend the Planning Commission and City Council public hearings.

Comments: _____

SIGNATURES:

I/we understand that if it is determined the application is not complete, the City shall immediately reject the application and identify in writing what is needed to make the application complete for a public hearing. No public hearings will be scheduled on this application until all outstanding issues have been resolved and the application is considered complete.

I/we agree that the City of Longview staff may enter upon the subject property at any reasonable time to consider the merits of the application, to make assessments, take photographs and to post public hearing notices.

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

Signature of Applicant: _____ Date: 4/10/2021

Signature of Property Owner: _____ Date: 4/10/2021

Signature of Property Owner: _____ Date: _____

PERIMETER DESCRIPTION:

A PARCEL OF LAND IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, COWLITZ COUNTY, WASHINGTON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 60 OF "VILLAGE AT MT. SOLO PHASE 2" PLAT ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 13 OF PLATS AT PAGE 163, RECORDS OF COWLITZ COUNTY, WASHINGTON, SAID POINT BEING THE POINT OF BEGINNING;;

THENCE NORTH 40°16'45" EAST, ALONG THE SOUTHEAST LINE OF "MT. SOLO PLACE PHASE 1" PLAT ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 14 OF PLATS AT PAGE 128, RECORDS OF COWLITZ COUNTY, WASHINGTON, FOR A DISTANCE OF 425.00 FEET TO THE NORTHEAST CORNER OF SAID PLAT;

THENCE NORTH 49°43'15" WEST, ALONG THE NORTH LINE OF SAID PLAT, FOR A DISTANCE OF 92.00 FEET;

THENCE SOUTH 85°16'45" WEST, ALONG THE NORTH LINE OF SAID PLAT, FOR A DISTANCE OF 11.31 FEET;

THENCE NORTH 49°43'15" WEST, ALONG THE NORTH LINE OF SAID PLAT, FOR A DISTANCE OF 60.00 FEET;

THENCE NORTH 04°43'15" WEST, ALONG THE NORTH LINE OF SAID PLAT, FOR A DISTANCE OF 11.29 FEET;

THENCE NORTH 40°41'30" EAST FOR A DISTANCE OF 60.00 FEET;

THENCE NORTH 89°05'43" EAST FOR A DISTANCE OF 10.61 FEET;

THENCE SOUTH 49°54'43" EAST FOR A DISTANCE OF 60.01 FEET;

THENCE SOUTH 04°22'48" EAST FOR A DISTANCE OF 10.08 FEET;

THENCE SOUTH 49°43'15" EAST FOR A DISTANCE OF 96.56 FEET;

THENCE NORTH 40°16'52" EAST FOR A DISTANCE OF 70.00 FEET;

THENCE SOUTH 49°43'15" EAST FOR A DISTANCE OF 255.91 FEET;

THENCE SOUTH 40°16'45" WEST FOR A DISTANCE OF 555.00 FEET TO A POINT ON THE NORTHERLY LINE OF LOT 63 OF SAID "VILLAGE AT MT. SOLO PHASE 2" PLAT;

THENCE ALONG THE NORTHERLY LINE OF SAID "VILLAGE AT MT. SOLO PHASE 2" PLAT, NORTH 49°43'15" WEST FOR A DISTANCE OF 260.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.56 ACRES.

DEED REFERENCE:

1) GRANTOR: CLACKAMAS THREE LLC
GRANTEE: SOLO, LLC
AUDITORS FILE NUMBER: 3532911

LICENSED LAND SURVEYOR

SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 20____

RESIDING AT _____

FILED FOR RECORD AT THE REQUEST OF THIS _____ DAY OF _____, 20____

AT _____ MINUTES PAST _____ O'CLOCK __.M., AND RECORDED IN VOLUME _____, OF PLATS, ON PAGE _____, RECORDS OF COWLITZ COUNTY, WASHINGTON.

DECLARANT DECLARATION:

THE UNDERSIGNED OWNER OR OWNERS OF THE INTEREST IN THE REAL ESTATE DESCRIBED HEREIN HEREBY DECLARE THIS MAP AND DEDICATE THE SAME FOR A COMMON INTEREST COMMUNITY NAMED "MT. SOLO PLACE HOMEOWNERS ASSOCIATION", A HOMEOWNERS ASSOCIATION, AS THAT TERM IS DEFINED IN THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT, SOLELY TO MEET THE REQUIREMENTS OF THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT AND NOT FOR ANY PUBLIC PURPOSE. THIS MAP AND ANY PORTION THEREOF IS RESTRICTED BY LAW AND THE DECLARATION FOR MT. SOLO PLACE, RECORDED UNDER COWLITZ COUNTY RECORDING NO. _____

BY: _____
PRINTED _____ SIGNED _____ TITLE _____ DATE _____

ACKNOWLEDGMENT:

STATE OF _____ WASHINGTON
COUNTY OF _____ CLARK

SIGNED OR ATTESTED BEFORE ME ON _____ BY _____
MANAGER OF _____ LLC, A WASHINGTON LIMITED LIABILITY COMPANY

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE) SIGNED THIS INSTRUMENT AND ACKNOWLEDGED IT TO BE (HIS/HER) FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS _____ DAY OF _____, 20____.

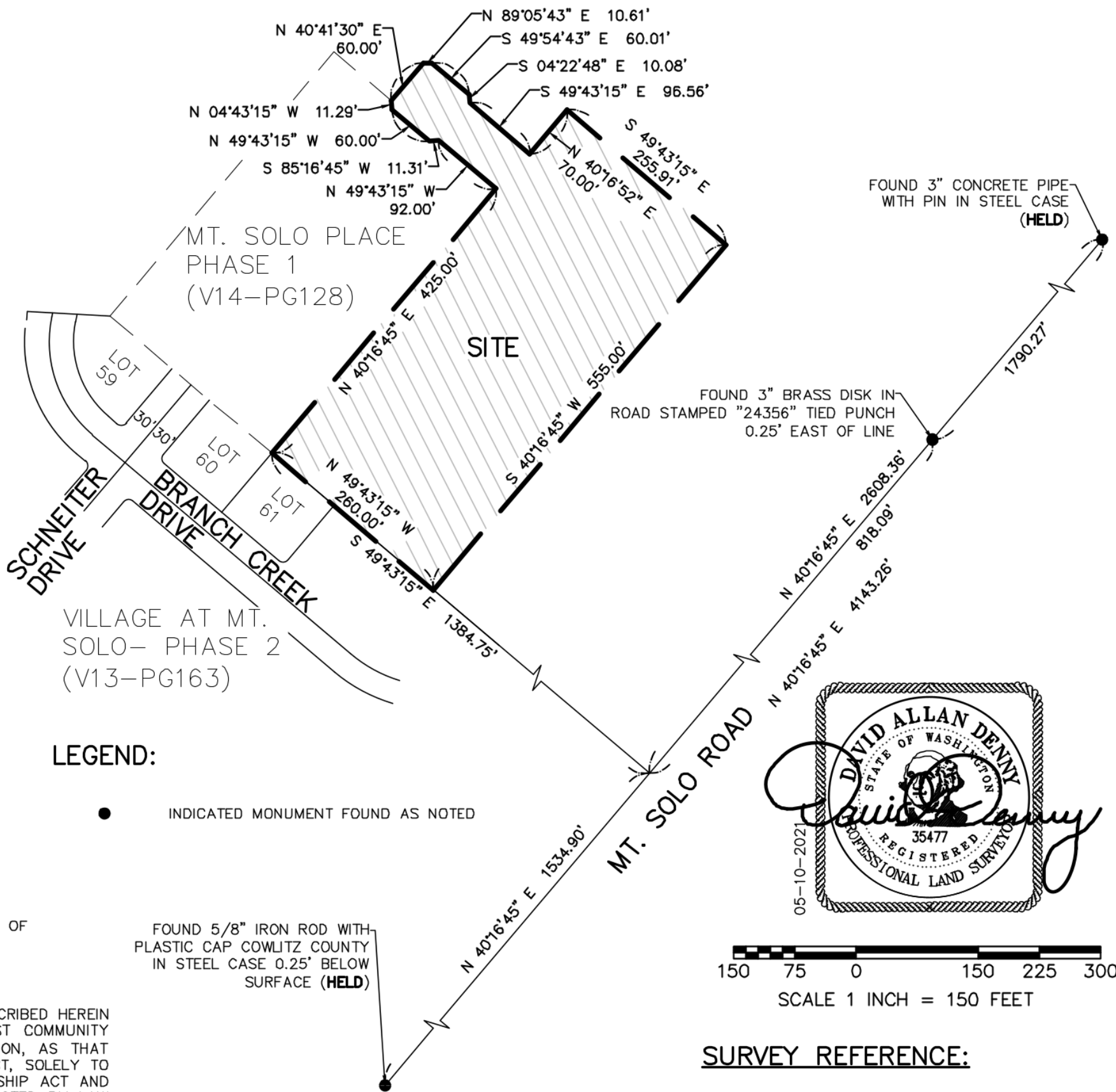
SIGNED _____
NOTARY PUBLIC IN AND FOR THE STATE OF _____
RESIDING IN _____
MY COMMISSION EXPIRES _____
PRINT NOTARY NAME _____

MINISTER AND GLAESER SURVEYING, INC. MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ADVERSE POSSESSION, ACQUIESCENCE, ESTOPPEL, ETC.

A FIELD TRAVERSE WAS PERFORMED USING A THREE SECOND TOTAL STATION. THE FIELD TRAVERSE MET THE MINIMUM STANDARDS FOR SURVEYS AS DESIGNATED IN WAC 332-130-090. ALL CORNERS NOTED AS FOUND WERE VISITED ON 11-14-17.

MT. SOLO PLACE PHASE 2A

A SUBDIVISION IN A PORTION OF THE NW 1/4 AND NE 1/4 OF THE NW 1/4 OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, COWLITZ COUNTY, WASHINGTON.
SHEET 1 OF 2



LEGEND:

● INDICATED MONUMENT FOUND AS NOTED

SURVEY REFERENCE:

- 1) VILLAGE AT MT. SOLO PHASE 2 VOL. 13, PAGE 164
- 2) VILLAGE AT MT. SOLO PHASE 1 VOL. 13, PAGE 100
- 3) MT. SOLO PLACE PHASE 1 VOL. 14, PAGE 128

NOTICE:

APPROVAL DOES NOT GUARANTEE THE AVAILABILITY OF A DOMESTIC WATER SUPPLY. APPROVAL OF THIS SUBDIVISION DOES NOT GUARANTEE THE ISSUANCE OF ANY FUTURE PERMITS.

NOTES:

- 1) ALL LOTS SHALL BE DEVELOPED AS SINGLE FAMILY LOTS.
- 2) ALL LOTS SHALL BE GRADED TO SLOPE TOWARDS THE STREETS OR SLOUGHS IN SUCH A MANNER THAT THERE SHALL BE NO STANDING WATER OR DRAINAGE ACROSS ADJOINING PROPERTIES. REAR LOT LINE DRAINAGE SYSTEMS ARE STRONGLY DISCOURAGED.
- 3) ALL AREA DRAINS SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS WITH AN EASEMENT GRANTED TO THE "MT. SOLO PLACE HOMEOWNERS ASSOCIATION".
- 4) ARCHITECTURAL DESIGN APPROVAL FROM THE CITY OF LONGVIEW IS REQUIRED FOR ALL SINGLE-FAMILY HOMES, AND THAT IT IS THE RESPONSIBILITY OF THE DEVELOPER, BUILDER TO OBTAIN DESIGN APPROVAL FOR EACH, INCLUDING MODEL HOMES, PRIOR TO THE SALE OF ADVERTISEMENT FOR SALE OF THE HOME. SIDEWALK AND LANDSCAPING APPROVAL IS REQUIRED BEFORE OCCUPANCY PERMIT.
- 5) AN EASEMENT IS HEREBY RESERVED UNDER AND UPON THE EXTERIOR SIX (6) FEET OF ALL BOUNDARY LINES OF THE LOTS AND TRACTS ADJACENT TO PUBLIC AND/OR PRIVATE ROADS FOR THE INSTALLATION, CONSTRUCTION, RENEWING, OPERATING AND MAINTAINING ELECTRIC, TELEPHONE, TV, CABLE, WATER AND SANITARY SEWER SERVICES. ALL LOT CONTAINING PADMOUNT TRANSFORMERS ARE SUBJECT TO THE MINIMUM CLEARANCES AS DEFINED BY COWLITZ PUBLIC UTILITIES CONSTRUCTION STANDARDS, ALSO, A SIDEWALK EASEMENT, AS NECESSARY TO COMPLY WITH ADA SLOPE REQUIREMENTS, SHALL BE RESERVED UPON THE EXTERIOR SIX (6) FEET ALONG THE FRONT BOUNDARY LINES OF ALL LOTS ADJACENT TO PUBLIC STREETS.

CITY ENGINEER:

APPROVED THIS _____ DAY OF _____, 20____.

CHAIRMAN, ATTEST, SECRETARY

LONGVIEW PLANNING COMMISSION:

APPROVED THIS _____ DAY OF _____, 20____.

MAYOR, CITY OF LONGVIEW ATTEST, CITY CLERK:

I HEREBY CERTIFY THAT THE TAXES OF THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR OF 20____.

COWLITZ COUNTY TREASURER

AUDITOR'S CERTIFICATE:

FILED FOR RECORD AT THE REQUEST OF THIS _____ DAY OF _____, 20____ AT _____ MINUTES PAST _____ O'CLOCK __.M., AND RECORDED IN VOLUME _____, OF PLATS, ON PAGE _____, RECORDS OF COWLITZ COUNTY, WASHINGTON.

COWLITZ COUNTY AUDITOR

DEPUTY AUDITOR

SURVEYOR'S CERTIFICATE:

I, DAVID ALLAN DENNY, A PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT OF "MT. SOLO PLACE PH. 2A" CORRECTLY REPRESENTS A SURVEY AND SUBDIVISION OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AND THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT; THAT THE DISTANCES, COURSES, AND ANGLES ARE SHOWN HEREON CORRECTLY AND THAT MONUMENTS AND LOT CORNERS HAVE BEEN SET ON THE GROUND AS SHOWN ON THE PLAT.

DATED: _____
DAVID ALLAN DENNY, PROFESSIONAL LAND SURVEYOR, PLS NO. 32451

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT _____, THE UNDERSIGNED _____ OWNER(S) IN FEE SIMPLE OF THE LAND HEREBY SUBDIVIDED, HEREBY DECLARE THIS SUBDIVISION AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS AND EASEMENTS OR WHATEVER PUBLIC PROPERTY; THERE IS SHOWN ON THE PLAT AND THE USE THEREOF FOR ANY AND ALL PUBLIC PURPOSES; ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS OR FILLS UPON THE LOTS, BLOCKS, TRACTS, ETC., SHOWN ON THIS PLAT IN THE REASONABLE ORIGINAL GRADING OF ALL STREETS, SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HAND(S) AND SEAL(S) THIS _____ DAY OF _____, 20____.

SIGNED AND SEALED _____

STATE OF WASHINGTON

COUNTY OF CLARK

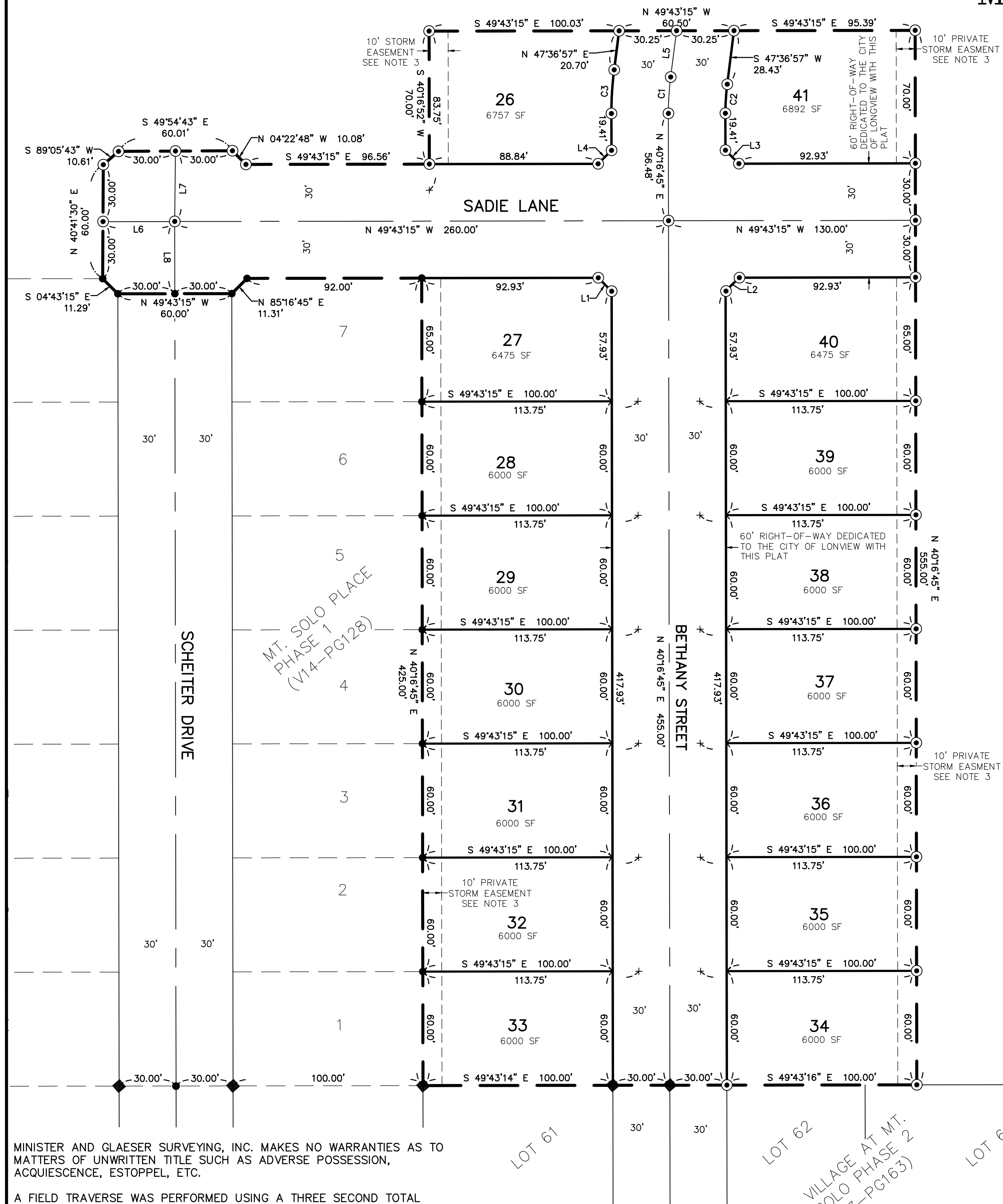
THIS IS TO CERTIFY THAT ON THIS _____ DAY OF _____, 20____, BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED _____, TO BE KNOWN TO BE THE INDIVIDUAL(S) WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE USES AND PURPOSES THEREIN MENTIONED.

IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THE DAY AND YEAR IN CERTIFICATE FIRST ABOVE WRITTEN _____ NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT _____

	MINISTER-GLAESER SURVEYING INC. 2200 E. EVERGREEN BLVD. VANCOUVER, WA 98661 (360) 694-3313
SCALE: 1"=150' JOB NO: 20-487 DWG NO: 20487-PLAT-2A DATE: 05-10-21 CALC BY: DAD DRAWN BY: DED CHECKED BY: DAD SHEET 1 OF 2	

MT. SOLO ESTATES PHASE 2A

A SUBDIVISION IN A PORTION OF THE NW 1/4 OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, COWLITZ COUNTY, WASHINGTON.
SHEET 2 OF 2

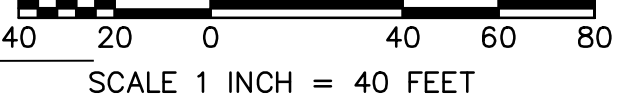
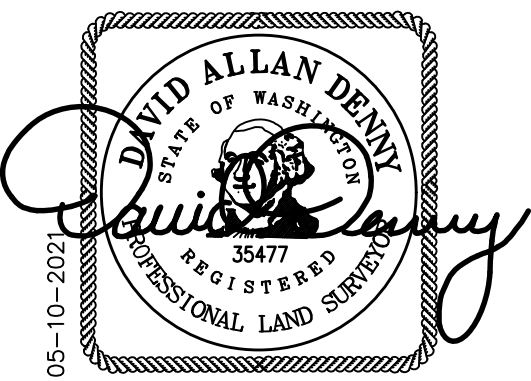


CURVE TABLE					
CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C1	150.00'	7°20'12"	19.21'	S 43°56'51" W	19.19'
C2	120.00'	7°20'12"	15.37'	S 43°56'51" W	15.36'
C3	180.00'	7°20'12"	23.05'	S 43°56'51" W	23.03'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 04°43'15" W	10.00'
L2	S 85°16'45" W	10.00'
L3	S 04°43'15" E	10.00'
L4	S 85°16'45" W	10.00'
L5	N 47°36'57" E	24.57'
L6	N 49°43'15" W	37.77'
L7	S 40°57'40" W	37.07'
L8	N 40°16'45" E	38.00'

- LEGEND:
- INDICATES FOUND 1/2" x 24" REBAR WITH YELLOW PLASTIC CAP INSCRIBED "D. DENNY 35477"
 - ⊙ INDICATES 1/2" x 24" REBAR WITH YELLOW PLASTIC CAP INSCRIBED "D. DENNY 35477", SET
 - + INDICATES ROCK NAIL WITH BRASS WASHER INSCRIBED 35477 SET AT THE EXTENSION OF LOT LINE IN THE CURB, FOR THE PURPOSE OF WITNESS CORNER
 - INDICATES FOUND 5/8" IRON ROD WITH CAP "LS 24356" HELD FOR EAST LINE OF VILLAGE AT MT. SOLO ESTATES PHASE 2 (V13-163) UNLESS OTHERWISE NOTED

BASIS OF BEARING: N 40°16'45" E ALONG THE CENTERLINE OF MT. SOLO ROAD BETWEEN FOUND MONUMENTS PER SURVEY REFERENCE 1.



MINISTER AND GLAESER SURVEYING, INC. MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ADVERSE POSSESSION, ACQUIESCENCE, ESTOPPEL, ETC.

A FIELD TRAVERSE WAS PERFORMED USING A THREE SECOND TOTAL STATION. THE FIELD TRAVERSE MET THE MINIMUM STANDARDS FOR SURVEYS AS DESIGNATED IN WAC 332-130-090. ALL CORNERS NOTED AS FOUND WERE VISITED ON 11-14-17.

MINISTER-GLAESER SURVEYING INC.
2200 E. EVERGREEN BLVD.
VANCOUVER, WA 98661
(360) 694-3313

SCALE: NA
JOB NO: 20-487
DWG NO: 20487-PLAT-2A
DATE: 5-10-2021
CALC BY: DAD
DRAWN BY: DED
CHECKED BY: DAD
SHEET 2 OF 2



February 12, 2019

P.O. Box 128
Longview, WA 98632-7080
www.mylongview.com

Rob Hinton
Hinton Development Corp.,
14010-A NE 3rd Court Suite 106
Vancouver, WA 98685

SGA Engineering
2005 Broadway Street
Vancouver, WA 98663

Re: Notice of Decision for Mt. Solo Estates Subdivision preliminary plat, Phases I-III,
Case No. PC 2018-1

Dear Mr. Hinton,

At their January 10, 2019 regular meeting, the Longview City Council considered and unanimously accepted the following Longview Planning Commission recommendations:

On December 12, 2018, the Longview Planning Commission held a public hearing on the Preliminary Subdivision Plat for Mt. Solo Estates Phases 1-3. Following the public hearing, the Planning Commission voted unanimously to recommend approval of the preliminary plat subject to 17 conditions that were recommended in the staff report. Some of the conditions were amended at the meeting. The amended conditions and the findings of fact on which the Planning Commission's decision was based are given below.

Recommended Conditions of Approval

1. All required streets, sidewalks, street lighting, sanitary sewer, water and storm drainage systems shall be constructed to City of Longview standards. A lighting analysis shall be submitted and approved for the street illumination system prior to construction of any streets. Plans for construction for the above improvements shall be reviewed and approved by the City Engineer prior to construction. Concerns regarding specific construction details will be addressed during the plan review for each subdivision phase. The details included in the proposal are considered conceptual in nature. A lighting analysis will be required. Plans shall follow the City's standard details.
2. The developer shall provide paved temporary cul-de-sacs in accordance with City standards for phased incomplete streets in Phases 1 and 2 or an alternate turnaround as approved by the Longview Fire Marshal.

3. The developer shall construct a sidewalk along the west side of Mt. Solo Road to connect the sidewalks between the subdivision and the parcel on the SW corner of the intersection at Ocean Beach Highway & Mt. Solo Rd.
4. The street subgrade preparation, base and surfacing shall be designed by a qualified Geotechnical Engineer and shall not be less than the City of Longview standards.
5. The developer shall plant trees within the street right of way in accordance with Park and Recreation Department specifications and the standards of LMC 19.80.720.
6. The developer shall pump all sanitary sewage from Phase 2 of Village at Mt. Solo and the remaining phases of this subdivision to the existing sanitary sewer interceptor located in Ocean Beach Highway. Construction of a sewer force main along the West side of Mt. Solo Rd. from the northern boundary of Phase 1 of the Village at Mt. Solo subdivision to Ocean Beach Highway is required. As part of the Phase 2 construction, the existing Phase 2 sewer system from Village at Mt. Solo shall be redirected from discharging to the gravity system located in Phase 1 and shall discharge into the sewer system serving this subdivision.
7. All lots shall be graded to slope towards the streets or sloughs in such a manner that there shall be no standing water or drainage across adjoining properties. Rear lot line drainage systems are strongly discouraged.
8. An easement shall be granted to the City for the proposed path/trail and shall include rights of access and maintenance by the City.
9. Community mailboxes (or mail service as approved by the USPS) shall be provided by the developer prior to final plat approval or Bonded.
10. The developer shall be required to obtain all necessary permits from the U.S. Corps of Engineers, Department of Ecology, Consolidated Diking Improvement District No. 1 and the Washington State Department of Transportation prior to commencing work within those agencies area of jurisdiction.
11. The developer will be required to dedicate the land containing Ditch 15 and sufficient area for 25-ft wide continuous clear access measured from top of bank, including adjacent buffers and wetland mitigation areas, with the understanding that the natural watercourse will not be improved; or a lesser area as approved by the CDID No.1 Board. In addition, the following provisions must be met:
 - a. An access gate must be provided behind back of sidewalk at the end of Branch Creek Dr, near the intersection of Greyhawk Ln (per CDID#1 standard specifications); and
 - b. The tank traps between Schneider Drive and Ditch 10 must be filled; and
 - c. The City of Longview will maintain responsibility for trail maintenance under an interlocal agreement in the same manner previously agreed to for the trails at Village at Mt Solo.

12. The phases shall be developed in the sequence presented on the preliminary plat; unless approved per LMC §19.80.190: Modifications to approved preliminary plats.
13. The maximum unimpeded length on a residential street shall be 800-feet. For street segments over 800-feet, the engineer shall submit an analysis of potential traffic calming features. The streets to be considered shall include: existing Schnitzer Drive started at SR 432, the proposed Branch Creek Drive extension, and existing Branch Creek Drive to Mt. Solo Rd. Suggested traffic calming features can be found on FHWA webpage under the FHWA Traffic Calming ePrimer – Module 3 Table 3.1 Likelihood of Acceptability of Traffic Calming Measures. Traffic calming features shall be constructed prior to final plat approval for the subdivision. This is required SEPA determined mitigation #2.
14. Unless otherwise approved by the Director of Public Works, access to corner lots that front on two streets shall be from the lower street functional classification.
15. For the reduced radius curve on Branch Creek Drive, parking shall be restricted in front of Lots 32, 33 Phase I and Lots 143, 144, 145 Phase IV and VILLAGE AT MT SOLO PH 2 LOT: 63. The developer shall design and install speed limit signs, special center line delineation markers, and no parking signs as per the City Engineer's requirements.
16. The Developer must provide a subdivision improvement bond for completion of sidewalks and street trees if those items are not constructed prior to final plat approval.
17. The developer shall provide utility easements in accordance with Cowlitz PUD requirements. The easement areas are for the installation, operation, and maintenance of underground utilities. The plat covenants shall show that all utility agencies, their successors and assigns, shall have a continuing right of ingress and egress over, across, along and upon the easement area involved at any and all times.

FINDINGS

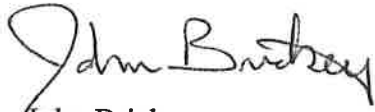
1. The Comprehensive Plan identifies the land use designation of the entire parcel as Low Density Residential. The plan further defines the density range for low-density residential development as "up to six dwelling units per acre." The preliminary subdivision plat proposed will have a density of 3.1 dwelling units per acre therefore, this proposal meets this Plan requirement.
2. The site is currently zoned R-1 Residential District. This district permits the proposed development project, a single family residential subdivision.
3. Development of the property in a manner depicted on the initial preliminary subdivision plans will not be detrimental to the public health, safety, or welfare or injurious to other property in the vicinity provided the conditions of approval are met.

4. Appropriate provisions are made for but not limited to public health, safety and general welfare, open spaces, parks and playgrounds, school grounds, drainage ways and facilities, streets, alleys, sidewalks and other public ways; water supplies and sanitary and solid waste disposal.

Thus, the preliminary plat for Mt. Solo Estates Phases I-III has been approved by the City subject to the conditions given above. The approval was effective on January 10, 2018. Attached is an application for Final Plat approval. Please don't hesitate to contact City staff regarding Final Plan submittal requirements and City of Longview standards.

If you have any questions or concerns regarding this matter, please contact Adam Trimble, Planner or me at (360) 442-5092.

Sincerely,



John Brickey
Director

AT

cc: Jim McNamara, City Attorney
Craig Bozarth, City Engineer
File copy: PC 2018-1



Staff Report

TO: Longview Planning Commission

FROM: Adam Trimble, Interim Planning Manager

HEARING

DATE: September 1, 2021

SUBJECT: Amend the City's zoning code to conform to new state requirements regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters as required by E2SHB 1220.

CASE #: PC 2021-5

TYPE OF

DECISION: Legislative

BACKGROUND and PROPOSAL

This is a non-project action to amend the City's zoning code to conform to new state requirements regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters. New state law requires that transitional housing and permanent supportive housing be permitted in any zones in which residential dwelling units or hotels are permitted; emergency housing and emergency shelters will be permitted in any zones in which hotels are permitted. Definitions for all of the uses above are provided in the state law. In addition to adding the permitted uses to all zones where required and removing and replacing use definitions, it is proposed to remove hotels as a permitted use in the residential zone R-4 and Regional Commercial, RC, zone. The state law E2SHB allows cities to include reasonable limits on occupancy, spacing and intensity. The City will propose a maximum occupancy limit for permanent supportive housing in residential zones as allowed under the occupant loading table contained in the International Building Code, based on bedroom size (typical is 2 persons per bedroom). Under the proposal a minimum separation of 1,000 feet will be required between any new emergency housing and emergency shelter facility sites in Commercial zones. The City will require an operations plan to be filed with each new application for the uses above.

The proposal, if adopted, will amend numerous LMC Chapters in Title 19 Zoning including:

- 19.09 Definitions

- 19.20 Residential Zoning Districts
- 19.35 Riverfront District, RF-1
- 19.39 Civic Center District, C-C
- 19.40 County Event Center District, CEC
- 19.44 Commercial Zoning Districts
- 19.58 Industrial Zoning Districts

The proposed changes are attached as Exhibit A with this report. Note ~~striketrough~~ text is to be removed underlined is added.

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 August 13, 2021. [E 2021-9 SEPA checklist] The comment period for the SEPA checklist ends September 1, 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 August 15, 2021 and August 29, 2021.

Citizen Correspondence

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

Comprehensive Plan Goal and Policies

The comprehensive plan contains a Housing element with a goal, objectives and policies relating to the proposed amendments:

- | | |
|------------------------|--|
| Goal HO-B | Promote safe, healthy, environmentally sound, and accessible housing for all economic segments of the population. |
| Policy HO-B.1.1 | Require examination and evaluation of project alternatives for development projects that eliminate ten or more units of existing housing. |
| Policy HO-B.1.2 | Ensure fair and equal access to housing regardless of race, color, national or ethnic origin, religion, creed, age, sex, sexual orientation, marital status, or disability. |
| Policy HO-B.1.3 | Support Continuum of Care homeless planning efforts geared toward providing a continuum of housing choices that allows families and individuals to progress toward independence. |
| Policy HO-B.1.4 | Recognize the need for supportive housing environments and support appropriate siting of facilities. |

The housing element also discusses barriers to affordable housing, in particular, attitudes that lead to laws preventing affordable housing, which likely prompted the state

legislature to enact this new law. Page 60 of the Comprehensive plan "...calls out the following 'negative effects of public policies on affordable housing and residential investment';" such as "Not in my back yard" (NIMBY) sentiments - Many communities promote development restrictions that result in exclusionary zoning practices... The NIMBY syndrome also affects activities directed to the homeless that serve as a gateway to housing."

COMPREHENSIVE PLAN FUTURE LAND USE MAP

The proposal will not affect the future land use map.

COMPREHENSIVE PLAN INTENT STATEMENT

The proposal will affect residential, commercial, industrial, public/quasi-public/institutional and mixed use areas.

ZONING CODE – PURPOSE STATEMENT

Not addressed. These changes are proposed as a result of a new state requirement.

STAFF DISCUSSION

The approach taken to conform the city's zoning code to the state preemption is to remove all existing definitions, uses and related regulations for transitional housing facilities, emergency shelters and homeless shelter group homes and replace with the definitions and uses provided in the state law. In the case of permanent supportive housing the City has not had a definition or specific use regulating them. Currently any existing permanent supportive housing uses in the city are permitted so long as the use of the residence remains consistent with the City's definition of family [LMC 19.09.245- "Family" means any number of individuals living together as a single housekeeping unit, and doing their cooking on the premises exclusively as one household.]

The Planning Commission in its review of locations where emergency shelters and emergency housing shall be permitted (wherever hotels are allowed) recommended removing hotels as a permitted use in the Residential Zone R-4 and the Regional Commercial Zone. This change is expected to make one existing hotel non-conforming. It may remain until such time as the use ceases for 1 year or the building is destroyed by more than 50% of its value. In the downtown commerce district where there is not currently a hotel, it was determined that the desire to have a hotel built downtown outweighed the potential impacts of adding emergency shelters, emergency housing as a permitted use to the zone. In other areas, such as the County Event Center District, aka the county fairgrounds where hotels are allowed, allowing emergency shelters and emergency housing, and permanent and transitional housing is consistent with the County's role in addressing homelessness. An opportunity exists in the Mixed-Use Commercial Industrial Zone to allow the four land-uses outright or only in conjunction with a large-scale retail development as currently proposed. If the Planning Commission or City Council find that the Mixed-Use Industrial zone with its wide variety of building types could be a suitable location for these land uses, staff would recommend permitting them outright.

State law E2SHB 1220 allows cities to include reasonable limits on occupancy, spacing and intensity. Following the example of other cities in Washington, the City will propose a maximum occupancy limit for permanent supportive housing in residential zones as allowed under the 2015 International Property Maintenance code based on bedroom size (square feet): typically 2 per bedroom for smaller bedrooms. This limit is not proposed for transitional housing which is the other use required to be permitted in all residential zones. In comparing the definitions between the two uses staff recommends the planning commission adopt a finding that limits on occupancy are appropriate for permanent supportive housing as it is intended for “people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors” and limiting the number of persons residing in permanent supportive housing mitigates the intensity of these uses on neighborhoods. Whereas “‘Transitional Housing’ means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.”

The City will require a minimum separation of 1,000 feet between emergency housing and emergency shelter facility sites in Commercial zones. The spacing is intended to ensure that one block does not contain multiple shelter uses. The siting of transitional housing, permanent supportive housing, emergency shelters, and emergency housing can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter. Those attributes can cause negative impacts on nearby property values. Proper siting and management of these facilities is needed to minimize potential impacts.

To mitigate the potential intensity of impacts resulting from the amendments, the City will require a facility operations and management plan to be filed with each new application for permanent supportive housing, transitional shelters, emergency shelters and emergency housing uses. The plan will facilitate communication and understanding between the operator of the shelter and emergency services providers. The plan should address:

1. Roles and responsibilities of key staff;
2. Site/facility management, including a security and emergency plan;
3. Site/facility maintenance;
4. Occupancy policies, including resident responsibilities and a code of conduct that includes, at a minimum, a prohibition on the on-site use or sale of alcohol and illegal drugs and threatening or unsafe behavior. The sponsor and/or managing agency shall ensure that items deemed as weapons are stored in a safe location;
5. Provision of human and social services, including staffing plan and outcome measures;
6. Outreach with surrounding property owners and residents and ongoing good neighbor policy; and
7. Procedures for maintaining accurate and complete records.

8. The shelter security plan must be updated regularly with easily accessible contact information for key staff and leadership of the emergency shelter.

At this time staff has not proposed any standards for “barrier to entry” conditions to be imposed by a proposed facility (for example, whether or not an indoor emergency shelter allows pets or has a sobriety requirement) or standards that address the type of person staying at a specialized facility.¹ The new law makes clear that any such standards must not to be used to prevent the siting of a sufficient number necessary to meet your community’s need for the four housing/shelter types. As Longview does not currently have a ‘low barrier’ shelter option and existing zoning law does impose clean and sober requirements on operators, staff finds adding such requirements would go against state law.

STAFF FINDINGS

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

1. State law E2SHB 1220 now requires that transitional housing and permanent supportive housing be permitted in any zones in which residential dwelling units or hotels are permitted; emergency housing and emergency shelters will be permitted in any zones in which hotels are permitted.
2. The amendments proposed are intended to conform the City’s zoning code to new state requirements regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters as required by E2SHB 1220.
3. Reasonable limits upon locating emergency shelters and emergency housing are necessary in commercial zones to limit the intensity of the uses and other secondary effects such as higher crime rates, loitering, harassing behavior and litter.
4. Reasonable limits on occupancy are appropriate for permanent supportive housing in residential zones as it is intended for “people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors” and limiting the number or persons residing in permanent supportive housing mitigates the intensity of these uses on neighborhoods.
5. To mitigate the potential intensity of impacts resulting from the amendments, the City will require a facility operations and management plan to be filed with each new application for permanent supportive housing, transitional shelters, emergency shelters and emergency housing uses. The plan will facilitate communication and understanding between the operator of the shelter and emergency services providers.

¹ Butler, S. B. (2021, June 29). MRSC - Changing Your Zoning Code to Accommodate Housing and Shelters for the Homeless. Municipal Research Center. <https://mrsc.org/Home/Stay-Informed/MRSC-Insight/June-2021/Changing-Your-Zoning-Code-for-Homeless-Housing.aspx>

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend to the City Council to adopt the subject zoning code amendments.

EXHIBITS

- A. Proposed zoning amendments
- B. SEPA Documents

Report Date: August 27, 2021

Draft of the City of Longview's Zoning Code Amendments to Accommodate E2SHB 1220

City of Longview Supportive Housing Code Amendments:

Purpose: Amendments to the City of Longview's Zoning Code related to Emergency Housing, Emergency Shelters, Permanent Supportive Housing, and Transitional Housing consistent with the Washington State Legislature's E2SHB 1220.

Approach:

- Permanent Supportive Housing and Transitional Housing will be permitted in all zones that allow hotels and/or residential dwelling units.
- Emergency Housing and Emergency Shelters will be permitted in all zones that allow hotels.

1. Add the Following Definitions to Chapter 19.09:

19.09.XYZ Permanent Supportive Housing.

"Permanent Supportive Housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

Commented [RB1]: Please Number According to Decided Designation

19.09.XYZ Transitional Housing.

“Transitional Housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

Commented [RB2]: Please Number According to Decided Designation

19.09.XYZ Emergency Housing.

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

Commented [RB3]: Please Number According to Decided Designation

19.09.XYZ Emergency Shelter.

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

Commented [RB4]: Please Number According to Decided Designation

2. Remove the Following Definitions from Chapter 19.09:

19.09.658 Transitional Housing Facility:

((19.09.658 Transitional housing facility.

“Transitional housing facility” means a project that has as its purpose facilitating the movement of homeless individuals and families to permanent housing within a reasonable amount of time (usually 24 months). Transitional housing includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals with mental or physical disabilities and homeless families with children. (Ord. 3202 Sec. 10, 2012).))

19.09.223 Emergency Shelter:

((19.09.223 Emergency shelter.

“Emergency shelter” means congregate facilities providing housing to shelter families and individuals offered on an emergency basis for a period not to exceed 90 days continuously. Shelters may offer meals, lodging and associated services on site, aimed at helping people move towards self-sufficiency (Ord. 3203 Sec. 10, 2021).))

3. In Table 19.20.020-1 Residential Zoning Districts: Strike Hotels and Motels from Use Section and the Special Property Use Under R-4 in the Zoning District Section:

Table 19.20.020-1: Permitted Uses in Residential Districts [Table Abridged for Clarity]:

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
((Hotels and motels))				((SPU))	

4. In Table 19.20.020-1: Strike Homeless Shelter Group Homes from the Use and Zoning District Sections and Add Transitional Housing and Permanent Supportive Housing to the Table as Permitted Uses:

Table 19.20.020-1: Permitted Uses in Residential Districts [Table Abridged for Clarity]:

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
((Homeless Shelter Group Homes per LMC 19.22.050))				((SPU))	
<u>Transitional housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Permanent supportive housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

5. Strike the Following Supplemental Standards from Chapter 19.22 Supplemental Residential Zoning Standards:

19.22.050 Homeless Shelter Group Homes:

~~((19.22.050 Homeless shelter group home.~~

~~Homeless shelter group homes shall adhere to the following standards:~~

~~(1) Definition. "Homeless shelter group home" is a facility offering lodging and/or emergency shelter to homeless individuals or families for up to 90 days. These group homes are intended to provide residential facilities in a home-like nonprescribed drug- and alcohol-free environment with 24-hour supervision. The number of clients is limited to two per bedroom plus an~~

additional two (e.g., a three-bedroom facility could have up to eight clients) with no more than 10 clients allowed in any one group home. These facilities shall be available to clients 24 hours a day.

(2) Homeless shelter group homes shall be subject to the standards and approval criteria as provided in LMC 19.44.110, Emergency shelters, except for the following:

- (a) The definition given in subsection (1) of this section applies; and
- (b) Homeless shelter group homes who only serve youth who have not yet reached the age of 20 are not subject to buffers given in LMC 19.44.110(1)(b)(i) through (iii); and
- (c) Homeless shelter group homes shall not house registered sex offenders; and
- (d) The good neighbor agreement, required by LMC 19.44.110(2), shall include procedures ensuring that the shelter residents are free of alcohol and nonprescribed drugs (Ord. 3358 sec. 4, 2017))

6. Add the Following Supplemental Standards to Chapter 19.22 Supplemental Residential Zoning Standards:

19.22.XYZ Transitional Housing

Transitional housing shall adhere to the following standards:

A facility operations and management plan as described in section 19.22.XYZ shall be filed with the City with each new application for transitional housing. The plan will facilitate communication and understanding between the operator of the facility and emergency services providers.

Commented [RB5]: Please Number According to Decided Designation

Commented [RB6]: Please Number According to Decided Designation

19.22.XYZ Permanent Supportive Housing

Permanent supportive housing shall adhere to the following standards:

There will be a maximum occupancy limit of 2 persons per bedroom for permanent supportive housing in residential zones, or as allowed under the 2015 International Property Maintenance Code based on bedroom size (in square feet). A facility operations and management plan as described in section 19.22.XYZ shall be filed with the City with each new application for permanent supportive housing. The plan will facilitate communication and understanding between the operator of the facility and emergency services providers.

Commented [RB7]: Please Number According to Decided Designation

Commented [RB8]: Please Number According to Decided Designation

19.22.XYZ Facility Operations and Management Plans

Facility operations and management plans are required to be filed with the City with each new application for transitional housing, permanent supportive housing, emergency housing, and emergency shelters. The plan should address:

1. Roles and responsibilities of key staff;

Commented [RB9]: Please Number According to Decided Designation

- 2. Site/facility management, including a security and emergency plan;
- 3. Site/facility maintenance;
- 4. Occupancy policies, including resident responsibilities and a code of conduct that includes, at a minimum, a prohibition on the on-site use or sale of alcohol and illegal drugs and threatening or unsafe behavior. The sponsor and/or managing agency shall ensure that items deemed as weapons are stored in a safe location;
- 5. Provision of human and social services, including staffing plan and outcome measures;
- 6. Outreach with surrounding property owners and residents and ongoing good neighbor policy;
- and
- 7. Procedures for maintaining accurate and complete records.
- 8. The shelter security plan must be updated regularly with easily accessible contact information for key staff and leadership of the emergency shelter.

7. Add the Following as Permitted Uses in Section 19.35.010 Riverfront District, RF-1:

In the riverfront district, RF-1, no buildings or premises shall be used nor shall any building or structure be hereafter erected or altered except for one or more of the following uses: ...

- (25) Transitional housing, subject to standards set forth in LMC 19.22;
- (26) Permanent supportive housing, subject to standards set forth in LMC 19.22;
- (27) Emergency shelters, subject to standards set forth in LMC 19.44.110; and
- (28) Emergency housing, subject to standards set forth in LMC 19.44.110.

8. Amend the Following Text to Add Transitional Housing, Permanent Supportive Housing, Emergency Housing, and Emergency Shelters as Permitted in Section 19.39.010 Civic Center District, C-C:

(1) In the civic center district, C-C, no building or premises shall be used nor shall any building or structure be hereafter erected or altered except for one or more of the following uses: hotels, motels, apartments, transitional housing, permanent supportive housing, emergency housing, emergency shelters, public libraries...

(5) Transitional housing and permanent supportive housing shall be subject to standards set forth in LMC 19.22.

(6) Emergency shelters, emergency housing, and other emergency facilities shall be subject to standards set forth in LMC 19.44.110.

9. Amend the Following Text to Accommodate Transitional Housing, Permanent Supportive Housing, Emergency Shelters, and Emergency Housing as Permitted Uses in Section 19.40.010 County Event Center District, CEC:

In the county event center district, CEC, no building or premises shall be used nor shall any building, structure or property be hereafter erected, altered or utilized except for one of more of the following uses: ...

~~((17) Other uses similar to any of the uses listed in this section as determined by the appeal board of adjustment; and))~~ (17) Transitional housing, subject to standards set forth in LMC 19.22;

~~((18) Wireless communication facilities as permitted in chapter 16.75 LMC. (Ord. 3333 sec. 7, 2016; ord. 3240 sec. 1, 2013; Ord. 2632 sec. 2, 1996; Ord. 2149 sec. 1, 1983).))~~ (18) Permanent supportive housing, subject to standards set forth in LMC 19.22;

(19) Emergency shelters, subject to standards set forth in LMC 19.44.110;

(20) Emergency housing, subject to standards set forth in LMC 19.44.110;

(21) Other uses similar to any of the uses listed in this section as determined by the appeal board of adjustment; and

(22) Wireless communication facilities as permitted in chapter 16.75 LMC. (Ord. 3333 sec. 7, 2016; ord. 3240 sec. 1, 2013; Ord. 2632 sec. 2, 1996; Ord. 2149 sec. 1, 1983).

10. In Section 19.44.010 Commercial Zoning Districts: Amend the Following Language for the RC District:

The regional commercial (RC) district is characterized by development that typically contains a mixture of high intensity uses including regional shopping, offices, professional services, ~~((entertainment facilities, and hotels.))~~ and entertainment facilities.

11. In Table 19.44.020-1: Remove Hotels as a Permitted Use in the RC District and Strike Associated Footnote from Table (Footnote 4):

Table 19.44.020-1: Permitted uses in commercial zones [Table Abridged for Clarity]:

Use	Zoning District
-----	-----------------

Lodging, temporary stay	D-C	CBD	RC¹	NC²	GC	O/C
Hotels, motels and lodges	P	P	((P ⁴))		P	P
((4. Motels/hotels and lodging facilities shall have a minimum of 40 guest rooms.))						

12. In Table 19.44.020-1: Amend Language and Zoning District Information for Emergency Shelters and Transitional Housing, and Add Permanent Supportive Housing and Emergency Housing as Permitted Uses:

Table 19.44.020-1: Permitted uses in commercial zones [Table Abridged for Clarity]:

Use	Zoning District					
Residential	D-C	CBD	RC¹	NC²	GC	O/C
<u>Permanent supportive housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Transitional housing ((facility))	((SPU ⁸)) <u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	((SPU)) <u>P</u>
Emergency shelters ((for homeless persons and families per LMC 19.44.110))	<u>P</u>	<u>P</u>			((SPU)) <u>P</u>	((SPU)) <u>P</u>
<u>Emergency housing</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>

13. Add Transitional Housing and Permanent Supportive Housing as Permitted and Amend Language for Medical and Dental Offices in Section 19.44.040:

[...] Tutoring centers, computer classes, after school math and reading centers, and arts and crafts classes;

Transitional housing, subject to standards set forth in LMC 19.22;

Permanent supportive housing, subject to standards set forth in LMC 19.22;

Medical and dental offices for primary care and/or wellness programs ((only));

14. Amend the Text in Section 19.44.050 to Accommodate Transitional Housing and Permanent Supportive Housing:

~~((11) Accessory uses and structures constructed on lots that have a pre-existing residence. (Ord. 3202 sec. 14, 2012).))~~ (11) Transitional housing, subject to standards set forth in LMC 19.22;

(12) Permanent supportive housing, subject to standards set forth in LMC 19.22; and

(13) Accessory uses and structures constructed on lots that have a pre-existing residence. (Ord. 3202 sec. 14, 2012).

15. Amend the Title of Section 19.44.110:

19.44.110 ((Emergency shelters.)) Emergency shelters, emergency housing, and other emergency facilities.

16. Amend the Text in Section 19.44.110:

(1) The following standards apply to emergency shelters, emergency housing, and other emergency facilities:

~~(a) ((Emergency shelters shall be consistent with the definition of emergency shelter as given in Chapter 19.09 LMC.))~~ Emergency shelters and emergency housing shall be consistent with the definitions given in LMC 19.09.

~~(b) Emergency shelters, emergency housing, and other emergency facilities shall be subject to standards for facility operations and management plans set forth in LMC 19.22.~~

~~(c) Prohibited Areas. Emergency shelters, emergency housing, and other emergency facilities are not to be within 1,000 feet of another emergency shelter, emergency housing facility, or other emergency facility in Commercial zones.~~

~~((b) Prohibited Areas. Emergency shelters shall not be allowed in the following areas:~~

~~(i) Within 325 feet of a single-family residential district such as the R-1 residential and the traditional neighbor residential districts;~~

~~(ii) Within 1,000 feet of an established elementary or secondary school whether public or private; or any day care or any preschool serving more than 12 children whether public or private;~~

(iii) Within 325 feet of a public park that is one-half acre or more in size;

(iv) Within 1,000 feet of another emergency shelter;

(v) Any area zoned general commercial that is located generally west of 18th Avenue, and Pacific Way and any area generally south of Nichols Boulevard or south of Tennant Way.

(c) The distances specified in subsection (1)(b) of this section shall be measured as follows:

(i) For subsection (1)(b)(i) of this section, the distance shall be measured as the shortest straight line distance from the nearest wall of the building housing the licensed premises to the residential zoning district boundary line.

(ii) For subsections (1)(b)(ii) through (iv) of this section, the distance shall be measured as the shortest straight line distance from the property line of the emergency shelter to the property line of a use listed in subsections (1)(b)(ii) through (iv) of this section.)

((2) To assist the appeal board of adjustment in finding the emergency shelter will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare per LMC 19.12.050, the following shall be submitted with special property use application:))

((a) A written good neighbor agreement (GNA) shall be provided for the review and approval of the appeal board of adjustment. At a minimum, the GNA shall address the following:

(i) Program Description:

(A) Population to be housed at the emergency shelter; process and criteria for the selection of guests.

(1) Shall include procedures ensuring that the shelter residents are free of non-prescription drugs;

(B) Bed capacity for nightly guests;

(C) Staffing plan; and

(D) Hours of operations, curfew; nature of any day services to be provided by the emergency shelter; how the shelter will address waiting to access services.

(ii) Safety and Security. On-site management shall be present at all times that the shelter is in operation. The shelter must maintain a security plan that is developed prior to the opening, to include the following:

(A) How the facility will be accessed;

- (B) Staff control and sight vision to all doors;
- (C) Security patrols of building's exterior and interior, during operating hours;
- (D) Client smoking areas and policies;
- (E) Emergency/evacuation plan (protocols and procedures); and
- (F) Incident response plan (protocols and procedures).

(iii) Property and Site Maintenance.

- (A) Lighting. The lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. The lighting shall be stationary, directed away from adjacent properties and public rights-of-way, and of intensity compatible/comparable with the neighborhood; and
- (B) Size and Location of Waiting/Intake Areas. Emergency shelters shall provide adequate and protected waiting space for client intake. A portion of this space may include an outdoor smoking area that is not visible from the street.

(iv) Community Engagement and Communication.

- (A) Contact Information. The good neighbor agreement for operations will include easily accessible contact information for key staff and leadership of the emergency shelter.

(b) Community Engagement Plan. Recognizing communication between the owner/operator of the emergency shelter and the neighbors surrounding the shelter is important to develop and maintain positive relationships; every good neighbor agreement shall include a community engagement plan. This plan will describe how the emergency shelter will address the concerns/complaints from the neighborhood. City staff will encourage persons with complaints about shelter operations to resolve those complaints first through the community engagement plan. Encouraging citizens to use the community engagement plan does not abrogate the city's responsibility to address complaints.

- (i) To assist in implementing the community engagement plan, the city recommends that the shelter establish an advisory committee consisting of business and residential neighbors, emergency shelter staff and city staff including a representative of the police department.

(3) The city recognizes that different types of shelters will have different impacts on the neighborhood. As such, the approved good neighbor agreement is binding as long as the emergency shelter is operating even if the management of the emergency shelter has changed. A conversion from one type of shelter to another or any significant proposed change to the existing good neighbor agreement shall require a new special property use permit as

determined by the community development director. If the emergency shelter is found to be in violation of the approved plans, conditions of approval, or the terms of the permit or good neighbor agreement, and the owner has failed to correct the violation after proper notice thereof, then the appeal board of adjustment shall revoke the special property use permit per LMC 19.12.130. (~~Ord. 3358 sec. 2, 2017.~~))

17. Add Transitional Housing, Permanent Supportive Housing, Emergency Housing, and Emergency Shelters as Permitted Uses in Section 19.58.090 Industrial Zoning Districts:

(1) Allowed Uses. [...]

(e) Transitional housing, subject to standards set forth in LMC 19.22.

(f) Permanent supportive housing, subject to standards set forth in LMC 19.22.

(g) Emergency shelters, subject to standards set forth in LMC 19.44.110.

(h) Emergency housing, subject to standards set forth in LMC 19.44.110.



August 13, 2021

To: Washington State E.C.Y., Environmental Review Section
Review Team, Dept. of Commerce
Cowlitz 2 Fire & Rescue
Cowlitz County Health Department, Season Long, Environmental Health
Cowlitz Indian Tribe, Cultural Resources
Cowlitz Indian Tribe, Natural Resources Department, C/O Permit Review
Michael Kardas, Community Development Director, City of Kelso
Cowlitz County Department of Building & Planning
William Fashing, Executive Director, Cowlitz Wahkiakum Council of Governments
Ernie Schnabler, Director Cowlitz County Dept. of Emergency Management
Lower Columbia Association of Realtors
Highlands Neighborhood Association
Lindsey Cope, Vice President, Cowlitz County Economic Development
Council/Longview Downtowners
Ilona Kerby, Lower Columbia Community Action Council
Jennifer Westerman, Housing Opportunites of Southwest Washington
Frank Morrison, Community House on Broadway
Bill Marcum, Kelso-Longview Chamber of Commerce
Dr. Dan Zorn, Superintendent, Longview School District
Captain John Reeves, Longview Police
Jon Dunaway, Longview Fire Marshal
Mike Murray, Commercial Building Inspector

From: Ken Hash, Interim Director of Community Development/Public Works Director

Subject: **SEPA Environmental Checklist Review - Application #E 2021-9**

Project: **Adam Trimble, Interim Planning Manager with City of Longview has submitted a SEPA checklist for a non-project action to amend the City's zoning code to conform to new state law regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters. Transitional housing and permanent supportive housing will be permitted in any zones in which residential dwelling units or hotels are permitted; emergency housing and emergency shelters will be permitted in any zones in which hotels are permitted. The proposal will remove hotels as a permitted use in the residential zone R-4 and Regional Commercial, RC, zone. The City will propose a maximum occupancy limit for permanent supportive housing in residential zones as allowed under the occupant loading table contained in the International Building Code, based on bedroom size (typical is 2 persons per bedroom). The City will require a minimum separation of 1,000 feet between emergency housing and emergency facility sites in Commercial zones. The city will require an operations plan to be filed with each new application for the uses above. This non-project action affects properties in all zone districts in the city except the light and heavy industrial districts, and country club district.**

The applicant has submitted an Environmental Checklist for review under WAC 197-11, the SEPA Rules.

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. September 1, 2021.**

If you have any questions or need additional information, please contact Adam Trimble, Interim Planning Manager at (360) 442-5092 or me at (360) 442-52020.

Thank you.

Attachments: Draft code amendments.



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

Description of Proposal: E 2021-9—a non-project action to amend the City’s zoning code to conform to new state law regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters. Transitional housing and permanent supportive housing will be permitted in any zones in which residential dwelling units or hotels are permitted; emergency housing and emergency shelters will be permitted in any zones in which hotels are permitted. The proposal will remove hotels as a permitted use in the residential zone R-4 and Regional Commercial, RC, zone. The City will propose a maximum occupancy limit for permanent supportive housing in residential zones as allowed under the occupant loading table contained in the International Building Code, based on bedroom size (typical is 2 persons per bedroom). The City will require a minimum separation of 1,000 feet between emergency housing and emergency facility sites in Commercial zones. The city will require an operations plan to be filed with each new application for the uses above.

Proponents: Adam Trimble, Interim Planning Manager
City of Longview
PO Box 129
Longview, WA 98633
Phone: 360-442-5093

Location of Proposal, Including Street Address, if any: This non-project action affects properties in all zone districts in the city except the light and heavy industrial districts, and country club district.

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 September 1, 2021.

Responsible Official: Ken Hash

Position/Title: Interim Director/Public Works Director

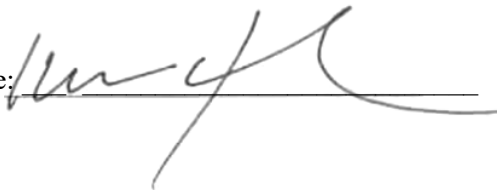
Department: Community Development

Address: PO Box 128, Longview, WA 98632

Contact Person: Adam Trimble, Interim Planning Manager

Phone: (360) 442-5092

Date: August 13, 2021

Signature: 

**City of Longview
Community Development**

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: *Zoning Code Amendments to Accommodate E2SHB 1220*

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

Longview, WA 98632

360-442-5092

4. Date checklist prepared: *August 4th, 2021*

5. Agency requesting checklist: *City of Longview*

6. Proposed timing or schedule (including phasing, if applicable): *Planning Commission public hearing in September 2021; City Council review and approval in September 2021.*

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *No.*

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 ordinances.

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.)

This is a non-project action to amend the City's zoning code regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters. Under the proposal,

transitional housing and permanent supportive housing will be permitted in any zones in which residential dwelling units or hotels are permitted; emergency housing and emergency shelters will be permitted in any zones in which hotels are permitted. The City will propose a maximum occupancy limit of 2 persons per bedroom for permanent supportive housing in residential zones or as allowed under the 2015 International Property Maintenance code based on bedroom size (square feet). The City will require a minimum separation of 1,000 feet between emergency housing or emergency facility sites in Commercial zones. The draft zoning code amendments are attached.

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 proposal applies citywide.*

B. Environmental Elements [\[help\]](#)

1. Earth

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

(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____ *Not applicable.*

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.*

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

- h. **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. *Not applicable, the proposal is a nonproject action.*
- 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:** *Not applicable.*

3. Water

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

- 1) **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 [\[help\]](#)

- a. **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.*

- 1) **Describe any known or possible contamination at the site from present or past uses.** *Not applicable.*
- 2) **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.*
- 3) **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.*

- 4) Describe special emergency services that might be required. *None.*
- 5) 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? *Not applicable.*
- f. What is the current comprehensive plan designation of the site? *Not Applicable.*
- 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: *None.*

11. Light and Glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? *Not applicable, the proposal is a nonproject action.*

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. *None.*

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.*

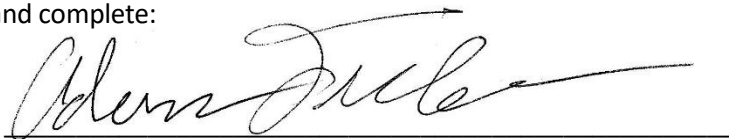
16. Utilities

- a. Circle utilities currently available at the site: *Not applicable, the proposal is a nonproject action.*
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____
- 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: *August 13, 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 amends the zoning code to address the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters. Transitional housing and emergency shelters are typical land uses in urban settings; permanent supportive housing and emergency housing are similar to other uses that regularly occur in urban environments. The discharges and emission of these uses is likely no greater than a multitude of other land uses in an urban environment. The additional activity is not expected to substantially increase discharges and emissions.*

Proposed measures to avoid or reduce such increases are: *None.*

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

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?** *The proposal is not likely to deplete energy or natural resources.*

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 affect 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 siting of transitional housing, permanent supportive housing, emergency shelters, and emergency housing can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter. Those attributes can cause negative impacts on nearby property values. Proper siting and management of these facilities is needed to minimize potential impacts.

Proposed measures to avoid or reduce shoreline and land use impacts are: The City will propose a maximum occupancy limit of 2 persons per bedroom for permanent supportive housing in residential zones or as allowed under the 2015 International Property Maintenance code based on bedroom size (square feet). The City will require a minimum separation of 1,000 feet between emergency housing or emergency facility sites in Commercial zones. To mitigate the potential intensity of impacts resulting from the amendments, the City will require a facility operations and management plan to be filed with each new application for permanent supportive housing, transitional shelters, emergency shelters and emergency housing uses. The plan will facilitate communication and understanding between the operator of the shelter and emergency services providers. The plan should address:

1. Roles and responsibilities of key staff;
2. Site/facility management, including a security and emergency plan;
3. Site/facility maintenance;
4. Occupancy policies, including resident responsibilities and a code of conduct that includes, at a minimum, a prohibition on the on-site use or sale of alcohol and illegal drugs and threatening or unsafe behavior. The sponsor and/or managing agency shall ensure that items deemed as weapons are stored in a safe location;
5. Provision of human and social services, including staffing plan and outcome measures;
6. Outreach with surrounding property owners and residents and ongoing good neighbor policy; and
7. Procedures for maintaining accurate and complete records.
8. The shelter security plan must be updated regularly with easily accessible contact information for key staff and leadership of the emergency shelter.

6. How would the proposal be likely to increase demands on transportation or public services and utilities? The proposal may result in increased demands on public transportation as residents of the various land uses proposed may not own or have access to vehicles. RiverCities transit provides service on fixed routes and paratransit 'dial-a-lift' throughout the cities of Longview and Kelso. To the extent that the proposal results in new emergency shelters and emergency, transitional and permanent supportive housing type uses, increased demand for emergency services is expected based on local experience with the clientele. However, at present there are no low-barrier shelters operating in Longview which results in frequent calls for emergency services to sites of un-managed homeless encampments. An increase in permitted, managed shelters, may reduce the overall calls for services for this population as people are provided stability and security and more opportunities to be engaged by service providers.

Proposed measures to reduce or respond to such demand(s) are: Staff is not aware of any capacity issues with the RiverCities transit system. Reduced fares are available for citizens age 65 and older, Medicare cardholders, and people with disabilities. To reduce the potential intensity of impacts resulting from the land uses, the City will require a minimum separation of 1,000 feet between emergency housing and emergency facility sites in Commercial zones. The City will require a facility operations and management plan to be filed with each new application for permanent supportive housing, transitional shelters, emergency shelters and emergency

housing uses to facilitate communication and understanding between the operator and emergency services providers. As mentioned above, an increase in permitted, managed shelter environments may result in a decrease in calls for services if the population of un-housed people in un-hosted encampments is reduced.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. The proposal is intended to conform to the requirements of state law 'E2SHB 1220' which preempts the Longview Zoning code with use allowances and prohibitions upon certain regulations and restrictions for the land uses described in the attached draft code amendments. Several provisions of the Longview municipal code are invalidated and are proposed to be removed.

Draft of the City of Longview's Zoning Code Amendments to Accommodate E2SHB 1220

City of Longview Supportive Housing Code Amendments:

Purpose: Amendments to the City of Longview's Zoning Code related to Emergency Housing, Emergency Shelters, Permanent Supportive Housing, and Transitional Housing consistent with the Washington State Legislature's E2SHB 1220.

The full Longview zoning code can be reviewed here:

<https://www.codepublishing.com/WA/Longview/#!/Longview19/Longview19.html>

Approach:

- Permanent Supportive Housing and Transitional Housing will be permitted in all zones that allow hotels and/or residential dwelling units.
- Emergency Housing and Emergency Shelters will be permitted in all zones that allow hotels.

1. Add the Following Definitions to Chapter 19.09:

19.09.XYZ Permanent Supportive Housing.

"Permanent Supportive Housing" is subsidized, leased housing with no limit on length of stay that prioritizes people who need comprehensive support services to retain tenancy and utilizes admissions practices designed to use lower barriers to entry than would be typical for other subsidized or unsubsidized rental housing, especially related to rental history, criminal history, and personal behaviors. Permanent supportive housing is paired with on-site or off-site voluntary services designed to support a person living with a complex and disabling behavioral health or physical health condition who was experiencing homelessness or was at imminent risk of homelessness prior to moving into housing to retain their housing and be a successful tenant in a housing arrangement, improve the resident's health status, and connect the resident of the housing with community-based health care, treatment, or employment services. Permanent supportive housing is subject to all of the rights and responsibilities defined in chapter 59.18 RCW.

19.09.XYZ Transitional Housing.

“Transitional Housing” means a project that provides housing and supportive services to homeless persons or families for up to two years and that has as its purpose facilitating the movement of homeless persons and families into independent living.

19.09.XYZ Emergency Housing.

“Emergency housing” means temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

19.09.XYZ Emergency Shelter.

“Emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

2. Remove the Following Definitions from Chapter 19.09:

19.09.658 Transitional Housing Facility:

~~((19.09.658 Transitional housing facility.~~

~~“Transitional housing facility” means a project that has as its purpose facilitating the movement of homeless individuals and families to permanent housing within a reasonable amount of time (usually 24 months). Transitional housing includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals with mental or physical disabilities and homeless families with children. (Ord. 3202 Sec. 10, 2012).))~~

19.09.223 Emergency Shelter:

~~((19.09.223 Emergency shelter.~~

~~“Emergency shelter” means congregate facilities providing housing to shelter families and individuals offered on an emergency basis for a period not to exceed 90 days continuously. Shelters may offer meals, lodging and associated services on site, aimed at helping people move towards self-sufficiency (Ord. 3203 Sec. 10, 2021).))~~

3. In Table 19.20.020-1: Strike Hotels and Motels from Use Section and the Special Property Use Under R-4 in the Zoning District Section:

Table 19.20.020-1: Permitted Uses in Residential Districts [Table Abridged for Clarity]:

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
((Hotels and motels))				((SPU))	

4. In Table 19.20.020-1: Strike Homeless Shelter Group Homes from the Use and Zoning District Sections and Add Transitional Housing and Permanent Supportive Housing to the Table as Permitted Uses:

Table 19.20.020-1: Permitted Uses in Residential Districts [Table Abridged for Clarity]:

Use	Zoning District				
	R-1	R-2	R-3	R-4	TNR
((Homeless Shelter Group Homes per LMC 19.22.050))				((SPU))	
<u>Transitional housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Permanent supportive housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

5. Strike the Following Supplemental Standards from Chapter 19.22:

19.22.050 Homeless Shelter Group Homes:

~~((19.22.050 Homeless shelter group home.~~

~~Homeless shelter group homes shall adhere to the following standards:~~

~~(1) Definition. "Homeless shelter group home" is a facility offering lodging and/or emergency shelter to homeless individuals or families for up to 90 days. These group homes are intended to provide residential facilities in a home-like nonprescribed drug- and alcohol-free environment with 24-hour supervision. The number of clients is limited to two per bedroom plus an additional two (e.g., a three-bedroom facility could have up to eight clients) with no more than~~

~~10 clients allowed in any one group home. These facilities shall be available to clients 24 hours a day.~~

~~(2) Homeless shelter group homes shall be subject to the standards and approval criteria as provided in LMC 19.44.110, Emergency shelters, except for the following:~~

- ~~(a) The definition given in subsection (1) of this section applies; and~~
- ~~(b) Homeless shelter group homes who only serve youth who have not yet reached the age of 20 are not subject to buffers given in LMC 19.44.110(1)(b)(i) through (iii); and~~
- ~~(c) Homeless shelter group homes shall not house registered sex offenders; and~~
- ~~(d) The good neighbor agreement, required by LMC 19.44.110(2), shall include procedures ensuring that the shelter residents are free of alcohol and nonprescribed drugs (Ord. 3358 sec. 4, 2017))~~

6. Add the Following Supplemental Standards to Chapter 19.22:

19.22.XYZ Transitional Housing

Transitional housing shall adhere to the following standards:

A facility operations and management plan as described in section 19.22.XYZ shall be filed with the City with each new application for transitional housing. The plan will facilitate communication and understanding between the operator of the facility and emergency services providers.

19.22.XYZ Permanent Supportive Housing

Permanent supportive housing shall adhere to the following standards:

There will be a maximum occupancy limit of 2 persons per bedroom for permanent supportive housing in residential zones, or as allowed under the 2015 International Property Maintenance Code based on bedroom size (in square feet). A facility operations and management plan as described in section 19.22.XYZ shall be filed with the City with each new application for permanent supportive housing. The plan will facilitate communication and understanding between the operator of the facility and emergency services providers.

19.22.XYZ Facility Operations and Management Plans

Facility operations and management plans are required to be filed with the City with each new application for transitional housing, permanent supportive housing, emergency housing, and emergency shelters. The plan should address:

1. Roles and responsibilities of key staff;
2. Site/facility management, including a security and emergency plan;

3. Site/facility maintenance;

4. Occupancy policies, including resident responsibilities and a code of conduct that includes, at a minimum, a prohibition on the on-site use or sale of alcohol and illegal drugs and threatening or unsafe behavior. The sponsor and/or managing agency shall ensure that items deemed as weapons are stored in a safe location;

5. Provision of human and social services, including staffing plan and outcome measures;

6. Outreach with surrounding property owners and residents and ongoing good neighbor policy; and

7. Procedures for maintaining accurate and complete records.

8. The shelter security plan must be updated regularly with easily accessible contact information for key staff and leadership of the emergency shelter.

7. Add the Following as Permitted Uses in Section 19.35.010:

In the riverfront district, RF-1, no buildings or premises shall be used nor shall any building or structure be hereafter erected or altered except for one or more of the following uses: ...

(25) Transitional housing, subject to standards set forth in LMC 19.22;

(26) Permanent supportive housing, subject to standards set forth in LMC 19.22;

(27) Emergency shelters, subject to standards set forth in LMC 19.44.110; and

(28) Emergency housing, subject to standards set forth in LMC 19.44.110.

8. Amend the Following Text to Add Transitional Housing, Permanent Supportive Housing, Emergency Housing, and Emergency Shelters as Permitted in Section 19.39.010:

(1) In the civic center district, C-C, no building or premises shall be used nor shall any building or structure be hereafter erected or altered except for one or more of the following uses: hotels, motels, apartments, transitional housing, permanent supportive housing, emergency housing, emergency shelters, public libraries...

(5) Transitional housing and permanent supportive housing shall be subject to standards set forth in LMC 19.22.

(6) Emergency shelters, emergency housing, and other emergency facilities shall be subject to standards set forth in LMC 19.44.110.

9. Amend the Following Text to Accommodate Transitional Housing, Permanent Supportive Housing, Emergency Shelters, and Emergency Housing as Permitted Uses in Section 19.40.010:

In the county event center district, CEC, no building or premises shall be used nor shall any building, structure or property be hereafter erected, altered or utilized except for one of more of the following uses: ...

~~((17) Other uses similar to any of the uses listed in this section as determined by the appeal board of adjustment; and))~~ (17) Transitional housing, subject to standards set forth in LMC 19.22;

~~((18) Wireless communication facilities as permitted in chapter 16.75 LMC. (Ord. 3333 sec. 7, 2016; ord. 3240 sec. 1, 2013; Ord. 2632 sec. 2, 1996; Ord. 2149 sec. 1, 1983).))~~ (18) Permanent supportive housing, subject to standards set forth in LMC 19.22;

(19) Emergency shelters, subject to standards set forth in LMC 19.44.110;

(20) Emergency housing, subject to standards set forth in LMC 19.44.110;

(21) Other uses similar to any of the uses listed in this section as determined by the appeal board of adjustment; and

(22) Wireless communication facilities as permitted in chapter 16.75 LMC. (Ord. 3333 sec. 7, 2016; ord. 3240 sec. 1, 2013; Ord. 2632 sec. 2, 1996; Ord. 2149 sec. 1, 1983).

10. In Section 19.44.010: Amend the Following Language for the RC District:

The regional commercial (RC) district is characterized by development that typically contains a mixture of high intensity uses including regional shopping, offices, professional services, ~~((entertainment facilities, and hotels.))~~ and entertainment facilities.

11. In Table 19.44.020-1: Remove Hotels as a Permitted Use in the RC District and Strike Associated Footnote from Table (Footnote 4):

Table 19.44.020-1: Permitted uses in commercial zones [Table Abridged for Clarity]:

Use	Zoning District					
	D-C	CBD	RC ¹	NC ²	GC	O/C
Lodging, temporary stay						

Hotels, motels and lodges	P	P	((P ⁴))		P	P
((4. Motels/hotels and lodging facilities shall have a minimum of 40 guest rooms.))						

12. In Table 19.44.020-1: Amend Language and Zoning District Information for Emergency Shelters and Transitional Housing, and Add Permanent Supportive Housing and Emergency Housing as Permitted Uses:

Table 19.44.020-1: Permitted uses in commercial zones [Table Abridged for Clarity]:

Use	Zoning District					
Residential	D-C	CBD	RC ¹	NC ²	GC	O/C
<u>Permanent supportive housing</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Transitional housing ((facility))	((SPU ³)) <u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	((SPU)) <u>P</u>
Emergency shelters ((for homeless persons and families per LMC 19.44.110))	<u>P</u>	<u>P</u>			((SPU)) <u>P</u>	((SPU)) <u>P</u>
<u>Emergency housing</u>	<u>P</u>	<u>P</u>			<u>P</u>	<u>P</u>

13. Add Transitional Housing and Permanent Supportive Housing as Permitted and Amend Language for Medical and Dental Offices in Section 19.44.040:

[...] Tutoring centers, computer classes, after school math and reading centers, and arts and crafts classes;

Transitional housing, subject to standards set forth in LMC 19.22;

Permanent supportive housing, subject to standards set forth in LMC 19.22;

Medical and dental offices for primary care and/or wellness programs ((only));

14. Amend the Text in Section 19.44.050 to Accommodate Transitional Housing and Permanent Supportive Housing:

~~((11) Accessory uses and structures constructed on lots that have a pre-existing residence. (Ord. 3202 sec. 14, 2012).))~~ (11) Transitional housing, subject to standards set forth in LMC 19.22;

(12) Permanent supportive housing, subject to standards set forth in LMC 19.22; and

(13) Accessory uses and structures constructed on lots that have a pre-existing residence. (Ord. 3202 sec. 14, 2012).

15. Amend the Title of Section 19.44.110:

19.44.110 ((Emergency shelters.)) Emergency shelters, emergency housing, and other emergency facilities.

16. Amend the Text in Section 19.44.110:

(1) The following standards apply to emergency shelters, emergency housing, and other emergency facilities:

(a) ~~((Emergency shelters shall be consistent with the definition of emergency shelter as given in Chapter 19.09 LMC.))~~ Emergency shelters and emergency housing shall be consistent with the definitions given in LMC 19.09.

(b) Emergency shelters, emergency housing, and other emergency facilities shall be subject to standards for facility operations and management plans set forth in LMC 19.22.

(c) Prohibited Areas. Emergency shelters, emergency housing, and other emergency facilities are not to be within 1,000 feet of another emergency shelter, emergency housing facility, or other emergency facility in Commercial zones.

~~((b) Prohibited Areas. Emergency shelters shall not be allowed in the following areas:~~

~~(i) Within 325 feet of a single-family residential district such as the R-1 residential and the traditional neighbor residential districts;~~

~~(ii) Within 1,000 feet of an established elementary or secondary school whether public or private; or any day care or any preschool serving more than 12 children whether public or private;~~

~~(iii) Within 325 feet of a public park that is one-half acre or more in size;~~

~~(iv) Within 1,000 feet of another emergency shelter;~~

~~(v) Any area zoned general commercial that is located generally west of 18th Avenue, and Pacific Way and any area generally south of Nichols Boulevard or south of Tennant Way.~~

~~(c) The distances specified in subsection (1)(b) of this section shall be measured as follows:~~

~~(i) For subsection (1)(b)(i) of this section, the distance shall be measured as the shortest straight line distance from the nearest wall of the building housing the licensed premises to the residential zoning district boundary line.~~

~~(ii) For subsections (1)(b)(ii) through (iv) of this section, the distance shall be measured as the shortest straight line distance from the property line of the emergency shelter to the property line of a use listed in subsections (1)(b)(ii) through (iv) of this section.))~~

~~((2) To assist the appeal board of adjustment in finding the emergency shelter will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare per LMC 19.12.050, the following shall be submitted with special property use application:))~~

~~((a) A written good neighbor agreement (GNA) shall be provided for the review and approval of the appeal board of adjustment. At a minimum, the GNA shall address the following:~~

~~(i) Program Description.~~

~~(A) Population to be housed at the emergency shelter; process and criteria for the selection of guests.~~

~~(1) Shall include procedures ensuring that the shelter residents are free of non-prescription drugs;~~

~~(B) Bed capacity for nightly guests;~~

~~(C) Staffing plan; and~~

~~(D) Hours of operations, curfew; nature of any day services to be provided by the emergency shelter; how the shelter will address waiting to access services.~~

~~(ii) Safety and Security. On-site management shall be present at all times that the shelter is in operation. The shelter must maintain a security plan that is developed prior to the opening, to include the following:~~

~~(A) How the facility will be accessed;~~

~~(B) Staff control and sight vision to all doors;~~

~~(C) Security patrols of building's exterior and interior, during operating hours;~~

~~(D) Client smoking areas and policies;~~

~~(E) Emergency/evacuation plan (protocols and procedures); and~~

~~(F) Incident response plan (protocols and procedures).~~

~~(iii) Property and Site Maintenance.~~

~~(A) Lighting. The lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. The lighting shall be stationary, directed away from adjacent properties and public rights of way, and of intensity compatible/comparable with the neighborhood; and~~

~~(B) Size and Location of Waiting/Intake Areas. Emergency shelters shall provide adequate and protected waiting space for client intake. A portion of this space may include an outdoor smoking area that is not visible from the street.~~

~~(iv) Community Engagement and Communication.~~

~~(A) Contact Information. The good neighbor agreement for operations will include easily accessible contact information for key staff and leadership of the emergency shelter.~~

~~(b) Community Engagement Plan. Recognizing communication between the owner/operator of the emergency shelter and the neighbors surrounding the shelter is important to develop and maintain positive relationships; every good neighbor agreement shall include a community engagement plan. This plan will describe how the emergency shelter will address the concerns/complaints from the neighborhood. City staff will encourage persons with complaints about shelter operations to resolve those complaints first through the community engagement plan. Encouraging citizens to use the community engagement plan does not abrogate the city's responsibility to address complaints.~~

~~(i) To assist in implementing the community engagement plan, the city recommends that the shelter establish an advisory committee consisting of business and residential neighbors, emergency shelter staff and city staff including a representative of the police department.~~

~~(3) The city recognizes that different types of shelters will have different impacts on the neighborhood. As such, the approved good neighbor agreement is binding as long as the emergency shelter is operating even if the management of the emergency shelter has changed. A conversion from one type of shelter to another or any significant proposed change to the existing good neighbor agreement shall require a new special property use permit as~~

determined by the community development director. If the emergency shelter is found to be in violation of the approved plans, conditions of approval, or the terms of the permit or good neighbor agreement, and the owner has failed to correct the violation after proper notice thereof, then the appeal board of adjustment shall revoke the special property use permit per LMC 19.12.130. (Ord. 3358 sec. 2, 2017).))

17. Add Transitional Housing, Permanent Supportive Housing, Emergency Housing, and Emergency Shelters as Permitted Uses in Section 19.58.090:

(1) Allowed Uses. [...]

(e) Transitional housing, subject to standards set forth in LMC 19.22.

(f) Permanent supportive housing, subject to standards set forth in LMC 19.22.

(g) Emergency shelters, subject to standards set forth in LMC 19.44.110.

(h) Emergency housing, subject to standards set forth in LMC 19.44.110.



P.O. Box 128
Longview, WA 98632-7080
www.mylongview.com

September 1, 2021

To: Longview Planning Commission

From: Adam Trimble, Interim Planning Manager

**Subject: Response to public comments regarding PC 2021-5 Emergency Shelters
preemption zoning code amendments**

The City has received several written comments for the public hearing on the proposed amendments to the zoning code to allow permanent supportive housing, transitional housing and emergency shelters/emergency housing as required by new state law. This memo will clarify the purpose of the amendments, address some of the concerns raised, and offer alternate findings and recommendation for Planning Commission and City Council to consider, in light of the points made by the commenters.

Why are these zoning amendments being considered?

A new state law requires that transitional housing and permanent supportive housing be permitted in any zones in which residential dwelling units or hotels are permitted; emergency housing and emergency shelters will be permitted in any zones in which hotels are permitted. The city must adopt the amendments and has chosen to remove all existing conflicting zoning laws regarding these land uses or it is likely a court will find the existing laws invalid.

Several commenters urge the city not to adopt the amendments; however the specific objection is to the draft proposal's inclusion of optional limits on occupancy for permanent supportive housing, and a requirement for a security plan with occupancy policies to be filed for all of the 4 land uses.

Does the new state law allow limits on occupancy or requirements for a code of conduct

The state law E2SHB allows cities to include reasonable limits on occupancy, spacing and intensity. It is important to remember that these optional standards are not to be used to prevent the siting of a sufficient number necessary to meet your community's need for the four housing/shelter types.¹ The current draft proposes a maximum occupancy limit for permanent supportive housing in residential zones as allowed under the occupant loading table contained in the International Building Code, based on bedroom size (typical is 2 persons per bedroom). Under the proposal a minimum separation of 1,000 feet will be required between any new emergency housing and emergency shelter facility sites in Commercial zones. The City will require an operations plan to be filed with each new application for the uses above.

¹ Butler, S. B. (2021, June 29). MRSC - Changing Your Zoning Code to Accommodate Housing and Shelters for the Homeless. Municipal Research Center. <https://mrsc.org/Home/Stay-Informed/MRSC-Insight/June-2021/Changing-Your-Zoning-Code-for-Homeless-Housing.aspx>

The operations plan as included in the draft code requires: 'Occupancy policies, including resident responsibilities and a code of conduct that includes, at a minimum, a prohibition on the on-site use or sale of alcohol and illegal drugs and threatening or unsafe behavior. The sponsor and/or managing agency shall ensure that items deemed as weapons are stored in a safe location.' Several commenters observe that 'The requirement of a code of conduct to be signed and maintained is, ...in opposition to federal policy which could make it even more difficult than it is now to receive federal funding for these kinds of live-saving and life-sustaining services/programs.' Staff agrees that this specific requirement in the draft code is problematic and would likely prevent a sufficient number of the 4 land uses from locating in Longview to serve the population needing these kinds of housing- and is therefore illegal. This requirement if desired, may be able to be applied on a case-by-case basis but not as a blanket across all uses and locations. Staff proposes adjusting the draft code to state, 'The city reserves the ability to require an [operations plan as outlined in the draft] be provided by any permanent supportive housing, temporary housing, emergency housing or emergency shelter use which is generating frequent calls for emergency services and or complaints, in the judgment of the police chief.'

Additional concerns raised:

- The proposed optional limit on occupancy for permanent supportive housing of 2 per bedroom (or more based on bedroom size) will impact the ability of new projects to be built and funded.
 - *The comments received point out that the definition of permanent supportive housing provided by the state is quite broad. It likely includes many of the affordable housing projects existing and planned in the City. It is the stated goal of the City Council to see more affordable housing constructed in the City and to the extent that this optional proposed limit on occupancy jeopardizes that staff now recommends dropping the limit from the draft amendments.*
- Several commenters object to the justification for the optional standards stated in the SEPA checklist that "The siting of transitional housing, permanent supportive housing, emergency shelters, and emergency housing can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter," pointing out that 'it also is patently false to say that creating housing for those who need it makes things worse in our communities. Forcing a segment of our population to remain on the street without having the things they need to live is what actually provides the greatest stress on emergency services. Providing them with housing is what would decrease the number of emergency calls.'
 - *Staff agrees that evidence collected in several studies shows providing housing for homeless individuals drastically reduces calls for services, use of emergency rooms and other delirious effects on a community resulting from an unhoused community. The justification was offered for the proposed spacing of emergency shelters of 1,000 feet from another shelter and the operations plan requirement after local experience with a low-barrier shelter in Kelso saw many of the impacts described. The comments remind us that the point of this state law preemption of local laws is to ensure that sufficient housing is allowed to be provided in all communities in the state, thereby reducing the unhoused population and reducing the overall impacts on emergency services, crime rates, loitering, harassing behavior and litter. Staff offers an alternative recommendation for the planning commission to considering making to the City*

Council, with fewer optional standards for occupancy, spacing and intensity of uses.

Alternative motion: Motion to adopt the following findings, and draft zoning code amendments with the following adjustments:

1. Modify the proposed definition for Facility Operations and Management Plans to read:
“Facility Operations and Management Plans
The city reserves the ability to require a facility operations and management plan be provided by any permanent supportive housing, temporary housing, emergency housing or emergency shelter use which is generating frequent calls for emergency services and or complaints, in the judgment of the police chief. Facility operations and management plans are required to be filed with the City with each new application for transitional housing, permanent supportive housing, emergency housing, and emergency shelters. The plan should address:
 1. Roles and responsibilities of key staff;
 2. Site/facility management, including a security and emergency plan;
 3. Site/facility maintenance;
 4. Occupancy policies, including resident responsibilities and a code of conduct that addresses ~~includes~~, at a minimum, a prohibition on the on-site use or sale of alcohol and illegal drugs and threatening or unsafe behavior. The sponsor and/or managing agency shall ensure that items deemed as weapons are stored in a safe location;
 5. Provision of human and social services, including staffing plan and outcome measures;
 6. Outreach with surrounding property owners and residents and ongoing good neighbor policy; and
 7. Procedures for maintaining accurate and complete records.
 8. The shelter security plan must be updated regularly with easily accessible contact information for key staff and leadership of the emergency shelter.”
2. Strike all instances of occupancy limits on permanent supportive housing from the draft amendments.
3. Strike all instances of the requirement for a minimum separation of 1,000 feet between any new emergency housing and emergency shelter facility sites in Commercial zones.

Findings:

1. State law E2SHB 1220 now requires that transitional housing and permanent supportive housing be permitted in any zones in which residential dwelling units or hotels are permitted; emergency housing and emergency shelters will be permitted in any zones in which hotels are permitted.
2. The amendments proposed are intended to conform the City’s zoning code to new state requirements regarding the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters as required by E2SHB 1220.
3. To mitigate the potential intensity of impacts resulting from the amendments, the City will reserve the right to require a facility operations and management plan to be filed by any permanent supportive housing, transitional shelters, emergency shelters and emergency housing use which is generating frequent calls for emergency services and or complaints, in the judgment of the police chief.

If you have any questions or concerns regarding this matter, please contact me at (360) 442-5092.

Adam Trimble

From: Dexter Kearny <dexter@longviewpres.org>
Sent: Wednesday, September 01, 2021 7:58 AM
To: Ken Hash; Adam Trimble
Subject: Proposed Amendment to the City's zoning code (e 2021-9)

Dear Mr. Hash and Mr. Trimble,

I am grateful for the work you have put into this project and believe that opening up the zoning codes to more shelters and permanent supportive housing could be a great boon to our town. As you cite several times concerns about how a poorer population can cause a strain on public services, it seems to make the most sense to me to create more shelters and permanent supportive housing. These projects help unhoused people get off of the streets and in many ways reduces poverty. By creating these structures, we can reduce the concerns of citizens.

Therefore, I would like to point out that some of the language seems to add more restrictions to the zoning codes that would make it more difficult to create shelters and permanent supportive housing. If the desire is for more, then we should not overly restrict those options. A few of the recommendations that I think are overly restrictive are:

- the required code of conduct
- the required operations and management plan
- the occupancy limits

I believe that this is a great step in the right direction and with some minor tweaking it can help Longview address some of the serious issues that it faces.

Gratefully,

--

Rev. Dexter Kearny

Co-Pastor of Longview Presbyterian Church

www.longviewpres.org

My pronouns are he/his/him. What are yours? Learn more [here](#).

Adam Trimble

From: Liz Kearny <liz@longviewpres.org>
Sent: Wednesday, September 01, 2021 12:19 PM
To: Ken Hash; Adam Trimble
Subject: Public comment on proposed zoning amendment
Attachments: We sent you safe versions of your files; E 2021-9 Longview zoning amendments
Emergency Shelters SEPA DNS notice fv.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Hello Ken and Adam,

I am writing today as a citizen of Longview (I reside on Olympia Way near Northlake Elementary School) to offer my comment on the proposed zoning code amendment for the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters.

I urge you in the strongest terms to reject this amendment to the Longview Zoning Code. Here are some reasons for rejecting this from my perspective:

- I noticed in the document about this proposed amendment that it reads: “the siting of transitional housing, permanent supportive housing, emergency shelters, and emergency housing can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter.” This is not only a discriminatory way to think about our neighbors who are facing economic hardship (i.e. criminalizing actions they may take as they try to survive unlivable conditions unfit for any human being), but it also is patently false to say that creating housing for those who need it makes things worse in our communities. Forcing a segment of our population to remain on the street without having the things they need to live is what actually provides the greatest stress on emergency services. Providing them with housing is what would decrease the number of emergency calls.
- The requirement of a code of conduct to be signed and maintained is, as I understand it, in opposition to federal policy which could make it even more difficult than it is now to receive federal funding for these kinds of life-saving and life-sustaining services/programs.
- This proposal creates more restrictions on creating housing and shelter options for those in need, not less. Given the raging housing disaster we are facing right now, that seems like a move in the exact opposite direction we should be going. We need more resources and services, not less!

Please DO NOT move forward with this change to our city code. We are already facing a housing disaster (I won't even use the word crisis because we are well past that) in our community and adding these restrictions to our code would not only be completely counterproductive, but also utterly without compassion for those most impacted by these kinds of zoning changes.

Thank you for your time,

Rev. Liz Kearny (*she/her/hers*)

Co-Pastor

Longview Presbyterian Church

3808 Pennsylvania Street

PO Box 1613

Longview, WA 98632

www.longviewpres.org

Church phone: (360) 577-8951

Why are my preferred pronouns listed? Learn more by [clicking here!](#)

Adam Trimble

From: Jim Macleod <jmacleod3@aol.com>
Sent: Wednesday, September 01, 2021 7:54 AM
To: Ken Hash; Adam Trimble
Cc: dexter@longviewpres.org
Subject: Proposed Public Housing Zoning Restrictions

We members of Longview Presbyterian Church voted overwhelmingly to donate two acres of our Pennsylvania Avenue property to help alleviate the critical shortage of affordable housing in the Mint Valley area. Land is important, but what will make this venture a reality is our partnership with an experienced and reputable developer and manager of similar projects, Housing Opportunities of Southwest Washington (HOSWWA). The 45-unit rental complex will be financed through a combination of federal, state and local low-income tax credits, grants and loans, including \$300,000 already approved by the Longview City Council in 2020 and 2021.

By lumping emergency shelters together with permanent supportive housing, your proposed restrictions could delay or jeopardize this project entirely. Codes of conduct that may be appropriately maintained for emergency shelters could be contrary to federal policy for permanent housing, jeopardizing further grants needed to sustain operations. Please reconsider your revisions and create clear distinctions between the requirements for each classification of housing.

Jim and Judy MacLeod
PO Box 1421
Kalama, WA 98625
jmacleod3@aol.com

Adam Trimble

From: Marilyn Melville-irvine <mmirvine@gmail.com>
Sent: Tuesday, August 31, 2021 9:09 PM
To: Adam Trimble
Subject: Proposed new zoning code re: public housing

Dear Mr. Trimble,

Although I do not currently reside in Longview, I am very involved with Longview Presbyterian Church and its involvement in public housing issues. I am concerned about the proposed zoning code amendments, especially the restrictions they propose. It appears to me that the restrictions suggest a general anti-homeless shelter stance.

To require all transitional housing, permanent supportive housing, emergency shelters, and emergency housing to file a facility operations and management plan is unnecessarily restrictive and will create the kind of burden that will prevent actions that seek to meet the needs of the homeless. Requiring a code of conduct to be signed and maintained has been shown to be "not best practice" and may deny federal grants in the future.

Under #5 Environmental Elements, the proposed measures would seem to make it very difficult to address the needs of the homeless in our community. In fact, it appears that the city of Longview is trying to make it virtually impossible to address the needs of the homeless. As evictions begin to ramp up and rents are raised on other housing, the problem of the unhoused will need to be addressed as quickly as possible. Expecting all of these restrictions to be in place will mean that homeless issues will be less likely than ever to be addressed.

Please consider being less restrictive. We are still waiting for action to occur with regard to the homeless camp becoming a permanent fixture! The problem is not going to go away in the near future!

Marilyn Melville-Irvine

Adam Trimble

From: Ronald Naff <rhngoecool@hotmail.com>
Sent: Tuesday, August 31, 2021 8:40 PM
To: Ken Hash; Adam Trimble
Subject: Don't pass zoning changes

Dear Mr. Hash,

We are writing to speak against the proposed changes to Longview's zoning laws.

First, your document states, "the siting of transitional housing, permanent supportive housing, emergency shelters, and emergency housing can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter." This statement is unduly prejudicial and does not have facts to back up this "broad-stroke" statement.

You further state "having a population of homeless living on the street provides the greatest demand on emergency services while housing those same people can immediately decrease the number of calls". Again, a prejudicial statement without fact to back it up. The second part of this comment is what we all would like to have happen, however the only way to get people into housing is through transitional housing, emergency shelters and emergency housing. Your statement makes it sound as if all that needs to be done is snap our fingers and the homeless will be housed.

Your plan requires all transitional housing, permanent supportive housing, emergency shelters, and emergency housing to file a facility operations and management plan. This is a new and restrictive burden. It would require a code of conduct to be signed and maintained. This is against federal policy and could jeopardize further federal grants as well as not being best practice.

Considering the current housing crisis throughout the City of Longview, we are requesting that the City of Longview look at the proposed measures under #5 and reconsider whether these measures are necessary. This will make it more difficult to create future housing in the City of Longview.

We urge the city council to look more carefully and critically at your plan and realize that instead of helping the homeless situation in Longview, it complicates and elongates the process for everyone trying to help the homeless find permanent affordable housing.

Sincerely,

Ron and Kay Naff, members of Longview Presbyterian Church

Adam Trimble

From: Darcy Gillespie <supersarsearcher@gmail.com>
Sent: Tuesday, August 31, 2021 8:10 PM
To: Adam Trimble
Subject: Housing

Good Evening,

I am writing as a member of Longview Presbyterian Church. I am very concerned about the impact that the proposed housing rules will have on our most vulnerable citizens. We are currently experiencing a shortage of housing in the area. Affordable and supported housing are critical lifelines for our most vulnerable population. Please consider their well-being when the time comes to discuss and implement the regulations.

Respectfully,
Darcy A. Gillespie

Adam Trimble

From: Sue Dacus <debrasdacus1@gmail.com>
Sent: Tuesday, August 31, 2021 7:20 PM
To: Adam Trimble
Subject: Plans to propose new zoning codes around public housing

Dear Mr. Trimble:

Please take into consideration my feedback regarding a new zoning code around public housing. I understand that shelters and affordable housing are being lumped within the same codes, which are considerably restrictive for everyone.

I am a member of a church that is working towards helping solve some of the homeless problems by helping create affordable housing. If some of the concepts in the new zoning code are passed it would affect many good plans of ours, and other groups, to assist in helping solve the homeless crisis. By our church, by other public efforts, and putting a cloud on future plans to solve homelessness.

I have read in the last few years homelessness is a big problem in Longview. In fact, Cowlitz County in general has seen a jump in homeless numbers in recent years. How disturbing it is to see good efforts affected negatively by the proposed measures under #5, Are these measures necessary?

It will make it more difficult to create future housing in the City of Longview. That will create a situation where more people are without resources, and solutions to the homeless problem here just continue to increase.

With so many homeless living on the street, we need to encourage various types of housing solutions; transitional housing, permanent supportive housing, emergency shelters and emergency housing. But the proposed measures under #5 will create new and restrictive burdens, and increase homelessness.

I don't like to think that anti-homeless shelter ordinances the city has placed in the past will be enabled to grow further by passing this new zoning code. Please reflect on how this will continue to increase the problems we now are working to solve.

Sincerely

Debra Sue Dacus
Longview Citizen

Adam Trimble

From: John Steppert <steppjs@comcast.net>
Sent: Wednesday, September 01, 2021 2:22 PM
To: Liz Kearny; Ken Hash; Adam Trimble
Subject: Re: Public comment on proposed zoning amendment

I am in total support of Rev. Kearny's comments, about rejecting the amendment to the Longview Zoning Code. – John Steppert, Longview

Hello Ken and Adam,

I am writing today as a citizen of Longview (I reside on Olympia Way near Northlake Elementary School) to offer my comment on the proposed zoning code amendment for the siting of transitional housing, permanent supportive housing, emergency housing, and emergency shelters.

I urge you in the strongest terms to reject this amendment to the Longview Zoning Code. Here are some reasons for rejecting this from my perspective:

- I noticed in the document about this proposed amendment that it reads: "the siting of transitional housing, permanent supportive housing, emergency shelters, and emergency housing can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter." This is not only a discriminatory way to think about our neighbors who are facing economic hardship (i.e. criminalizing actions they may take as they try to survive unlivable conditions unfit for any human being), but it also is patently false to say that creating housing for those who need it makes things worse in our communities. Forcing a segment of our population to remain on the street without having the things they need to live is what actually provides the greatest stress on emergency services. Providing them with housing is what would decrease the number of emergency calls.
- The requirement of a code of conduct to be signed and maintained is, as I understand it, in opposition to federal policy which could make it even more difficult than it is now to receive federal funding for these kinds of live-saving and life-sustaining services/programs.
- This proposal creates more restrictions on creating housing and shelter options for those in need, not less. Given the raging housing disaster we are facing right now, that seems like a move in the exact opposite direction we should be going. We need more resources and services, not less!

Please DO NOT move forward with this change to our city code. We are already facing a housing disaster (I won't even use the word crisis because we are well past that) in our community and adding these restrictions to our code would not only be completely counterproductive, but also utterly without compassion for those most impacted by these kinds of zoning changes.

Thank you for your time,

Rev. Liz Kearny (*she/her/hers*)

Co-Pastor

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Church phone: (360) 577-8951

Why are my preferred pronouns listed? Learn more by [clicking here!](#)

Adam Trimble

From: Darcy Gillespie <supersarsearcher@gmail.com>
Sent: Wednesday, September 01, 2021 2:23 PM
To: Adam Trimble
Subject: Re: Housing

Please do not implement these regulations without having safeguards in place to care for and about our most vulnerable citizens.

On Tue, Aug 31, 2021, 20:09 Darcy Gillespie <supersarsearcher@gmail.com> wrote:

Good Evening,

I am writing as a member of Longview Presbyterian Church. I am very concerned about the impact that the proposed housing rules will have on our most vulnerable citizens. We are currently experiencing a shortage of housing in the area. Affordable and supported housing are critical lifelines for our most vulnerable population. Please consider their well-being when the time comes to discuss and implement the regulations.

Respectfully,
Darcy A. Gillespie



Connecting people to homes, hope and opportunity. Jennifer Westerman, CEO

August 31, 2021

Ken Hash, Interim Director/Public Works Director
City of Longview
PO Box 129
Longview, WA 98632

RE: Public Comment Period on Determination of Non-significance SEPA Rules

Dear Director Hash,

After reviewing the proposed amendment to the City's zoning code (e 2021-9), the Housing Authority of the City of Longview dba Housing Opportunities of Southwest Washington (HOSWWA) has concerns with the language under #5.

The document states, *"the siting of transitional housing, permanent supportive housing, emergency shelters, and emergency housing can create a risk of increased demand on emergency services, and other secondary effects such as higher crime rates, loitering, harassing behavior and litter."* I would be happy to supply the City of Longview, with documented studies proving that providing this type of housing reduces the demand on emergency services. Having a population of homeless living on the street provides the greatest demand on emergency services while housing those same people can immediately decrease the number of calls. Additionally, the Housing Authority of the City of Longview has been providing permanent supportive housing and transitional housing in Longview without increasing crime rates, loitering, harassing behavior and littering. This language is highly concerning. Bad property management may lead to these issues, however, they do not occur simply due to providing this type of housing.

Per the definition that has been added of "Permanent Supportive Housing," most housing provided by HOSWWA would fall under these new guidelines. This causes us significant concern as follows:

- Occupancy limits of 2 persons per bedroom—while this is a common definition in HUD housing, there are many exceptions to this standard. For example, the Housing Choice Voucher program allows for the living room to be defined as a sleeping room and therefore increasing the potential occupancy of a unit. This has been standard for many years and has not resulted in neighborhood issues.
- Filing a facility operations and management plan—if this requirement applies to HOSWWA properties it represents a significant increase in administrative burden to our agency and a disincentive to develop additional properties in this region. HOSWWA



already bears a significant regulatory burden with oversight from federal and state agencies. Adding this level of oversight would increase our administrative costs with no financial offset from the local jurisdiction.

- Code of conduct—the policies outlined may be in conflict with federal and state regulations creating a complex compliance situation for the Housing Authority.
- Procedures for maintaining accurate records—the Housing Authority is audited annually by a CPA firm and by the State. Additionally, we have audit requirements with the federal government. Adding this requirement to report similarly to the City is an unwarranted administrative burden and disincentive to developing affordable housing.

Considering the current housing crisis throughout the City of Longview, we are requesting that the City of Longview look at the proposed measures under #5 and reconsider whether these measures are necessary. It is my opinion that these measures will make it more difficult for the Housing Authority to create future housing in the City of Longview.

Thank you for the opportunity to comment on this proposed action. I appreciate the excellent support that our agency has received from the City of Longview and acknowledge our mutual interest in increasing the supply of affordable housing in this region. I welcome further discussion on this topic.

Regards,



Jennifer Westerman, CEO

CC: Adam Trimble, City of Longview

