



# City of Longview

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

## City Council

*Mayor MaryAlice Wallis  
Mayor Pro Tem Michael Wallin  
Council Member Ruth Kendall  
Council Member Chet Makinster  
Council Member Steve Moon  
Council Member Christine Schott  
Council Member Hillary Strobel*

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Thursday, September 9, 2021

7:00 PM

HYBRID/ZOOM - 2nd Floor, City Hall

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NOTICE IS HEREBY GIVEN, in accordance with RCW Chapter 42.30, that the City Council of the City of Longview, Washington, will be holding a regular meeting on Thursday, September 9<sup>th</sup>, at 7:00 p.m. at the Council Chamber, City Hall, 1525 Broadway St, Longview. The meeting is also available by Zoom.

Zoom meeting link:

<https://us02web.zoom.us/j/81200972512>

Telephone options (you may need to try more than one number if you receive a busy signal):

Dial any of the following numbers:

1-253-215-8782  
1-346-248-7799  
1-408-638-0968  
1-669-900-6833  
1-301-715-8592  
1-312-626-6799  
1-646-876-9923

Meeting ID: 812 0097 2512

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

1. CALL TO ORDER
2. INVOCATION\*/FLAG SALUTE  
21-000953 JAY PEACH, FAMILY FAITH CENTER
3. ROLL CALL

**4. APPROVAL OF MINUTES**

21-000933 AUGUST 26, 2021 - WORKSHOP MINUTES  
AUGUST 26, 2021 - REGULAR MEETING MINUTES

**5. CHANGES TO THE AGENDA****6. PRESENTATIONS & AWARDS**

21-000932 PROCLAMATION: U.S. CONSTITUTION WEEK

**7. CONSTITUENTS' COMMENTS (Thirty Minutes)****8. FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS****9. PUBLIC HEARINGS**

21-000923 PUBLIC HEARING – 3<sup>RD</sup> AMENDMENT TO THE 2021 - 2026 SIX YEAR TRANSPORTATION IMPROVEMENT PLAN (TIP) AND RIVERCITIES TRANSIT PROGRAM OF PROJECTS (POP)

**RECOMMENDED ACTION:**  
CONDUCT THE PUBLIC HEARING

21-000924 RESOLUTION NO. 2375 - ADOPT AMENDMENT #3 OF THE 2021 - 2026 SIX YEAR TRANSPORTATION IMPROVEMENT PLAN (TIP) AND RIVERCITIES TRANSIT PROGRAM OF PROJECTS

**RECOMMENDED ACTION:**  
MOTION TO ADOPT RESOLUTION NO. 2375

**10. BOARD & COMMISSION RECOMMENDATIONS**

21-000938 PLANNING COMMISSION RECOMMENDATION: PRELIMINARY PLAT APPROVAL OF MT. SOLO PLACE, PHASES 4-5, A 76 LOT RESIDENTIAL SUBDIVISION.

**RECOMMENDED ACTION:**  
MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND ADOPT THE FINDINGS AND CONDITIONS OF THE STAFF REPORT AND GRANT PRELIMINARY PLAT APPROVAL FOR THE PROPOSED SUBDIVISION.

21-000949 PLANNING COMMISSION RECOMMENDATION: FINAL PLAT APPROVAL FOR MT. SOLO PLACE PHASE 2A (16 LOTS)

**RECOMMENDED ACTION**  
MOTION TO ACCEPT MT SOLO PLACE PHASE 2A AND GRANT FINAL PLAT APPROVAL WITH THE CONDITION THAT OCCUPANCY FOR THE HOMES IN THIS PHASE WILL NOT BE GIVEN UNTIL COMPLETION OF THE SEWER PUMP STATION.

21-000952 PLANNING COMMISSION RECOMMENDATION: ZONING CODE AMENDMENTS FOR EMERGENCY SHELTERS, EMERGENCY HOUSING, TRANSITIONAL HOUSING AND PERMANENT SUPPORTIVE HOUSING.

**RECOMMENDED ACTION:**  
MOTION TO DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE TO ADOPT

THE PROPOSED ZONING CODE AMENDMENTS WITH A MODIFICATION TO THE  
OCCUPANT LIMIT LANGUAGE FOR PERMANENT SUPPORTIVE HOUSING PROVIDED IN  
THE STAFF MEMO

11. ORDINANCES & RESOLUTIONS

12. MAYOR'S REPORT

13. COUNCILMEMBERS' REPORTS

14. CONSENT CALENDAR

21-000934 APPROVAL OF CLAIMS

2ND HALF AUGUST ACCOUNTS PAYABLE  
2ND HALF AUGUST PAYROLL

15. CITY MANAGER'S REPORT

16. MISCELLANEOUS

17. ADJOURNMENT

\* Any invocation that may be offered at the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.

**NEXT REGULAR COUNCIL MEETINGS:**

**THURSDAY, SEPTEMBER 23, 2021 – 7:00 P.M.**

**THURSDAY, OCTOBER 14, 2021 – 7:00 P.M.**

**NEXT COUNCIL WORKSHOPS:**

**THURSDAY, SEPTEMBER 23, 2021 – 6:00 P.M. HOSWWA ACTIVITIES UPDATE**



# City of Longview

1525 Broadway  
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## Minutes

### City Council

**Mayor MaryAlice Wallis**  
**Mayor Pro Tem Michael Wallin**  
**Council Member Ruth Kendall**  
**Council Member Chet Makinster**  
**Council Member Steve Moon**  
**Council Member Christine Schott**  
**Council Member Hillary Strobel**

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Thursday, August 26, 2021

6:00 PM

HYBRID/ZOOM - 2nd Floor, City Hall

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1. **CALL TO ORDER**

*Mayor Wallis called the meeting to order at 6:00 p.m.*

2. **ROLL CALL**

**Present:** Mayor Wallis, Councilmember Kendall, Councilmember Makinster, Councilmember Strobel, Councilmember Schott, Mayor Pro Tem Wallin

**Absent:** Councilmember Moon

**Staff Present:** City Manager Kurt Sacha; City Attorney Jim McNamara; City Clerk Kaylee Cody; Deputy City Clerk Kassi Mackie; Public Works Director/Interim Community and Economic Development Director Ken Hash

3. **WORKSHOP**

**21-000919 CITY WIDE SPEED STUDY**

**RECOMMENDED ACTION:**

**DIRECTION TO STAFF TO DRAFT AN ORDINANCE TO BRING TO CITY COUNCIL THAT WILL IMPLEMENT SPEED REDUCTIONS.**

**DIRECTION TO STAFF ON IMPLEMENTATION OF THE SPEED REDUCTIONS.**

**DIRECTION TO STAFF TO IMPLEMENT FUTURE PHASES OF SPEED REDUCTIONS.**

*Public Works Director Ken Hash presented.*

***A motion was made by Mayor Pro Tem Wallin, seconded by Councilmember Makinster, to direct staff to draft an ordinance to bring to city council that will implement speed reductions in option 2 including implementation of the 5 E's as outlined, and to implement future phases as outlined in the staff recommendation. The motion carried unanimously.***

*George Brajcich of Longview provided public comment.*

*George Wynn of Longview provided public comment.*



*Dave Fine of Longview provided public comment.*

*Robert Klinefelter of Longview provided public comment.*

*Spencer Boudreau of Longview provided public comment.*

*Clark Carol of Longview provided public comment.*

**4. ADJOURNMENT**

*The meeting was adjourned at 6:58 p.m.*

*Kaylee Cody  
City Clerk*

Approved: \_\_\_\_\_  
Mayor

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**NEXT REGULAR COUNCIL MEETINGS:  
THURSDAY, SEPTEMBER 9, 2021-7:00 P.M.  
THURSDAY, SEPTEMBER 23, 2021-7:00 P.M.**

**NEXT COUNCIL WORKSHOPS:  
THURSDAY, SEPTEMBER 23, 2021- 6:00 P.M. UPDATE ON HOSWWA ACTIVITIES**



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## Minutes

### City Council

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**Council Member Hillary Strobel**

---

Thursday, August 26, 2021

7:00 PM

HYBRID/ZOOM - 2nd Floor, City Hall

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1. **CALL TO ORDER**

*Mayor Wallis called the meeting to order at 7:00 p.m.*

2. **INVOCATION\*/FLAG SALUTE**

**21-000909 JAY PEACH, FAMILY FAITH CENTER**

*No invocation was provided.*

3. **ROLL CALL**

**Present:** Mayor Wallis, Councilmember Kendall, Councilmember Makinster, Councilmember Strobel, Councilmember Schott, Mayor Pro Tem Wallin

**Absent:** Councilmember Moon

**Staff Present:** City Manager Kurt Sacha; City Attorney Jim McNamara; City Clerk Kaylee Cody; Deputy City Clerk Kassi Mackie; Public Works Director/Interim Community and Economic Development Director Ken Hash; Interim Planner Adam Trimble; Parks & Recreation Director Jen Wills; Fire Chief Jim Kambeitz; Police Chief Robert Huhta; Library Director Chris Skaugset; Human Resources Director Chris Smith; Administrative Services Director Kris Swanson

4. **APPROVAL OF MINUTES**

*On a motion duly made and passed, the reading of the minutes, copies of which had been submitted to the Mayor and members of the City Council, was waived and the minutes were approved as if read.*

**21-000910 AUGUST 10TH, 2021 WORKSHOP MEETING MINUTES**

**21-000911 AUGUST 10TH, 2021 REGULAR MEETING MINUTES**

*On a motion duly made and passed, the reading of the minutes, copies of which had been submitted to the Mayor and members of the City Council, was waived and the minutes were approved as if read.*

**5. CHANGES TO THE AGENDA****6. PRESENTATIONS & AWARDS****7. CONSTITUENTS' COMMENTS (Thirty Minutes)**

*Spencer Boudreau of Longview provided public comment.*

*A moment of silence was observed for the fallen soldiers in Afghanistan on this day.*

**8. FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS****9. PUBLIC HEARINGS**

**21-000918 PUBLIC HEARING – REQUEST TO VACATE A 17-FT NORTHWEST STRIP OF 20<sup>TH</sup> AVENUE STREET RIGHT-OF-WAY FROM OLYMPIA WAY TO THE NORTHEAST END OF 20<sup>TH</sup> AVENUE, ASSESSOR'S PLAT NO. 13**

**RECOMMENDED ACTION:**  
**HOLD THE PUBLIC HEARING**

**THEN –**

**MOTION TO:**  
**APPROVE THE PROPOSED VACATION CONTINGENT UPON PAYMENT OF VACATION FEES, RETENTION OF A PUBLIC STORM SEWER EASEMENT, AND PROVISIONS FOR PRIVATE EASEMENTS AND;**

**DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE FOR ADOPTION AFTER VACATION FEES HAVE BEEN PAID AND PROVISIONS FOR EASEMENTS HAVE BEEN MADE AND;**

**SET THE VACATION FEES AT \$9,141.84.**

*Mayor Wallis opened the public hearing at 7:12 p.m.*

*Chris Walker, Campus Towers Board Chair, provided public comment.*

*Paster James Conrad of Longview provided public comment.*

*Marchelle Knapp, representing Campus Towers as administrator, provided public comment.*

*Spencer Boudreau of Longview provided public comment.*

*Mayor Wallis closed the public hearing at 7:35 p.m.*

***A motion was made by Mayor Pro Tem Wallin, seconded by Councilmember Strobel, to approve the proposed vacation contingent upon payment of vacation fees, retention of a public storm sewer easement, and provisions for private easements; and to direct the City Attorney to prepare an ordinance for adoption after vacation fees have been paid and provisions for easements have been made; and to set the vacation fees at \$0. The motion carried unanimously.***

**10. BOARD & COMMISSION RECOMMENDATIONS****11. ORDINANCES & RESOLUTIONS**

**21-000922 RESOLUTION NO. 2374 – DECLARING A STATE OF PUBLIC HEALTH EMERGENCY RELATING TO HUMAN HEALTH AND ENVIRONMENTAL CONDITIONS CAUSED BY HOMELESSNESS; AUTHORIZING SUCH ACTIONS AS ARE REASONABLE AND NECESSARY IN LIGHT OF SUCH EMERGENCY TO MITIGATE THE CONDITIONS GIVING RISE TO SUCH PUBLIC HEALTH EMERGENCY; RATIFYING AND CONFIRMING THE DECLARATION OF EMERGENCY PROCLAMATION.**

**RECOMMENDED ACTION:**

**MOTION TO APPROVE RESOLUTION NO. 2374.**

*Spencer Boudreau of Longview provided public comment.*

*Marilyn Melville-Irvine of Longview provided public comment.*

***A motion was made by Councilmember Strobel, seconded by Councilmember , to approve Resolution No. 2374. The motion carried unanimously.***

**12. MAYOR'S REPORT**

*Mayor Wallis provided a verbal report.*

**13. COUNCILMEMBERS' REPORTS**

*Councilmember Strobel provided a verbal report.*

*Mayor Pro Tem Wallin provided a verbal report.*

*Councilmember Schott provided a verbal report.*

**14. CONSENT CALENDAR**

***A motion was duly made and passed approving the items on the Consent Calendar as though acted on individually.***

**21-000912 APPROVAL OF CLAIMS**

**21-000916 SET PUBLIC HEARING - AMENDMENT TO THE SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) 2021- 2026 AND RIVERCITIES TRANSIT PROGRAM OF PROJECTS (POP)**

**RECOMMENDED ACTION:**

**MOTION TO SET THE CITY COUNCIL MEETING ON SEPTEMBER 9, 2021, AS THE DATE AND TIME FOR A PUBLIC HEARING TO AMEND THE 2021-2026 SIX-YEAR TIP/POP**

**21-000917 PROJECT COMPLETION – PACIFIC WAY TRAIL CROSSWALK IMPROVEMENTS****RECOMMENDED ACTION:**

**MOTION TO ACCEPT AS COMPLETE THE PACIFIC WAY TRAIL CROSSWALK IMPROVEMENTS PROJECT**

**15. CITY MANAGER'S REPORT****21-000913 SOUTHWEST REGIONAL AIRPORT AUTHORITY 2022 BUDGET****RECOMMENDED ACTION:**

**MOVE TO ADOPT THE SOUTHWEST REGIONAL AIRPORT AUTHORITY 2022 BUDGET AS PRESENTED AND APPROVE THE CITY OF KELSO, AS A SPONSOR FOR THE SOUTHWEST WASHINGTON REGIONAL AIRPORT, TO ACCEPT A \$500,000 LOAN FROM WSDOT AVIATION, TO BE USED AS NEEDED, TOWARD EXPENSES RELATED TO THE FUEL TANK REPLACEMENT AND APRON PROJECT**

*Airport Manager Chris Paolini presented.*

***A motion was made by Councilmember Strobel, seconded by Councilmember, to adopt the Southwest Regional Airport Authority 2022 Budget as presented. The motion carried unanimously.***

***A motion was made by Councilmember Makinster, seconded by Councilmember Strobel to approve the City of Kelso as a sponsor for the Southwest Washington Regional Airport to accept a \$500,000 loan from WSDOT Aviation, to be used as needed, toward expenses related to the fuel tank replacement and apron project. The motion carried unanimously.***

**21-000920 POLICE DEPARTMENT 2020 ANNUAL REPORT**

*Police Chief Robert Huhta presented.*

**16. MISCELLANEOUS**

***City Manager Sacha requested that the Council form a subcommittee to assist with prioritizing American Rescue Plan funding made available to the City by the federal government. Ruth Kendall, Mike Wallin & Hillary Strobel volunteered to form the subcommittee.***

**17. ADJOURNMENT**

*The meeting was adjourned at 8:31 p.m.*

Kaylee Cody  
City Clerk

Approved: \_\_\_\_\_  
Mayor

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**NEXT REGULAR COUNCIL MEETINGS:**

**THURSDAY, SEPTEMBER 9, 2021- 7:00 P.M.**

**THURSDAY, SEPTEMBER 23, 2021- 7:00 P.M.**

**NEXT COUNCIL WORKSHOPS:**

**THURSDAY, SEPTEMBER 23, 2021- 6:00 P.M. UPDATE ON HOSWWA ACTIVITIES**



# City of Longview

## Agenda Summary

### **PUBLIC HEARING – 3<sup>RD</sup> AMENDMENT TO THE 2021 - 2026 SIX YEAR TRANSPORTATION IMPROVEMENT PLAN (TIP) AND RIVERCITIES TRANSIT PROGRAM OF PROJECTS (POP)**

#### **RECOMMENDED ACTION:** **CONDUCT THE PUBLIC HEARING**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**  
Improve transportation systems

**CITY ATTORNEY REVIEW: N/A**

#### **SUMMARY STATEMENT:**

Each year, as required by state law, the City updates and adopts a Six-Year Transportation Improvement Program (TIP). The TIP is a priority listing of federally funded or proposed transportation-related projects within the City. The TIP identifies the year and the funding sources for the various projects, as well as other basic information on the projects. In order to receive federal or state transportation funding, a project must appear on the City's adopted TIP. However, the TIP may be amended by the City Council at any time to add or delete projects or change funding sources and amounts, following a public hearing on the proposed amendment.

Additionally, federal law requires transit agencies receiving Federal Transit Administration (FTA) funding to prepare a Program of Projects (POP) identifying the projects to be funded with FTA funding, and to conduct a public hearing and outreach process prior to adopting the POP. The TIP includes FTA funded projects and meets the requirements of the POP.

The required public hearing calls for receiving public testimony regarding amending the 2021-2026 TIP/POP. This amendment specifically addresses adding one newly funded project. This amendment formalizes that action.

New Project to be added to 2021-2026 TIP/POP:  
#19 – Washington Way

**STAFF CONTACT:**  
Ken Hash, Public Works Director

#### **Attachments:**

1. Res 2375 - 3rd Amendment 2021-2026 TIP.POP
2. Exhibit A - 6 Year TIP.POP 2021-26 Amendment #3

RESOLUTION NO. 2375

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A RESOLUTION AMENDING THE SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) (2021-2026) AND RIVERCITIES TRANSIT PROGRAM OF PROJECTS (POP) FOR THE CITY OF LONGVIEW, WASHINGTON, AND SUPERSEDING AND REPLACING RESOLUTION NO. 2360. THE PURPOSE OF THIS TIP AND POP 3<sup>RD</sup> AMENDMENT IS TO ADD ONE NEWLY FUNDED PROJECT.

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WHEREAS, Resolution No. 2329 was adopted by the Longview City Council on the 25th day of June, 2020, adopting the Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the six-year period of 2021-2026; and

WHEREAS, Resolution No. 2354 was adopted by the Longview City Council on the 25th day of March, 2021, amending the Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the six-year period of 2021-2026; and

WHEREAS, Resolution No. 2360 was adopted by the Longview City Council on the 13th day of May, 2021, amending the Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the six-year period of 2021-2026; and

WHEREAS, it is necessary to amend said Transportation Improvement Program and Program of Projects to provide for adding and changing proposed projects, and to supersede and replace said Resolution No. 2360 with this enactment; and

WHEREAS, pursuant to said requirements the City prepared a third amended Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the next ensuing six years (2021-2026) and this plan was presented to the Longview City Council on September 9, 2021; and



WHEREAS, the Longview City Council held the required public hearing thereon at 7:00 p.m. at the City Hall in Longview, Washington on the 9<sup>th</sup> day of September, 2021; and

WHEREAS, no unresolved written or oral objections to the revised Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) have been received by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Longview, that the amended Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the Federal Highway Administration, Transportation Improvement Board, Federal Transit Administration, Motor Vehicle Fuel Excise Tax, and other federal and state funded transportation projects as prepared by the Longview City Public Works Director and submitted to the Longview City Council, a copy of which is hereto attached and marked Exhibit A, is hereby adopted as the Official Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the City for the next ensuing six years through December 31, 2026, as required by RCW 35.77.010.

BE IT FURTHER RESOLVED, that a copy of said Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP), as shown on Exhibit A, attached and made a part of this Resolution, together with a copy of this Resolution, shall be filed with the Secretary of Transportation of the State of Washington not more than thirty (30) days after its adoption.

BE IT FURTHER RESOLVED, that Resolution No. 2360 shall be, and is hereby superseded and replaced by this Resolution.

PASSED by the City Council of the City of Longview in regular session and approved by the Mayor this 9<sup>th</sup> day of September, 2021.

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M A Y O R

ATTEST:

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City Clerk

CITY OF LONGVIEW  
SIX YEAR TRANSPORTATION IMPROVEMENT PLAN  
TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT)  
FROM 2021 TO 2026 - AMENDMENT #3

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# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                   | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |             |                         |                       |                 |             |                 | Expenditures Schedule |             |      |  | Federally Funded Projects Only |             |             |            |
|------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|-------------|-------------------------|-----------------------|-----------------|-------------|-----------------|-----------------------|-------------|------|--|--------------------------------|-------------|-------------|------------|
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Project Phase                         | Phase Start | Fund Source Information |                       |                 |             | State Fund Code |                       |             |      |  | State Funds                    | Local Funds | Total Funds | Envir Type |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 |                                       |             | Federal Funding         |                       | State Fund Code | State Funds |                 | Local Funds           | Total Funds |      |  |                                |             |             |            |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 |                                       |             | Federal Fund Code       | Federal Cost by Phase |                 |             |                 |                       |             |      |  |                                |             |             |            |
| 5                | 6               | <b>46TH AVE, SR 4 TO OLYMPIA WAY</b><br><br>from: OBH Hwy (SR 4) to: Olympia Way<br>Reconstruct 46th to incl cub, gutter sdwks & bike lanes<br>TOTAL PROJECT \$4,874,445 | 04               | S      | 0.35         | C<br>G<br>O<br>P<br>S<br>T<br>W | PE                                    | 01/01/21    |                         |                       | TIB             | 188         | 108             | 296                   | 296         |      |  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | RW                                    | 01/01/21    |                         |                       | TIB             | 64          | 36              | 100                   | 100         |      |  |                                |             |             |            |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | CN                                    | 02/01/22    | STPUS                   | 696                   | TIB             | 2848        | 935             | 4479                  |             | 4479 |  |                                |             |             |            |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             | 696                     |                       | 3100            |             | 4875            |                       | 396         | 4479 |  |                                |             |             |            |
| 3                | 7               | <b>WASH. WAY/28TH AVE. PED. HYBRID BEACON</b><br><br>from: Washington Way to: 28th Avenue<br>Install Pedestrian Hybrid Beacon<br>TOTAL PROJECT \$200,000                 | 21               | S      | .10          |                                 | PE                                    | 04/01/21    |                         |                       | SRTS            | 36          | 4               | 40                    | 40          |      |  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | CN                                    | 09/01/21    |                         |                       | SRTS            | 144         | 16              | 160                   | 160         |      |  |                                |             |             |            |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             |                         |                       | 180             |             | 20              | 200                   | 200         |      |  |                                |             |             |            |
| 4                | 8               | <b>PACIFIC WAY TRAIL CROSSING IMPROVEMENTS</b><br><br>from: 38th Avenue to: 42nd Avenue<br>Warning Devices, stop bars & warning signs<br>TOTAL PROJECT \$300,000         | 21               | S      | .10          |                                 | PE                                    | 04/01/21    |                         |                       | PBP             | 27          | 3               | 30                    | 30          |      |  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | CN                                    | 09/01/21    |                         |                       | PBP             | 243         | 27              | 270                   | 270         |      |  |                                |             |             |            |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             |                         |                       | 270             |             | 30              | 300                   | 300         |      |  |                                |             |             |            |
| 00               | 9               | <b>ONE TRANSIT COACH CTA 20-3</b><br><br>from: to:<br><br>TOTAL PROJECT \$520,000                                                                                        | 23               | S      |              |                                 | ALL                                   | 01/01/21    | 5307                    | 416                   |                 |             | 104             | 520                   | 520         |      |  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             | 416                     |                       | 104             |             | 520             | 520                   |             |      |  |                                |             |             |            |
| 00               | 10              | <b>COACH MIDLIFE OVERHAULS CTA 20-4</b><br><br>from: to:<br><br>TOTAL PROJECT \$324,000                                                                                  | 23               | S      |              |                                 | ALL                                   | 01/01/21    | 5307                    | 259                   |                 |             | 65              | 324                   | 324         |      |  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             | 259                     |                       | 65              |             | 324             | 324                   |             |      |  |                                |             |             |            |

CITY OF LONGVIEW  
SIX YEAR TRANSPORTATION IMPROVEMENT PLAN  
TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT)  
FROM 2021 TO 2026 - AMENDMENT #3

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# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                                                                                                  | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |                      |                         |                       |      |  |                 | Expenditures Schedule |      |      |      | Federally Funded Projects Only |             |             |            |
|------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|----------------------|-------------------------|-----------------------|------|--|-----------------|-----------------------|------|------|------|--------------------------------|-------------|-------------|------------|
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Project Phase                         | Phase Start          | Fund Source Information |                       |      |  | State Fund Code |                       |      |      |      | State Funds                    | Local Funds | Total Funds | Envir Type |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 |                                       |                      | Federal Funding         |                       |      |  |                 |                       |      |      |      |                                |             |             |            |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 |                                       |                      | Federal Fund Code       | Federal Cost by Phase |      |  |                 |                       |      |      |      |                                |             |             |            |
| 4                | 16              | <b>DOWNTOWN TRAFFIC SIGNAL UPGRADES</b><br>7th, 11th, 12th, Commerce & 14th<br><br>from: to:<br>Replace signal heads, revise signal timing & replace ped signal equipment<br>TOTAL PROJECT \$769,100                                                    | 21               | S      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 | HSIP<br>HSIP            | 83<br>677             |      |  | 9<br>0          | 92<br>677             | 92   |      | 677  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 760                     |                       | 9    |  | 769             |                       | 92   | 677  |      |                                |             |             |            |
| 3                | 17              | <b>DOWNTOWN RECT. RAPID FLASHING BEACONS</b><br>Wash Way @ 16th, 17th, 18th; Olympia @16th;<br>Broadway @ 8th & 11th<br>from: to:<br>Upgrade crosswalks with flashing beacons, curb ext., signs & striping<br>TOTAL PROJECT \$1,236,400                 | 21               | S      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 | HSIP<br>HSIP            | 171<br>1046           |      |  | 19<br>1046      | 190<br>1046           | 190  |      | 1046 |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 1217                    |                       | 19   |  | 1236            |                       | 190  | 1046 |      |                                |             |             |            |
| 3                | 18              | <b>CITYWIDE TRAFFIC DATA COLLECTION</b><br>Citywide<br><br>from: to:<br>Collect traffic data<br>TOTAL PROJECT \$15,000                                                                                                                                  | 21               | S      |              |                                 | PE<br>CN                              | 06/01/21             | HSIP                    | 13                    |      |  | 2               | 15                    | 15   |      |      |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 13                      |                       | 2    |  | 15              |                       | 15   |      |      |                                |             |             |            |
| 3                | 19              | <b>WASHINGTON WAY</b><br><br>from: Larch St. to: 34th Ave.<br>Grind & Overly, Panal Repl, Signal Upgrade, ADA Ramps & Channelization<br>TOTAL PROJECT \$4,794,000                                                                                       | 4                | S      | 1.9          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 10/01/21<br>03/01/23 | STP<br>STP              | 400<br>4394           |      |  |                 | 400<br>4394           | 50   | 350  | 4394 |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 4794                    |                       | 4794 |  | 50              | 350                   | 4394 |      |      |                                |             |             |            |
| 4                | 20              | <b>DOWNTOWN RECT. RAPID FLASHING BEACONS</b><br>7th @ Broadway & Florida; Kessler @ Hemlock;<br>Nichols @ Maple; Pacific @ Northlake<br>from: to:<br>Upgrade crosswalks with flashing beacons, curb ext., signs & striping<br>TOTAL PROJECT \$1,036,100 | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 | HSIP<br>HSIP            | 143<br>877            |      |  | 16<br>877       | 159<br>877            | 159  |      | 877  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 1020                    |                       | 16   |  | 1036            |                       | 159  | 877  |      |                                |             |             |            |

# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                                                              | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |                      |                         |                       |                      |             |                 | Expenditures Schedule |             |      |  | Federally Funded Projects Only |             |             |
|------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|----------------------|-------------------------|-----------------------|----------------------|-------------|-----------------|-----------------------|-------------|------|--|--------------------------------|-------------|-------------|
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Project Phase                         | Phase Start          | Fund Source Information |                       |                      |             | State Fund Code |                       |             |      |  | State Funds                    | Local Funds | Total Funds |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 |                                       |                      | Federal Funding         |                       | State Fund Code      | State Funds |                 | Local Funds           | Total Funds |      |  |                                |             |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 |                                       |                      | Federal Fund Code       | Federal Cost by Phase |                      |             |                 |                       |             |      |  |                                |             |             |
| 4                | 21              | <b>DOWNTOWN CROSSWALK UPGRADES</b><br>Commerce @ Vandercook; 11th @ Delaware & Maple;<br>8th @ Hudson 18th @ Olympia & Maple; 19th @ Olympia<br>from: to:<br>Upgrade low-risk crosswalks<br>TOTAL PROJECT \$133,600 | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/21 | HSIP<br>HSIP            | 10<br>123             |                      |             |                 | 1<br>123              | 11<br>123   |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      |                         |                       | 133                  | 1           | 134             | 11                    | 123         |      |  |                                |             |             |
| 4                | 22              | <b>NICHOLS @ MAPLE CROSSING IMPROVEMENTS</b><br>Nichols @ Maple<br><br>from: to:<br>Upgrade higher-risk crosswalks<br>TOTAL PROJECT \$350,000                                                                       | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 |                         |                       | PED/BIKE<br>PED/BIKE | 31<br>283   | 4<br>283        | 35<br>283             | 35<br>283   |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      |                         |                       | 314                  | 4           | 318             | 35                    | 283         |      |  |                                |             |             |
| 6                | 23              | <b>COLUMBIA HEIGHTS ROAD</b><br>Fisher's Lane to Cascade Drive<br><br>from: Fishers Lane to: Cascade Drive<br>Reconstruct roadway adding drainage, sidewalk, bike lane & guard rail<br>TOTAL PROJECT \$7,100,000    | 4                | P      | 1            | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 |                         | 5500                  |                      |             | 100<br>1500     | 100<br>7000           | 100<br>2000 | 4900 |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      |                         |                       | 1600                 | 7100        | 100             | 2000                  | 4900        |      |  |                                |             |             |
| 7                | 24              | <b>COMMERCE AVENUE</b><br>Hemlock St. to Florida Street<br><br>from: Hemlock St. to: Florida Street<br>Reconst sidewalk, crosswalk, adding streetscape incl stmwtr retrofit<br>TOTAL PROJECT \$1,250,000            | 4                | P      | .67          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 | STPUS                   | 1150                  |                      |             | 100<br>1150     | 100<br>1150           | 100<br>1150 |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      |                         |                       | 100                  | 1250        | 100             | 1150                  |             |      |  |                                |             |             |
| 7                | 25              | <b>7TH AVE. &amp; DOUGLAS ROUNDABOUT</b><br>Intersection<br><br>from: to:<br>Construct roundabout including sidewalks & bike lanes<br>TOTAL PROJECT \$1,000,000                                                     | 4                | P      | .30          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 | STPUS                   | 750                   |                      |             | 100<br>150      | 100<br>900            | 100<br>900  |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      |                         |                       | 250                  | 1000        | 100             | 900                   |             |      |  |                                |             |             |

# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                               | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |                      |                         |                       |                      |             |                 |             | Expenditures Schedule |             |     |      | Federally Funded Projects Only |             |            |                           |
|------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|----------------------|-------------------------|-----------------------|----------------------|-------------|-----------------|-------------|-----------------------|-------------|-----|------|--------------------------------|-------------|------------|---------------------------|
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 | Project Phase                         | Phase Start          | Fund Source Information |                       |                      |             | State Fund Code | State Funds |                       |             |     |      | Local Funds                    | Total Funds | Envir Type | R/W Required Date (MM/YY) |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      | Federal Funding         |                       | State Fund Code      | State Funds |                 |             | Local Funds           | Total Funds |     |      |                                |             |            |                           |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      | Federal Fund Code       | Federal Cost by Phase |                      |             |                 |             |                       |             |     |      |                                |             |            |                           |
| 6                | 26              | <b>14TH AVENUE</b><br>Alabama St. to Beech Street<br><br>from: Alabama St. to: Beech St.<br>Construct street including drainage, sidewalks & bike lanes<br>TOTAL PROJECT \$1,000,000 | 1                | P      | .93          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 |                         |                       | STPUS                | 750         |                 |             | 100<br>150            | 100<br>900  | 100 | 900  |                                |             | CE         | No                        |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 | Totals                                |                      |                         |                       |                      |             |                 |             | 250                   | 1000        | 100 | 900  |                                |             |            |                           |
| 4                | 27              | <b>KESSLER @ HEMLOCK CROSSING IMPROVEMENTS</b><br>Kessler @ Hemlock<br><br>from: to:<br>Upgrade higher-risk crosswalks<br>TOTAL PROJECT \$175,000                                    | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 |                         |                       | PED/BIKE<br>PED/BIKE | 16<br>142   | 2<br>16         | 18<br>158   | 18<br>158             |             |     | CE   | No                             |             |            |                           |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 | Totals                                |                      |                         |                       |                      |             |                 |             | 158                   | 18          | 176 | 18   | 158                            |             |            |                           |
| 4                | 28              | <b>7TH AVE @ FLORIDA CROSSING IMPROVEMENTS</b><br>7th Ave. @ Florida<br><br>from: to:<br>Upgrade higher-risk crosswalks<br>TOTAL PROJECT \$175,000                                   | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 |                         |                       | PED/BIKE<br>PED/BIKE | 16<br>141   | 2<br>16         | 18<br>157   | 18<br>157             |             |     | CE   | No                             |             |            |                           |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 | Totals                                |                      |                         |                       |                      |             |                 |             | 157                   | 18          | 175 | 18   | 157                            |             |            |                           |
| 00               | 29              | <b>TRANSIT OPERATING ASSISTANCE CTA 22-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000                                                                                       | 23               | P      |              |                                 | ALL                                   | 01/01/22             | 5307                    | 825                   |                      |             | 825             | 1650        |                       | 1650        |     | CE   | No                             |             |            |                           |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 | Totals                                |                      |                         |                       |                      |             |                 |             | 825                   |             | 825 | 1650 | 1650                           |             |            |                           |
| 00               | 30              | <b>ONE TRANSIT COACH CTA 22-2</b><br><br>from: to:<br><br>TOTAL PROJECT \$600,000                                                                                                    | 23               | P      |              |                                 | ALL                                   | 01/01/22             | 5307                    | 480                   |                      |             | 120             | 600         |                       | 600         |     | CE   | No                             |             |            |                           |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 | Totals                                |                      |                         |                       |                      |             |                 |             | 480                   |             | 120 | 600  | 600                            |             |            |                           |



# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                                  | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |             |                         |                       |       |  |                 |             | Expenditures Schedule |  |       |      | Federally Funded Projects Only |             |
|------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|-------------|-------------------------|-----------------------|-------|--|-----------------|-------------|-----------------------|--|-------|------|--------------------------------|-------------|
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 | Project Phase                         | Phase Start | Fund Source Information |                       |       |  | State Fund Code | State Funds |                       |  |       |      | Local Funds                    | Total Funds |
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 |                                       |             | Federal Funding         |                       |       |  |                 |             |                       |  |       |      |                                |             |
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 |                                       |             | Federal Fund Code       | Federal Cost by Phase |       |  |                 |             |                       |  |       |      |                                |             |
| 00               | 31              | <b>TRANSIT OPERATING ASSISTANCE CTA 23-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000                                                                                          | 23               | P      |              |                                 | ALL                                   | 01/01/23    | 5307                    | 1300                  |       |  | 1300            | 2600        |                       |  | 2600  |      | CE                             | No          |
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |             | 1300                    |                       | 1300  |  | 2600            |             | 2600                  |  |       |      |                                |             |
| 3                | 32              | <b>INDUSTRIAL WAY/OREGON WAY INTERSECTION</b><br><br>from: Industrial Way to: Oregon Way<br>Construct elevated signalized intersection, realign rail line<br>TOTAL PROJECT \$98,430,000 | 01               | P      | .10          | C<br>G<br>O<br>P<br>S<br>T<br>W | CN                                    | 01/01/23    | BUILD<br>INFRA          | 13420                 |       |  | 83230           | 96650       |                       |  | 96650 |      | EIS                            | Yes         |
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |             | 13420                   |                       | 83230 |  | 96650           |             | 96650                 |  | 0     |      |                                |             |
| 00               | 33              | <b>TRANSIT OPERATING ASSISTANCE CTA 24-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000                                                                                          | 23               | P      |              |                                 | ALL                                   | 01/01/24    | 5307                    | 1300                  |       |  | 1300            | 2600        |                       |  |       | 2600 | CE                             | No          |
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |             | 1300                    |                       | 1300  |  | 2600            |             | 2600                  |  |       |      |                                |             |
| 00               | 34              | <b>TRANSIT OPERATING ASSISTANCE CTA 25-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000                                                                                          | 23               | P      |              |                                 | ALL                                   | 01/01/25    | 5307                    | 825                   |       |  | 825             | 1650        |                       |  |       | 1650 | CE                             | No          |
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |             | 825                     |                       | 825   |  | 1650            |             | 1650                  |  |       |      |                                |             |
| 00               | 35              | <b>ONE TRANSIT COACH CTA 25-2</b><br><br>from: to:<br><br>TOTAL PROJECT \$600,000                                                                                                       | 23               | P      |              |                                 | ALL                                   | 01/01/25    | 5307                    | 480                   |       |  | 120             | 600         |                       |  |       | 600  | CE                             | No          |
|                  |                 |                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |             | 480                     |                       | 120   |  | 600             |             | 600                   |  |       |      |                                |             |

# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                         | Improvement Type | Status | Total Length | Utility Codes | Project Costs in Thousands of Dollars |             |                         |                       |  |  |                 |             | Expenditures Schedule |     |      |      | Federally Funded Projects Only |             |
|------------------|-----------------|------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------|---------------------------------------|-------------|-------------------------|-----------------------|--|--|-----------------|-------------|-----------------------|-----|------|------|--------------------------------|-------------|
|                  |                 |                                                                                                |                  |        |              |               | Project Phase                         | Phase Start | Fund Source Information |                       |  |  | State Fund Code | State Funds |                       |     |      |      | Local Funds                    | Total Funds |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             | Federal Funding         |                       |  |  |                 |             |                       |     |      |      |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             | Federal Fund Code       | Federal Cost by Phase |  |  |                 |             |                       |     |      |      |                                |             |
| 00               | 36              | <b>TRANSIT OPERATING ASSISTANCE CTA 26-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000 | 23               | P      |              |               | ALL                                   | 01/01/26    | 5307                    | 825                   |  |  | 825             | 1650        |                       |     |      | 1650 | CE                             | No          |
|                  |                 |                                                                                                |                  |        |              |               | Totals                                |             |                         |                       |  |  |                 |             | 825                   | 825 | 1650 | 1650 |                                |             |
| 00               | 37              | <b>ONE TRANSIT COACH CTA 26-2</b><br><br>from: to:<br><br>TOTAL PROJECT \$600,000              | 23               | P      |              |               | ALL                                   | 01/01/26    | 5307                    | 480                   |  |  | 120             | 600         |                       |     |      | 600  | CE                             | No          |
|                  |                 |                                                                                                |                  |        |              |               | Totals                                |             |                         |                       |  |  |                 |             | 480                   | 120 | 600  | 600  |                                |             |



# City of Longview

## Agenda Summary

### **RESOLUTION NO. 2375 - ADOPT AMENDMENT #3 OF THE 2021 - 2026 SIX YEAR TRANSPORTATION IMPROVEMENT PLAN (TIP) AND RIVERCITIES TRANSIT PROGRAM OF PROJECTS**

#### **RECOMMENDED ACTION:**

**MOTION TO ADOPT RESOLUTION NO. 2375**

#### **COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Improve transportation systems

#### **CITY ATTORNEY REVIEW: REQUIRED**

#### **SUMMARY STATEMENT:**

Each year, as required by state law, the City updates and adopts a Six-Year Transportation Improvement Program (TIP). The TIP is a priority listing of federally funded or proposed transportation-related projects within the City. The TIP identifies the year and the funding sources for the various projects, as well as other basic information on the projects. In order to receive federal or state transportation funding, a project must appear on the City's adopted TIP. However, the TIP may be amended by the City Council at any time to add or delete projects or change funding sources and amounts, following a public hearing on the proposed amendment.

Additionally, federal law requires transit agencies receiving Federal Transit Administration (FTA) funding to prepare a Program of Projects (POP) identifying the projects to be funded with FTA funding, and to conduct a public hearing and outreach process prior to adopting the POP. The TIP includes FTA funded projects and meets the requirements of the POP.

Resolution No. 2375 will adopt Amendment #3 of the 2021–2026 Six-Year Transportation Improvement Plan and RiverCities Transit Program of Projects, to add one newly funded project.

#### **STAFF CONTACT:**

Ken Hash, Public Works Director

#### **Attachments:**

1. Res 2375 - 3rd Amendment 2021-2026 TIP.POP
2. Exhibit A - 6 Year TIP.POP 2021-26 Amendment #3

RESOLUTION NO. 2375

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A RESOLUTION AMENDING THE SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (TIP) (2021-2026) AND RIVERCITIES TRANSIT PROGRAM OF PROJECTS (POP) FOR THE CITY OF LONGVIEW, WASHINGTON, AND SUPERSEDING AND REPLACING RESOLUTION NO. 2360. THE PURPOSE OF THIS TIP AND POP 3<sup>RD</sup> AMENDMENT IS TO ADD ONE NEWLY FUNDED PROJECT.

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WHEREAS, Resolution No. 2329 was adopted by the Longview City Council on the 25th day of June, 2020, adopting the Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the six-year period of 2021-2026; and

WHEREAS, Resolution No. 2354 was adopted by the Longview City Council on the 25th day of March, 2021, amending the Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the six-year period of 2021-2026; and

WHEREAS, Resolution No. 2360 was adopted by the Longview City Council on the 13th day of May, 2021, amending the Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the six-year period of 2021-2026; and

WHEREAS, it is necessary to amend said Transportation Improvement Program and Program of Projects to provide for adding and changing proposed projects, and to supersede and replace said Resolution No. 2360 with this enactment; and

WHEREAS, pursuant to said requirements the City prepared a third amended Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the next ensuing six years (2021-2026) and this plan was presented to the Longview City Council on September 9, 2021; and

WHEREAS, the Longview City Council held the required public hearing thereon at 7:00 p.m. at the City Hall in Longview, Washington on the 9<sup>th</sup> day of September, 2021; and

WHEREAS, no unresolved written or oral objections to the revised Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) have been received by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Longview, that the amended Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the Federal Highway Administration, Transportation Improvement Board, Federal Transit Administration, Motor Vehicle Fuel Excise Tax, and other federal and state funded transportation projects as prepared by the Longview City Public Works Director and submitted to the Longview City Council, a copy of which is hereto attached and marked Exhibit A, is hereby adopted as the Official Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP) for the City for the next ensuing six years through December 31, 2026, as required by RCW 35.77.010.

BE IT FURTHER RESOLVED, that a copy of said Transportation Improvement Program (TIP) and RiverCities Transit Program of Projects (POP), as shown on Exhibit A, attached and made a part of this Resolution, together with a copy of this Resolution, shall be filed with the Secretary of Transportation of the State of Washington not more than thirty (30) days after its adoption.

BE IT FURTHER RESOLVED, that Resolution No. 2360 shall be, and is hereby superseded and replaced by this Resolution.

PASSED by the City Council of the City of Longview in regular session and approved by the Mayor this 9<sup>th</sup> day of September, 2021.

---

M A Y O R

ATTEST:

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City Clerk

CITY OF LONGVIEW  
SIX YEAR TRANSPORTATION IMPROVEMENT PLAN  
TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT)  
FROM 2021 TO 2026 - AMENDMENT #3

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# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                   | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |             |                         |                       |                 |             |                 | Expenditures Schedule |             |      |  | Federally Funded Projects Only |             |             |
|------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|-------------|-------------------------|-----------------------|-----------------|-------------|-----------------|-----------------------|-------------|------|--|--------------------------------|-------------|-------------|
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Project Phase                         | Phase Start | Fund Source Information |                       |                 |             | State Fund Code |                       |             |      |  | State Funds                    | Local Funds | Total Funds |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 |                                       |             | Federal Funding         |                       | State Fund Code | State Funds |                 | Local Funds           | Total Funds |      |  |                                |             |             |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 |                                       |             | Federal Fund Code       | Federal Cost by Phase |                 |             |                 |                       |             |      |  |                                |             |             |
| 5                | 6               | <b>46TH AVE, SR 4 TO OLYMPIA WAY</b><br><br>from: OBH Hwy (SR 4) to: Olympia Way<br>Reconstruct 46th to incl cub, gutter sdwks & bike lanes<br>TOTAL PROJECT \$4,874,445 | 04               | S      | 0.35         | C<br>G<br>O<br>P<br>S<br>T<br>W | PE                                    | 01/01/21    |                         |                       | TIB             | 188         | 108             | 296                   | 296         |      |  |                                | CE          | No          |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | RW                                    | 01/01/21    |                         |                       | TIB             | 64          | 36              | 100                   | 100         |      |  |                                |             |             |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | CN                                    | 02/01/22    | STPUS                   | 696                   | TIB             | 2848        | 935             | 4479                  |             | 4479 |  |                                |             |             |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             | 696                     |                       | 3100            |             | 4875            |                       | 396         | 4479 |  |                                |             |             |
| 3                | 7               | <b>WASH. WAY/28TH AVE. PED. HYBRID BEACON</b><br><br>from: Washington Way to: 28th Avenue<br>Install Pedestrian Hybrid Beacon<br>TOTAL PROJECT \$200,000                 | 21               | S      | .10          |                                 | PE                                    | 04/01/21    |                         |                       | SRTS            | 36          | 4               | 40                    | 40          |      |  |                                | CE          | No          |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | CN                                    | 09/01/21    |                         |                       | SRTS            | 144         | 16              | 160                   | 160         |      |  |                                |             |             |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             |                         |                       | 180             |             | 20              | 200                   | 200         |      |  |                                |             |             |
| 4                | 8               | <b>PACIFIC WAY TRAIL CROSSING IMPROVEMENTS</b><br><br>from: 38th Avenue to: 42nd Avenue<br>Warning Devices, stop bars & warning signs<br>TOTAL PROJECT \$300,000         | 21               | S      | .10          |                                 | PE                                    | 04/01/21    |                         |                       | PBP             | 27          | 3               | 30                    | 30          |      |  |                                | CE          | No          |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | CN                                    | 09/01/21    |                         |                       | PBP             | 243         | 27              | 270                   | 270         |      |  |                                |             |             |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             |                         |                       | 270             |             | 30              | 300                   | 300         |      |  |                                |             |             |
| 00               | 9               | <b>ONE TRANSIT COACH CTA 20-3</b><br><br>from: to:<br><br>TOTAL PROJECT \$520,000                                                                                        | 23               | S      |              |                                 | ALL                                   | 01/01/21    | 5307                    | 416                   |                 |             | 104             | 520                   | 520         |      |  |                                | CE          | No          |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             | 416                     |                       |                 |             | 104             | 520                   | 520         |      |  |                                |             |             |
| 00               | 10              | <b>COACH MIDLIFE OVERHAULS CTA 20-4</b><br><br>from: to:<br><br>TOTAL PROJECT \$324,000                                                                                  | 23               | S      |              |                                 | ALL                                   | 01/01/21    | 5307                    | 259                   |                 |             | 65              | 324                   | 324         |      |  |                                | CE          | No          |
|                  |                 |                                                                                                                                                                          |                  |        |              |                                 | Totals                                |             | 259                     |                       |                 |             | 65              | 324                   | 324         |      |  |                                |             |             |



CITY OF LONGVIEW  
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# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                                                                                                  | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |                      |                         |                       |      |  |                 | Expenditures Schedule |      |     |      | Federally Funded Projects Only |             |             |            |
|------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|----------------------|-------------------------|-----------------------|------|--|-----------------|-----------------------|------|-----|------|--------------------------------|-------------|-------------|------------|
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Project Phase                         | Phase Start          | Fund Source Information |                       |      |  | State Fund Code |                       |      |     |      | State Funds                    | Local Funds | Total Funds | Envir Type |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 |                                       |                      | Federal Funding         |                       |      |  |                 |                       |      |     |      |                                |             |             |            |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 |                                       |                      | Federal Fund Code       | Federal Cost by Phase |      |  |                 |                       |      |     |      |                                |             |             |            |
| 4                | 16              | <b>DOWNTOWN TRAFFIC SIGNAL UPGRADES</b><br>7th, 11th, 12th, Commerce & 14th<br><br>from: to:<br>Replace signal heads, revise signal timing & replace ped signal equipment<br>TOTAL PROJECT \$769,100                                                    | 21               | S      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 | HSIP<br>HSIP            | 83<br>677             |      |  | 9<br>0          | 92<br>677             | 92   |     | 677  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 760                     |                       | 9    |  | 769             | 92                    | 677  |     |      |                                |             |             |            |
| 3                | 17              | <b>DOWNTOWN RECT. RAPID FLASHING BEACONS</b><br>Wash Way @ 16th, 17th, 18th; Olympia @16th;<br>Broadway @ 8th & 11th<br>from: to:<br>Upgrade crosswalks with flashing beacons, curb ext., signs & striping<br>TOTAL PROJECT \$1,236,400                 | 21               | S      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 | HSIP<br>HSIP            | 171<br>1046           |      |  | 19<br>1046      | 190<br>1046           | 190  |     | 1046 |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 1217                    |                       | 19   |  | 1236            | 190                   | 1046 |     |      |                                |             |             |            |
| 3                | 18              | <b>CITYWIDE TRAFFIC DATA COLLECTION</b><br>Citywide<br><br>from: to:<br>Collect traffic data<br>TOTAL PROJECT \$15,000                                                                                                                                  | 21               | S      |              |                                 | PE<br>CN                              | 06/01/21             | HSIP                    | 13                    |      |  | 2<br>15         | 15                    | 15   |     |      |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 13                      |                       | 2    |  | 15              | 15                    |      |     |      |                                |             |             |            |
| 3                | 19              | <b>WASHINGTON WAY</b><br><br>from: Larch St. to: 34th Ave.<br>Grind & Overly, Panal Repl, Signal Upgrade, ADA Ramps & Channelization<br>TOTAL PROJECT \$4,794,000                                                                                       | 4                | S      | 1.9          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 10/01/21<br>03/01/23 | STP<br>STP              | 400<br>4394           |      |  |                 | 400<br>4394           | 50   | 350 | 4394 |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 4794                    |                       | 4794 |  | 50              | 350                   | 4394 |     |      |                                |             |             |            |
| 4                | 20              | <b>DOWNTOWN RECT. RAPID FLASHING BEACONS</b><br>7th @ Broadway & Florida; Kessler @ Hemlock;<br>Nichols @ Maple; Pacific @ Northlake<br>from: to:<br>Upgrade crosswalks with flashing beacons, curb ext., signs & striping<br>TOTAL PROJECT \$1,036,100 | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 | HSIP<br>HSIP            | 143<br>877            |      |  | 16<br>877       | 159<br>877            | 159  |     | 877  |                                |             | CE          | No         |
|                  |                 |                                                                                                                                                                                                                                                         |                  |        |              |                                 | Totals                                |                      | 1020                    |                       | 16   |  | 1036            | 159                   | 877  |     |      |                                |             |             |            |

# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                                                              | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |                      |                         |                       |                      |             |                 | Expenditures Schedule |             |      |  | Federally Funded Projects Only |             |             |
|------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|----------------------|-------------------------|-----------------------|----------------------|-------------|-----------------|-----------------------|-------------|------|--|--------------------------------|-------------|-------------|
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Project Phase                         | Phase Start          | Fund Source Information |                       |                      |             | State Fund Code |                       |             |      |  | State Funds                    | Local Funds | Total Funds |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 |                                       |                      | Federal Funding         |                       | State Fund Code      | State Funds |                 | Local Funds           | Total Funds |      |  |                                |             |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 |                                       |                      | Federal Fund Code       | Federal Cost by Phase |                      |             |                 |                       |             |      |  |                                |             |             |
| 4                | 21              | <b>DOWNTOWN CROSSWALK UPGRADES</b><br>Commerce @ Vandercook; 11th @ Delaware & Maple;<br>8th @ Hudson 18th @ Olympia & Maple; 19th @ Olympia<br>from: to:<br>Upgrade low-risk crosswalks<br>TOTAL PROJECT \$133,600 | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/21 | HSIP<br>HSIP            | 10<br>123             |                      |             | 1<br>123        | 11<br>123             | 11<br>123   |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      | 133                     |                       | 1                    |             | 134             |                       | 11          | 123  |  |                                |             |             |
| 4                | 22              | <b>NICHOLS @ MAPLE CROSSING IMPROVEMENTS</b><br>Nichols @ Maple<br><br>from: to:<br>Upgrade higher-risk crosswalks<br>TOTAL PROJECT \$350,000                                                                       | 21               | P      | .10          |                                 | PE<br>CN                              | 06/01/21<br>09/01/22 |                         |                       | PED/BIKE<br>PED/BIKE | 31<br>283   | 4<br>283        | 35<br>283             | 35<br>283   |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      | 314                     |                       | 4                    |             | 318             |                       | 35          | 283  |  |                                |             |             |
| 6                | 23              | <b>COLUMBIA HEIGHTS ROAD</b><br>Fisher's Lane to Cascade Drive<br><br>from: Fishers Lane to: Cascade Drive<br>Reconstruct roadway adding drainage, sidewalk, bike lane & guard rail<br>TOTAL PROJECT \$7,100,000    | 4                | P      | 1            | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 |                         | 5500                  |                      |             | 100<br>1500     | 100<br>7000           | 100<br>2000 | 4900 |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      | 1600                    |                       | 7100                 |             | 100             | 2000                  | 4900        |      |  |                                |             |             |
| 7                | 24              | <b>COMMERCE AVENUE</b><br>Hemlock St. to Florida Street<br><br>from: Hemlock St. to: Florida Street<br>Reconst sidewalk, crosswalk, adding streetscape incl stmwtr retrofit<br>TOTAL PROJECT \$1,250,000            | 4                | P      | .67          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 | STPUS                   | 1150                  |                      |             | 100<br>1150     | 100<br>1150           | 100<br>1150 |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      | 100                     |                       | 1250                 |             | 100             | 1150                  |             |      |  |                                |             |             |
| 7                | 25              | <b>7TH AVE. &amp; DOUGLAS ROUNDABOUT</b><br>Intersection<br><br>from: to:<br>Construct roundabout including sidewalks & bike lanes<br>TOTAL PROJECT \$1,000,000                                                     | 4                | P      | .30          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 | STPUS                   | 750                   |                      |             | 100<br>150      | 100<br>900            | 100<br>900  |      |  | CE                             | No          |             |
|                  |                 |                                                                                                                                                                                                                     |                  |        |              |                                 | Totals                                |                      | 250                     |                       | 1000                 |             | 100             | 900                   |             |      |  |                                |             |             |

# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                                                                                                               | Improvement Type | Status | Total Length | Utility Codes                   | Project Costs in Thousands of Dollars |                      |                         |                       |                 |                      |                 |             | Expenditures Schedule |             |      |  | Federally Funded Projects Only |             |
|------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------------------------|---------------------------------------|----------------------|-------------------------|-----------------------|-----------------|----------------------|-----------------|-------------|-----------------------|-------------|------|--|--------------------------------|-------------|
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 | Project Phase                         | Phase Start          | Fund Source Information |                       |                 |                      | State Fund Code | State Funds |                       |             |      |  | Local Funds                    | Total Funds |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      | Federal Funding         |                       | State Fund Code | State Funds          |                 |             | Local Funds           | Total Funds |      |  |                                |             |
|                  |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      | Federal Fund Code       | Federal Cost by Phase |                 |                      |                 |             |                       |             |      |  |                                |             |
| 6                | 26              | <b>14TH AVENUE</b><br>Alabama St. to Beech Street<br><br>from: Alabama St. to: Beech St.<br>Construct street including drainage, sidewalks & bike lanes<br>TOTAL PROJECT \$1,000,000 | 1                | P      | .93          | C<br>G<br>O<br>P<br>S<br>T<br>W | PE<br>CN                              | 06/01/21<br>06/01/22 | STPUS                   | 750                   |                 |                      | 100<br>150      | 100<br>900  | 100                   | 900         |      |  | CE                             | No          |
| Totals           |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      | 250                     | 1000                  | 100             | 900                  |                 |             |                       |             |      |  |                                |             |
| 4                | 27              | <b>KESSLER @ HEMLOCK CROSSING IMPROVEMENTS</b><br>Kessler @ Hemlock<br><br>from: to:<br>Upgrade higher-risk crosswalks<br>TOTAL PROJECT \$175,000                                    | 21               | P      | .10          |                                 |                                       | PE<br>CN             | 06/01/21<br>09/01/22    |                       |                 | PED/BIKE<br>PED/BIKE | 16<br>142       | 2<br>16     | 18<br>158             | 18<br>158   |      |  | CE                             | No          |
| Totals           |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      |                         | 158                   | 18              | 176                  | 18              | 158         |                       |             |      |  |                                |             |
| 4                | 28              | <b>7TH AVE @ FLORIDA CROSSING IMPROVEMENTS</b><br>7th Ave. @ Florida<br><br>from: to:<br>Upgrade higher-risk crosswalks<br>TOTAL PROJECT \$175,000                                   | 21               | P      | .10          |                                 |                                       | PE<br>CN             | 06/01/21<br>09/01/22    |                       |                 | PED/BIKE<br>PED/BIKE | 16<br>141       | 2<br>16     | 18<br>157             | 18<br>157   |      |  | CE                             | No          |
| Totals           |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      |                         | 157                   | 18              | 175                  | 18              | 157         |                       |             |      |  |                                |             |
| 00               | 29              | <b>TRANSIT OPERATING ASSISTANCE CTA 22-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000                                                                                       | 23               | P      |              |                                 |                                       | ALL                  | 01/01/22                | 5307                  | 825             |                      |                 | 825         | 1650                  |             | 1650 |  | CE                             | No          |
| Totals           |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      |                         | 825                   |                 | 825                  | 1650            | 1650        |                       |             |      |  |                                |             |
| 00               | 30              | <b>ONE TRANSIT COACH CTA 22-2</b><br><br>from: to:<br><br>TOTAL PROJECT \$600,000                                                                                                    | 23               | P      |              |                                 |                                       | ALL                  | 01/01/22                | 5307                  | 480             |                      |                 | 120         | 600                   |             | 600  |  | CE                             | No          |
| Totals           |                 |                                                                                                                                                                                      |                  |        |              |                                 |                                       |                      |                         | 480                   |                 | 120                  | 600             | 600         |                       |             |      |  |                                |             |

# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                         | Improvement Type | Status | Total Length | Utility Codes | Project Costs in Thousands of Dollars |             |                         |                       |       |       |                 |             | Expenditures Schedule |       |       |       | Federally Funded Projects Only |             |
|------------------|-----------------|------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------|---------------------------------------|-------------|-------------------------|-----------------------|-------|-------|-----------------|-------------|-----------------------|-------|-------|-------|--------------------------------|-------------|
|                  |                 |                                                                                                |                  |        |              |               | Project Phase                         | Phase Start | Fund Source Information |                       |       |       | State Fund Code | State Funds |                       |       |       |       | Local Funds                    | Total Funds |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             | Federal Funding         |                       | State | Local |                 |             | Total                 |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             | Federal Fund Code       | Federal Cost by Phase |       |       |                 |             |                       | Funds | Funds | Funds |                                |             |
| 00               | 31              | <b>TRANSIT OPERATING ASSISTANCE CTA 23-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000 | 23               | P      |              |               | ALL                                   | 01/01/23    | 5307                    | 1300                  |       |       | 1300            | 2600        |                       |       | 2600  |       | CE                             | No          |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             |                         |                       |       |       |                 |             |                       |       |       |       |                                |             |
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# EXHIBIT A

## CITY OF LONGVIEW SIX YEAR TRANSPORTATION IMPROVEMENT PLAN TRANSIT PROGRAM OF PROJECTS (RIVERCITIES TRANSIT) FROM 2021 TO 2026 - AMENDMENT #3

| Functional Class | Priority Number | Project Identification                                                                         | Improvement Type | Status | Total Length | Utility Codes | Project Costs in Thousands of Dollars |             |                         |                       |      |      |                 | Expenditures Schedule |  |  |  | Federally Funded Projects Only |             |             |
|------------------|-----------------|------------------------------------------------------------------------------------------------|------------------|--------|--------------|---------------|---------------------------------------|-------------|-------------------------|-----------------------|------|------|-----------------|-----------------------|--|--|--|--------------------------------|-------------|-------------|
|                  |                 |                                                                                                |                  |        |              |               | Project Phase                         | Phase Start | Fund Source Information |                       |      |      | State Fund Code |                       |  |  |  | State Funds                    | Local Funds | Total Funds |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             | Federal Funding         |                       |      |      |                 |                       |  |  |  |                                |             |             |
|                  |                 |                                                                                                |                  |        |              |               |                                       |             | Federal Fund Code       | Federal Cost by Phase |      |      |                 |                       |  |  |  |                                |             |             |
| 00               | 36              | <b>TRANSIT OPERATING ASSISTANCE CTA 26-1</b><br><br>from: to:<br><br>TOTAL PROJECT \$4,700,000 | 23               | P      |              |               | ALL                                   | 01/01/26    | 5307                    | 825                   |      |      | 825             | 1650                  |  |  |  | 1650                           | CE          | No          |
|                  |                 |                                                                                                |                  |        |              |               | Totals                                |             | 825                     | 825                   | 1650 | 1650 |                 |                       |  |  |  |                                |             |             |
| 00               | 37              | <b>ONE TRANSIT COACH CTA 26-2</b><br><br>from: to:<br><br>TOTAL PROJECT \$600,000              | 23               | P      |              |               | ALL                                   | 01/01/26    | 5307                    | 480                   |      |      | 120             | 600                   |  |  |  | 600                            | CE          | No          |
|                  |                 |                                                                                                |                  |        |              |               | Totals                                |             | 480                     | 120                   | 600  | 600  |                 |                       |  |  |  |                                |             |             |



# City of Longview

## Agenda Summary

**PLANNING COMMISSION RECOMMENDATION: PRELIMINARY PLAT APPROVAL OF MT. SOLO PLACE, PHASES 4-5, A 76 LOT RESIDENTIAL SUBDIVISION.**

**RECOMMENDED ACTION: MOTION TO ACCEPT THE RECOMMENDATION OF THE PLANNING COMMISSION AND ADOPT THE FINDINGS AND CONDITIONS OF THE STAFF REPORT AND GRANT PRELIMINARY PLAT APPROVAL FOR THE PROPOSED SUBDIVISION.**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Improve streets and roads  
Strengthen economic conditions & create new opportunities

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

The Planning Commission, at their August 4, 2021 regular meeting, held a public hearing on the proposed subdivision and made a recommendation for the City Council to approve the application. Public comments relating to preservation of certain trees bordering the Heron Pointe manufactured home park and traffic impacts to the existing phase 1 of Village at Mt Solo which fronts Mt. Solo Rd. were heard.

The area of this application was previously approved by the City of Longview for a single family subdivision in 1998. Originally proposed as phases 4 & 5 of the Master Plan for the Village at Mt. Solo, only phases 1 and 2 were completed, leaving the approval for this portion of the master plan to expire after several extensions. The 5.7 acre Altrusa Park was constructed and dedicated to the City with the 1998 subdivision project and was deemed sufficient for this proposed subdivision. Wetland mitigation, including a new trail will be completed with phases 1-3 of Mt. Solo Place subdivision.

**STAFF CONTACT:**

Adam Trimble, Interim Planning Manager

**Attachments:**

1. Planning Comm recommendation \_Prelim Plat\_ Mt Solo Estates 4-5
2. PC 2021-6 Staff Report Mt Solo Place 4-5 Prelim Plat
3. Exhibit A Preliminary plat application Mt Solo Place 4-5
4. - PRELIMINARY PLANS



## **Memorandum**

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September 2, 2021

**TO:** Longview City Council

**FROM:** Adam Trimble, Planner

**SUBJECT:** Planning Commission recommendation for Preliminary Subdivision Plat:  
Mt. Solo Place Phases 4-5

On August 4, 2021, the Longview Planning Commission held a public hearing on the Preliminary Subdivision Plat for Mt. Solo Place Phases 4-5, a 76 lot single family subdivision. Following the public hearing, the Planning Commission voted unanimously to recommend approval of the preliminary plat subject to conditions that were recommended in the staff report. The 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 applicant shall provide additional information from a geotechnical engineer regarding soil preparation and consolidation and installation of streets and utilities prior to obtaining construction permits.
3. 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.



4. 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.
5. The applicant shall propose additional street tree species to improve diversity and resistance to disease and provide planting locations as approved by the city Parks Manager
6. 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.
7. Community mailboxes (or mail service as approved by the USPS) shall be provided by the developer prior to final plat approval or secured with a bond.
8. 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.
9. The 'tank traps' in the applicants property bordering CDID#1 property between Schneider Drive and Ditch 10 must be filled.
10. 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.
11. The maximum unimpeded length on a residential street shall be 800-feet. For street segments over 800-feet if required by the City Engineer, an engineer shall submit an analysis of potential traffic calming features. The streets to be considered shall include: Henderson Way. 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.
12. 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.
13. The Developer must provide a subdivision improvement bond for completion of sidewalks planting strips and street trees if those items are not constructed prior to final plat approval.
14. 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 3.73 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.
5. The variance requested from zoning standards for lot frontage width on a cul-de-sac for seven lots satisfy the criteria for a modification from adopted standards.

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



## **STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION**

**PRESENTED BY:** Adam Trimble, Planner

**PROJECT NAME:** Preliminary Subdivision Plat: Mt. Solo Place Phases 4-5

**CASE NO.:** PC 2021-6

**RELATED CASES:** E 2021-7

**HEARING DATE:** August 4, 2021

**PROPOSAL:** Preliminary Subdivision Plat approval for a 76 lot single family residential subdivision in two phases, on 20.36 acres. Phase 4 will include 37 lots and phase 5 will include 39 lots. [Exhibits A & B]

**LOCATION:** The property is located in west Longview and will connect two existing subdivisions of single family homes located between Willow Grove Connection Rd (State Route 432) and Mt. Solo Rd. between the 2000 and 1900 blocks of Branch Creek Drive. The property is located within the NW ¼ of Section 23, T8N, R3W & the SW ¼ of Section 14, T8N, and R3W in Cowlitz County  
Parcel No.: Parcel Number(s): 107460100, 107200100.

**APPLICANT:** Hinton Development Corp., SGA Engineering, PLLC  
14010-A NE 3rd Court Suite 106 2005 Broadway Street  
Vancouver, WA 98685 Vancouver, WA 98663

**CONTACT:** Joe Melo Phone 360-921-7410 joe@hintondevelopment.com

**PROPERTY OWNER:** Solo, LLC 14010-A NE 3rd Court Suite 106 Vancouver, WA 98685

**SEPA DETERMINATION:** A determination of non-significance (DNS) was issued by the SEPA Responsible Official on July 20, 2021. The comment period closed at 6:00PM on August 4, 2021 [Application No. E 2021-7] [Exhibit C]

## **I. BACKGROUND**

### **A. GENERAL SITE INFORMATION**

|                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Zoning District:</i>                | R-1 Residential District                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Comprehensive Plan Designation:</i> | Low Density Residential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <i>Adjacent Land Uses:</i>             | <u>North:</u> A manufactured home park, single family homes on large lots, Cowlitz County road maintenance yard, vacant land, Ocean Beach Hwy, and a retail convenience store.<br><u>East:</u> Mt. Solo Place phases 1-3, single family residential subdivision<br><u>South:</u> Mt. Solo Place phases 1-3, single family residential subdivisions, single family homes on large lots and vacant land.<br><u>West:</u> C.D.I.D No.1 Ditch No. 10, Willow Grove Connection road, Columbia River levy and estuary. |
| <i>Adjacent Zoning Designations:</i>   | R-1 Residential, R-2 Residential and R-3 Residential.                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Parcel Size (square feet):</i>      | Approximately 50 +/- acres                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <i>Existing Vegetation:</i>            | Predominantly grasses and shrubs, blackberry and some trees                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <i>Existing Structures:</i>            | None.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Geologic Hazards:</i>               | Soils have severe restrictions for urban development due to high water table and shrink/swell potential.                                                                                                                                                                                                                                                                                                                                                                                                         |
| <i>Shoreline Designation:</i>          | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <i>Floodplains:</i>                    | No mapping indicators                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Frequently Flooded Areas:</i>       | No mapping indicators                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Wetlands:</i>                       | A Critical Areas report addendum finds that there are no jurisdictional wetlands on the site.                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <i>Steep Slopes:</i>                   | No mapping indicators                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Unstable Soils:</i>                 | No mapping indicators                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <i>Soils Description:</i>              | Ch, Caples silty clay loam                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <i>Soil Characteristics:</i>           | Slowly permeable and surface runoff is very slow, poorly drained, slight susceptibility to erosion                                                                                                                                                                                                                                                                                                                                                                                                               |
| <i>Gradient of Soils on-site:</i>      | 0-3%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

*Seismic Liquefaction:*

Site has potential to liquefy in a seismic event

*Critical Area Recharge Areas:*

N/A

## **B. LAND USE HISTORY**

The property has been farmland and pasture since the formation of the consolidated diking district #1 and establishment of Longview. The area of this application was previously approved by the City of Longview for a single family subdivision in 1998. Originally proposed as phases 4 & 5 of the Master Plan for the Village at Mt. Solo, only phases 1 and 2 were completed, leaving the approval for this portion of the master plan to expire after several extensions. Since 1999, phases 1 and 2 of Village at Mt. Solo have been completed and built out with single family homes. The 5.7 acre Altrusa Park was constructed and dedicated to the City and wetland mitigation including a network of trails was completed for the existing subdivisions.

## **C. KEY ISSUES**

Wetland mitigation

Seismic design to mitigate liquefaction risk

Emergency access and safety

## **D. DIMENSIONAL STANDARDS**

Table 1 of LMC 19.20.030 Density and dimensional standards, specifies lot design standards in the R-1 zone.

Based on the information provided by the applicant, staff finds that the proposed lot dimensions meet the requirements for the R-1 zone in phases 4-5. Certain lots shown on the master plan will need to be re-configured to meet the minim requirements. The requirements are below:

| Standard                                                                                                                                         |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|
|                                                                                                                                                  | <b>R-1</b>                         |
| Minimum lot size (square feet)                                                                                                                   | 6,000; townhouses per PUD approval |
| Minimum lot frontage/width (feet)                                                                                                                | 50                                 |
| Minimum lot frontage on a cul-de-sac: In all zones, lot frontage on cul-de-sac lots may be reduced up to 25 percent of base standard (see above) |                                    |
| Maximum density (units per acre)                                                                                                                 | 6 units                            |
| Front yard setback (feet)                                                                                                                        | 25                                 |
| Front yard setback (alley-loading) <sup>3</sup>                                                                                                  | 15                                 |
| Rear yard setback <sup>4</sup> (feet)                                                                                                            | 15                                 |
| Side yard setback <sup>5</sup> (feet)                                                                                                            | 5                                  |

| Standard                                                         |            |
|------------------------------------------------------------------|------------|
|                                                                  | <b>R-1</b> |
| Side yard (street) setback – corner lot, street flanking (feet)  | 15         |
| Maximum building height – residential (feet)                     | 35         |
| Maximum building height – accessory building (feet) <sup>7</sup> | 20         |
| Maximum impervious area of lot <sup>8</sup>                      | 65%        |

## **E. APPLICABLE CODE SECTIONS**

The development project proposed is governed by the Longview Subdivision Code, which is codified as LMC 19.80. Sections of the subdivision ordinance that are directly applicable to this proposal include (if applicable, the staff response is provided in italics immediately after the code requirement):

### **Planning Commission Action: LMC §19.80.120 Approval criteria.**

(1) To grant approval of a preliminary subdivision, the applicant must demonstrate compliance with all of the following criteria:

(a) Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for transportation, water, stormwater management, erosion and sediment control and sanitary sewage disposal methods that are consistent with the city's current ordinances, standards and plans; *the applicant has submitted a utility plan and stormwater reports and obtained the necessary permits to start grading and pre-loading the site.*

(b) Appropriate provisions have been made for but not limited to public health, safety and general welfare; *the proposed design will provide for traffic calming features, sidewalks and street lighting.*

(c) Appropriate provisions have been made for proposed streets, alleys and public ways, utilities and other improvements that are consistent with the city's current ordinances, standards and plans, and Department of Health and/or Washington State Department of Transportation standards and plans, where applicable; *the subdivision will construct streets, utilities and other improvements consistent with City of Longview standards and specifications. WSDOT has reviewed the SR432 deceleration lane plans and approved them as part of phases 1-3 approval.*

(d) Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for open space, parks, schools, dedications, easements and reservations; *the development will dedicate all streets, sidewalks and trails for public use. Open space and recreation has been provided through the existing Altrusa Park which was sized per city requirements in 1998 to serve the area covered by this subdivision. Additional open space will be provided by walking trails, wetlands and wetland buffer areas in phases 1-3 and 4-5.*

(e) The design of the proposed subdivision site has taken into consideration the physical features of the site, including but not limited to: topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat

or wetlands; *the site layout works with the existing sloughs, wetlands and physical features of the site. The site has two existing agriculture ditches which are man-made drains to assist with the historical farming and agricultural use of the site. A submitted critical areas report (addendum) finds that there are no jurisdictional wetlands present in the development site.*

(f) When replatting an existing subdivision, the subdivision shall comply with all of the terms and conditions of the existing subdivision's conditions of approval; *N/A*

(g) Compliance with the following: *The 8 following requirements are discussed elsewhere in this staff report.*

(i) State requirements including those set for in Chapter [58.17](#) RCW;

(ii) Longview parks and recreation plan and the Cowlitz regional trails plan;

(iii) Longview zoning ordinance;

(iv) Cowlitz County shoreline master program;

(v) The stormwater management requirements set forth in Chapter [17.80](#) LMC;

(vi) The standards of this chapter and this title;

(vii) The International Fire Code and other adopted code;

(viii) Plans and specifications adopted by the public works department including those set forth in Chapter [12.50](#) LMC and the Longview standard plans and specifications; and

(ix) Other plans and programs as the city has adopted;

(h) A proposed subdivision may be disapproved because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved covering any land situated in a flood control zone as provided in Chapter [86.16](#) RCW without the prior written approval of the State Department of Ecology; *the site is located in an area exempt from flood insurance due to the presence of levees and sloughs maintained by the diking district.*

(i) Dedication of land to any public body, provision of public improvements to serve the subdivision may be required as a condition of subdivision approval. An offer of dedication may include a waiver of right of direct access to any street from any property, and if the dedication is accepted, any such waiver is effective. The city may require such waiver as a condition of approval. Any dedication, donation or grant as shown on the face of the plat shall be considered for all intents and purposes as a quitclaim deed to the said donor(s) grantee(s) for his/her/their use for the purpose intended by the grantor(s) or donor(s). If the plat is subject to a dedication, a certificate or separate written instrument shall contain the dedication of all streets and other areas to the public, any individuals, religious societies or corporation (public or private), as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat. *The final plat will prepare all required covenants and agreements for all public and private dedications as conditioned by the City with the preliminary plat approval.*

(2) Written Findings Required. During the public hearing on the preliminary plat, the city shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and any dedications proposed. The proposed subdivision and/or dedications shall not be approved/ accepted or recommended for approval/acceptance unless the planning commission and/or city council makes written findings that the approval criteria have been met. *Written findings and a staff recommendation to the Planning Commission to recommend approval of the subdivision with conditions are contained at the end of this staff report.*

(3) Authority to Condition Approval. The commission and council may attach those conditions to an approval or recommendation for approval as deemed necessary to promote the public interest, safety, health and welfare, except as prohibited in this chapter or other law. The commission may recommend and the council may require that conditions of approval be listed on the face of the final plat. In order that the applicant/developer bear a fair share of the cost of repair or improvement of these affected properties, facilities and services, the commission may recommend and the council may require construction, repair expansion, improvement or other provision of off-site improvements by the applicant. Such requirements may include but shall not be limited to dedication of land for right-of-way, resurfacing a street that provides access to a subdivision, or replacement in inadequately sized off-site utilities whose capacity will be affected by the development. For short plats, the director may establish conditions and require similar improvements as part of a conditionally approved preliminary short plat. *City staff has thoroughly reviewed the application and recommends the Planning Commission and City Council approve the subdivision with the conditions of approval listed in this report.*

(4) Phasing. For phased projects, the commission shall consider the relationship between the preliminary plat and the master plan. The master plan should be used to establish appropriate modifications to the preliminary plat, conditions of approval, dedications and off-site improvements. *A master plan showing these two phases (a total of 168 lots) was submitted with a 2018 subdivision application. The master plan is not binding but has allowed staff to evaluate whether appropriate infrastructure, dedications and off-site improvements were included in the project to enable these phases.*

(5) Length of Preliminary Approval. Approval of a preliminary plat shall be effective for five years from the date of city council approval...; the *LMC provides a process to request two year extensions if warranted.*

### **Public Improvements Minimum Standards LMC §19.80.130**

Public improvements may be required of any subdivision and shall be installed at the expense of the owner. Unless otherwise noted, all designs shall be consistent with the Longview standard plans and specifications; provided, that if a conflict exists between two different standards the required design shall be determined by the city engineer. The following standards within this section shall be followed in the development of all subdivisions and shall be considered minimum standards:

In addition to standards contained herein, all subdivision plats shall comply with the following:

- (1) APWA Specifications;
- (2) The current edition of the Uniform Fire Code, as amended by the city;
- (3) Policies for street identification of the Cowlitz County Communication Center;



(4) Applicable state laws and regulations.

(1) Streets, Curbs, Sidewalks, Alleys. The standards set forth in Chapter [12.50](#) LMC shall be met. *Staff has reviewed the street layout and recommends a condition of approval for the applicant to determine traffic calming measures to be installed on select streets. 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: Henderson Way. The Final Plat design review will evaluate whether the proposal meets standards.*

(2) Stormwater management shall conform to Chapter [17.80](#) LMC and all other applicable statutes. *The applicant has submitted a stormwater report and drainage plan and worked with staff to obtain a grading permit and state construction stormwater permit.*

(a) Stormwater low impact development (LID) best management practices and site designs that minimize impervious surfaces, native vegetation loss, and stormwater runoff shall be implemented to the fullest extent practicable. *The applicant proposes to integrate low impact development (LID) into the proposal.*

(3) Easements. The following easement standards apply:

(a) Utility Easements. Perpetual easement to utility providers for installation and maintenance of utilities shall be provided to serve each and every lot at locations deemed necessary by the utility providers. Such utilities may include sewer, water, stormwater, gas, electricity, communication lines and cables and other similar utilities. Utility easements shall be at least 10 feet in width or five feet on each side of contiguous lot lines unless otherwise approved by the city engineer. When the utility easements are needed at lot corners, the size of the easement shall be at least five feet by five feet. Additional easements for major distribution and transmission lines or unusual electric or communication facilities may be required where necessary. Additional easements for major distribution and transmission lines or unusual electric or communication facilities may be required.

(b) Easements for unusual facilities such as high-voltage electric transmission lines, drainage canals and similar areas shall be of such width as is determined to be necessary by the city engineer for the purpose, including any necessary maintenance roads.

(c) If a subdivision is traversed by a watercourse, such as a drainageway, channel or stream, there shall be provided a perpetual stormwater easement or drainage right-of-way conforming substantially to the seasonal high-water line of the watercourse and of such further width as will ensure protection of water-carrying capacity and access to the watercourse for maintenance of capacity. Such recorded easement or right-of-way shall be measured from the centerline of the watercourse and shall give to the appropriate authority access for the purpose of maintenance of water-carrying capacity. Such easement may not be necessary where buffers are required by Chapter [17.10](#) LMC. In determining the width of such easements, the city engineer shall give consideration to the requirements and recommendations of the applicable diking district in regard to the operation of maintenance equipment and the placement of spoils where appropriate. The size and nature of the district's drainage facility and the elevation and slope of the abutting upland property shall be considered in determining the minimum width required.

*Staff has proposed a condition of approval to require easements along the front property line to accommodate power and other utility providers. Final easement locations, widths and other details will be determined at final plat.*

(4) Installation of Utilities.

- (a) All distribution laterals and primary and secondary lines and wires serving the subdivision, including those providing electric, street lighting, telephone, and cable television service, shall be placed underground. All utilities shall be installed at the lot line of each and every lot prior to acceptance of improvements and shall be constructed in the street right-of-way unless otherwise approved by the city engineer. The applicant shall make necessary arrangements with utility providers or other appropriate persons for underground installations. This requirement does not apply to surface-mounted transformers, switching facilities, connection boxes, meter cabinets, temporary utility facilities used during construction, high capacity transmission lines, electric utility substations, cable television amplifiers, telephone pedestals, cross-connect terminals, repeaters, warning signs or traffic control equipment.
- (b) Sanitary sewers and water system improvements shall be installed at the developer's expense, to serve all subdivisions, by extension of the existing city sewer and water lines and any other upgrades and improvements necessary to ensure adequate capacity. Such facilities shall be designed and sized to the satisfaction of the city engineer and shall be of sufficient capacity to accommodate the ultimate development density of all intended phases in adjacent areas.
- (c) Utility installations shall be in accordance with city design standards.
- (d) Street Lighting. Street lighting shall be included in the development of all future platting or subdivisions. Street lights shall be placed at all street intersections and at other locations designated by the city engineer. A complete street lighting system, including conduits, wiring, concrete bases, poles, junction boxes, meter base, service cabinets and luminaries, shall be installed by the developer throughout the subdivision in accordance with city standards. Light conduit shall be placed in a separate ditch unless otherwise approved by the city. The applicant shall submit plans and manufacturer technical information meeting or exceeding city of Longview standards to the city engineer and public utility district for approval of all specifications and materials used in the system.
- (e) Landscaping of Planting/Utility Strip. The developer or their successor shall be responsible for ensuring that, prior to issuance of an occupancy permit for a lot, the utility/planting strip abutting the curb adjacent to the lot is planted in grass or other approved landscaping and with street trees. The plantings shall include street trees meeting the following characteristics:
  - (i) Shall be at least two-inch DBH at time of planting and be spaced at approximately 30-foot intervals on center;
  - (ii) Shall be centered between the curb and sidewalk;
  - (iii) Shall be planted at least 20 feet from driveways, at least 20 feet from street light standards and at least eight feet from fire hydrants and sewer laterals;

- (iv) Shall be of a type, species and quantity approved by the superintendent of parks;
  - (v) Shall be at least 30 feet from any corner where curb lines intersect; and shall be planted and maintained in an acceptable manner.
- (f) Timing and procedure for construction of sidewalks shall be as follows:
- (i) All intersection curb ramps shall be constructed with roadway infrastructure required for the subdivision;
  - (ii) Sidewalks shall be constructed with roadway infrastructure required for the subdivision on all open space tracts, nonbuilding lots, and on the major street frontage of double frontage lots; and
  - (iii) On building lots, construction of the sidewalk shall be done on a lot-by-lot basis, prior to issuance of a certificate of occupancy for the lot.

*These requirements will be met or addressed by the applicant during the design phase. The submitted preliminary plat shows designs consistent with the standards for utilities. A lighting study will be completed to evaluate where street lights are needed.*

(5) Natural Features Preservation and Landscaping.

- (a) Plats shall be designed to preserve and enhance significant natural features and resources, including but not limited to natural contours, watercourses, marshes, scenic points and views, large trees, natural groves, rock formations, and sensitive areas; to be compatible with aesthetic values of the area; and to reflect natural limitations inherent in the property.
- (b) Plats shall be designed to minimize impacts on adjacent properties and on off-site or citywide public facilities and services, such as streets, drainage ways and storm sewers.
- (c) Plats shall be designed to preserve to the extent possible significant trees as defined by Chapter [19.09](#) LMC and as more specifically set forth in this section. When the preservation of at least 20 percent of significant trees, inclusive of those found in preserved critical area buffers and open space or recreation tracts, is deemed not feasible, the applicant shall mitigate for the loss of tree canopy by incorporating additional landscaping, tree plantings and/or buffer enhancements (if applicable) or through other means as approved by the city. Significant trees that will remain on site shall be protected during construction through the use of fencing, rock wells and other means that provide protection corresponding to the drip line of the tree(s), which is the vertical projection of the foliage at its greatest circumference. Assurances shall be provided to ensure the long-term protection of significant trees, or trees planted as mitigation, via notations on the final plat and within recorded covenants. Exemptions may be included to allow removal of those trees deemed dangerous or hazardous to public health, safety and welfare by a professional arborist.
- (d) Screening shall be implemented as follows:

- (i) Fences, hedges or landscaping buffer strips may be required by the city to separate commercial and industrial zoning districts from residential districts or uses in conformance with the zoning ordinance standards;
- (ii) In the case of residential subdivisions abutting major arterials, the applicant shall provide a buffer strip a minimum of 10 feet wide along the lot line abutting the arterial. Hedges or trees shall be planted in the buffer strip of a height that will become a solid, effective sight screen within three years, unless existing vegetation provides substantial screening;
- (iii) Fencing may be required to limit access to areas that may be hazardous to the public, including stormwater detention ponds and facilities. Landscaping shall be required along the perimeter of the fence and may include a mix of trees and shrubs; and
- (iv) Native vegetation and soil should be used to minimize the need for irrigation and pest control.

*The applicant identifies no mature trees in phases 4-5 and proposes to remove none. A condition of approval recommends the applicant evaluate and propose methods to improve soil bearing capacity of the site as the submitted geotechnical report was found to be inadequate and mute on key issues such as street and utility installation according to City staff. New street trees [Rocky Mountain Glow] are proposed per City requirements. A condition of approval will ask the applicant to propose additional tree species and provide planting locations as approved by the city Parks Manager. Wetland buffer enhancement plantings will take place on-site. A Preliminary Landscape Plan and Critical Areas report and addendum have been submitted, which detail the proposed landscaping.*

- (6) Pedestrian/Bicycle Ways in and through Residential Subdivisions. In blocks over 800 feet in length, a pedestrian/bicycle way with a minimum width of 15 feet may be required through the middle of the block. The pathway shall be paved using materials accepted by the city engineer. If unusual conditions require blocks longer than 1,200 feet in length, two pedestrian/bicycle ways shall be required. Pedestrian ways may also be required to connect cul-de-sacs or to pass through unusually shaped lots to provide for public convenience (e.g., direct route to school, etc.), safety and circulation.

*There are no blocks where a pass-through path is necessary. The development has excellent circulation and a multi-use path will be constructed in phases 1-3 which connects to the existing park.*

- (7) Subdivision and Street Naming. Subdivision names shall not duplicate or too closely approximate phonetically the name of any other subdivision within the Longview area, except that in the case of successive subdivisions of a phased development, plats may be differentiated in name by sequential numbering or by direction (north, south, etc.). Streets having the same name except for "Court," "Lane" or other suffix shall be deemed duplicative and not permitted. Names of new streets running on a line with an existing street but separated by a park or barrier may duplicate the name of the existing street; provided, that a prefix indicating direction from the park or barrier is attached to the new street's name. The city council shall have the right to rename subdivisions and streets.

*Sadie Lane and Melody Way are previously reviewed/approved street names. Henderson Way, Kayla Ct. and Quarter Ct. are new proposed street names. There are no duplicate or similar street names found in the Longview vicinity.*

(8) Lots or Parcels.

- (a) Each lot shall be provided direct access by means of minimum frontage on a dedicated and improved public street.
- (b) The minimum size of any lot or parcel of property within a subdivision shall conform to the standards of this title unless otherwise approved pursuant to this title.
- (c) Residential lots which have street frontage along two opposite boundaries shall be discouraged, except for reverse-frontage lots which are essential to provide separation to residential development from primary traffic arterials or collectors or to overcome specific disadvantages of topography and orientation. For such lots there shall be an easement or other restriction in favor of the appropriate governmental entity at least 10 feet wide along the lot lines abutting said primary arterial across which there shall be no right of access may be required.
- (d) Insofar as practicable, side lot lines shall be at right angles to straight street lines and radial to corner street lines. Placing adjacent lots at right angles to one another shall be avoided where possible.
- (e) Residential subdivisions should be designed so that individual lots or parcels do not require direct vehicular access to arterial streets and that direct access to collector streets is minimized.
- (f) Where lots are more than double the minimum lot size required for the zone, the city council may require that the subdivision be designed to accommodate future subdivision and the opening of future streets and expansion of existing streets. The city may also require that a subdivision's street network be designed to accommodate future growth on adjacent properties in support of greater connectivity and a more efficient transportation network.
- (g) Lots shall be laid out to provide drainage away from all buildings, and individual lot drainage shall be coordinated with the storm drainage pattern for the area. Drainage shall be designed to avoid concentration of stormwater from one lot to an adjacent lot.

*At least 7 lots [139-144, 120-123] will require a variance from the lot frontage requirement of 37 ½ feet width (for a cul-de-sac) on a public street. All 7 lots have enough frontage for single-vehicle width access so the request is to reduce the frontage from 37 ½' to between 12 and 30 feet. A separate written variance request will be evaluated during the public hearing. The planning commission can recommend approval, a lesser reduction and or conditions. All other proposed lots in phases 4-5 appear to meet these requirements. All lots will be evaluated in the Final Plat design to determine if they meet these standards.*

(9) Blocks.

- (a) Length. In general, blocks shall be as long as is reasonable and consistent with the topography and the needs for convenient access, circulation, control and safety of street traffic and the type of land use proposed. The block length shall not ordinarily exceed 800 feet or be less than 400 feet; provided, that the city may approve an alternative design.
- (b) Width. Except for reverse-frontage parcels or when topographic conditions do not permit, the width of blocks shall ordinarily be sufficient to allow for two tiers of lots of depths consistent with the type of land use proposed. This width shall normally be not less than 200 feet for the sum of two lot depths.
- (c) Intersecting streets shall be so laid out that blocks shall not be more than 800 feet in length between rights-of-way for local access street only. In the case of long blocks or oddly shaped blocks and to facilitate pedestrian access to parks, playgrounds, open space or schools, the applicant may be required to construct pedestrian and bicycle easements of not less than five feet in width on a dedicated right-of-way or perpetual unobstructed easement of not less than 15 feet in width, to extend through the block(s) at location(s) deemed necessary. Widths of blocks shall be such as to allow two rows of lots, except that blocks along the perimeters of a plat may have one row of lots.
- (d) Blocks intended for commercial and industrial use shall be designed specifically for such purposes, with adequate space provided for off-street parking, loading and delivery.

*The proposed subdivision meets these requirements.*

#### (10) Park and Recreation Improvements.

- (a) The planning commission and city council shall review the need for park and/or trail development when reviewing preliminary subdivision applications and may require the developer to dedicate land for park development as a condition of approval in accordance with this title. For the purposes of this chapter, the term “park” shall also include trails. Applicant-paid park improvements shall be constructed per the plat conditions. As agreed to by the city, a fee-in-lieu of park land dedication proposal may be considered in accordance with RCW [82.02.020](#) and such fee shall be paid prior to final plat approval, unless otherwise authorized by the city. The location and characteristics of land dedicated for park and recreational purposes shall follow these standards:
  - (i) The area proposed for park dedication may be located either within or outside the boundaries of the property described in the subdivision, but must either be adjacent to an existing or proposed city park site or within the same park service area in which the subdivision is located. Park service area is considered to be within one-half mile of the subdivision for which it is required;
  - (ii) The area proposed for park dedication shall have characteristics and location which make it suitable for future inclusion into the city parks system, as determined by the director of parks and recreation;
  - (iii) With the approval of the director, the area proposed for park dedication or portion thereof may contain valuable or sensitive environmental features,

preservation of which is consistent with the city's comprehensive plan and/or parks and recreation plan;

- (iv) All lots within the subdivision for which park dedication is required shall have legal and convenient access to the area proposed for park dedication, at the time of final plat approval; and
  - (v) The topography, soils, hydrography and other physical characteristics of the area proposed for park dedication shall be of such quality as to allow the development of community or neighborhood parks, or to create a flat, dry, obstacle-free space on at least 90 percent of the total required area in a configuration which allows for active recreation, shall have no known safety hazards, and shall have no known physical problems such as the presence of hazardous waste, pipeline of power easements, drainage, erosion, or flooding that the director of parks and recreation determines would cause inordinate demands upon public resources for maintenance and operation of the property to be dedicated to the city. Park sites should also be located so that persons living within the service area will not have to cross a major arterial street to get to the site.
- (b) Minimum Size of Land Dedicated for Park Purposes. Applicants who dedicate open space for park land pursuant to this chapter shall dedicate at least seven acres per 1,000 population generated by the proposed subdivision. This requirement is based on the level of service (LOS) standards adopted per the Longview park and recreation plan for needs of a neighborhood park including but not limited to such amenities as play equipment, athletic areas such as baseball/softball diamonds, soccer/football fields, volleyball courts, hard surface areas such as tennis courts, basketball courts, in-line skating rinks, picnic areas, walk/trail systems, restrooms, natural areas, open spaces and buffer zones. The formula for determination of the required minimum park dedication shall be:
- (i) Single-family dwelling use districts and subdivisions of land zoned higher density where up to fourplexes are proposed shall provide .0168 acres of park area per permitted dwelling unit within the plat, based on an average of 2.4 persons per household and desired park land ratio of seven acres per 1,000 people for neighborhood parks per the Longview park and recreation plan;
  - (ii) Developments consisting of multifamily dwellings shall provide park areas consistent with the standards set forth in Chapter [19.20](#) LMC;
  - (iii) Linear trails shall be designed as approved by the director of parks and recreation or their designee. Total trail area improved and/or dedicated may be less than the area standards above, as approved by the city.
- (c) Final Plat Approval Conditioned upon Park Land Dedication. When approval of the final plat of a subdivision is conditioned upon the dedication and/or improvement of land for park/trail purposes, the final plat shall not be approved or recorded until the director of parks and recreation has determined in writing that any land to be dedicated is shown on the face of the final plat, or in a deed conveying the land to the city which has been recorded with the Cowlitz County auditor's office or the instrument conveying the land to the city has been transmitted to the city council for acceptance of the dedication by ordinance.



*The proposed subdivision, while not a direct continuation of the previously approved master plan for the Village at Mt. Solo, will benefit from the existing 5.7 acre Altrusa Park built under that subdivision approval. As a condition of approval for the Village at Mt. Solo, the City, on the request of the Parks Director, required one large park to be built and dedicated instead of two smaller parks as was proposed. The Parks and Recreation Department has reviewed the proposed subdivision and determined the existing Altrusa Park, playground/shelter etc. is adequate and no additional park land is needed. The applicant agreed to develop and dedicate a trail in phases 1-3 for public use which will serve the residents of phases 4-5 as well.*

*Less opportunity for a trail along the CDID #1 ditch exists for proposed phases 4-5. The ditch along the NW boundary is narrow and may be maintained from the other side. It also dead-ends and includes areas set-aside for wetland protection as part of the development. The potential to enhance Altrusa park with a new improvement or sport facility remains an option although the city or public comments have not identified a specific need as of this report.*

## **F. STAFF DISCUSSION**

City staff has the advantage of having reviewed and approved this subdivision in the past and more recently for phase 1-3. Utilities, streets, recreation and stormwater management have been designed and approved previously. While some changes were made between the Village at Mt. Solo and the Mt. Solo Place applications, the layout is very similar, as is the utility design. In phases 1-3 a long planned sewer force main will be constructed to connect the proposed subdivision to the sewer transmission mains in Ocean Beach highway. Other off-site improvements will help safely accommodate additional residents in the neighborhood: construction of a sidewalk along the west side of Mt. Solo Rd. to Ocean Beach Hwy and construction of a right-turn deceleration taper on SR 432 are examples. Traffic calming measures it deemed necessary by the City Engineer, will be proposed and constructed on long, uninterrupted roads such as Henderson Way, for safety and livability.

The primary concern staff has regarding the proposed development is the underlying soils. The geotechnical report identified the soil has severe restrictions for urban development due to high water table and shrink/swell potential. In the opinion of staff, the geotechnical report produced by the applicant, does not adequately address the soil constraints and does not provide sufficient direction for mitigation to minimize risks. Staff is confident the risk can be mitigated but will recommend a condition of approval that the applicant provide additional information from a geotechnical engineer regarding soil preparation and consolidation, and installation of streets and utilities prior to obtaining construction permits. Individual home construction will also require a report from a geotechnical engineer to address methods for constructing foundations to minimize risk of damage from liquefaction during an earthquake.

Critical area wetlands and habitat in phases 1-3 have been addressed through a wetland delineation report and management plan. The applicant has designed phases 4-5 to avoid disturbing possible wetlands on the remainder of the site. With buffer enhancement and reduction the site will comply with the Longview Critical Areas Ordinance. The developer will be required to obtain all necessary permits from the Consolidated Diking Improvement District No. 1 prior to commencing work within areas of those agencies jurisdiction.



Notice of this public hearing was posted in two locations, mailed to property owners within 300 feet of the proposal and published in the newspaper 10 days prior to the public hearing and published again 3 days prior to the public hearing. [Exhibit D]

## **G. SEPA DETERMINATION**

A determination of non-significance (DNS) was issued by the SEPA Responsible Official on July 20, 2021. The comment period closed at 6:00PM on August 4, 2021. The City received comments from Longview Parks and Recreation regarding trails, the Washington State Department of Fish and Wildlife regarding wetlands (in phases 1-3). A public comment was received from a neighbor living in Heron Pointe praising the preservation of a tree and vegetation area that borders that neighborhood (it is proposed to be un-touched by this development). Any further comments will be provided at the public meeting.

The SEPA documents are attached as [Exhibit C].

## **II. STAFF 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 3.73 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.
5. The variance requested from zoning standards for lot frontage width on a cul-de-sac for seven lots satisfy the criteria for a modification from adopted standards.

## **III. RECOMMENDATION**

Based on the analysis of the issues and findings of fact, staff recommends that the Planning Commission forward a recommendation of approval to the City Council for the Mt. Solo Place Phases 4-5 Preliminary Plat, subject to the following conditions:

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 applicant shall provide additional information from a geotechnical engineer regarding soil preparation and consolidation and installation of streets and utilities prior to obtaining construction permits.
3. 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.
4. 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.
5. The applicant shall propose additional street tree species to improve diversity and resistance to disease and provide planting locations as approved by the city Parks Manager
6. 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.
7. Community mailboxes (or mail service as approved by the USPS) shall be provided by the developer prior to final plat approval or secured with a bond.
8. 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.
9. The 'tank traps' in the applicants property bordering CDID#1 property between Schneider Drive and Ditch 10 must be filled.
10. 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.
11. The maximum unimpeded length on a residential street shall be 800-feet. For street segments over 800-feet if required by the City Engineer, an engineer shall submit an analysis of potential traffic calming features. The streets to be considered shall include: Henderson Way. 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.
12. 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.

13. The Developer must provide a subdivision improvement bond for completion of sidewalks planting strips and street trees if those items are not constructed prior to final plat approval.
14. 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.

#### **RECOMMENDED MOTION**

“Move to accept the findings of the planning staff and submit a favorable recommendation to the Longview City Council of Case No. PC 2021-6, subject to the conditions of approval contained within the staff report.”

Motion to adopt staff findings that the variance requested from zoning standards for lot frontage width on a cul-de-sac for seven lots satisfies the criteria for a modification from adopted standards.

#### **IV. EXHIBITS**

- A. Application
- B. Preliminary Subdivision Plat
- C. SEPA documents
- D. Public Notice

Report date: September 2, 2021

# **Mt. Solo Estates Subdivision**

## **Phases IV & V**

Tax Parcel: 107460-100 & 107200-100

Jurisdiction



## **Preliminary Application**

### **Prepared for:**

Hinton Development, Corp.  
Attn: Rob Hinton  
14010-A NE 3<sup>rd</sup> Court Suite 106  
Vancouver, WA 98685  
Phone (360) 546-1220  
rob@hintondevelopment.com

### **Prepared by:**

SGA Engineering, PLLC  
2005 Broadway Street  
Vancouver, WA 98663  
Phone (360) 993-0911  
Fax (360) 993-0912  
staylor@sgaengineering.com

June 8, 2021  
Project #0802



CIVIL ENGINEERING  
DEVELOPMENT SERVICES  
LAND PLANNING  
LANDSCAPE ARCHITECTURE



## Preliminary 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 Preliminary Subdivision Plat

Per LMC 19.80, RCW 35A.63.100 RCW, 58.17, and other laws of the state of Washington

Application Number: PC 2021-6

Related Case Number(s): E 2021-7

THIS SECTION FOR OFFICE USE ONLY:

Applicant: Mt. Solo, LLC (Print All Information) Phone: 360-921-7410

Contact Name: Joe Melo email: joe@hintondevelopment.com

Mailing Address: 14010-A NE 3<sup>rd</sup> Court Suite 106  
(Street or PO Box)

City: Vancouver State: WA Zip: 98685

Property Owner Same as Applicant (Print All Information) Phone: \_\_\_\_\_

Contact Name: \_\_\_\_\_ email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Fax: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Represented By: SGA Engineering Scott Taylor (If Different From Above) Phone: 360-993-0911

Mailing Address: 2005 Broadway email: staylor@sgaengineering.com

City: Vancouver State: WA Zip: 98663

Relationship to Owner: Engineer, Planner

Engineer or Surveyor: SGA Engineering Scott Taylor Phone: 360-993-0911

Mailing Address: 2005 Broadway email: staylor@sgaengineering.com

City: Vancouver State: WA Zip: 98663

Signature of Engineer or Surveyor:  6-10-2021

Property Address of Lot(s) to be Divided: N/A

Total Area of Parcel (square feet): 2,164,496 Name of Subdivision: Mt. Solo Estates Ph 4-5

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Assessor's Parcel Number(s): 107200-100 & 107460-100

Location: Section 34 Township & Range 8N 3W Willamette Meridian

FILING FEE:

Base Review Fee:..... \$ 1,738 +\$81 per lot

SEPA Fee (If applicable)..... \$ 579

Critical Area Permit Fee (if applicable)..... \$ 115

Total Fees:..... \$ 8588.00

Comments: \_\_\_\_\_

REQUIRED 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. No decisions will be made 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 notices.

Signature of Applicant: \_\_\_\_\_

Date: 4/11/2021

Signature of Property Owner: \_\_\_\_\_

Date: 4/11/2021

Signature of Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Signature of Property Owner: \_\_\_\_\_

Date: \_\_\_\_\_

NOTES TO APPLICANT:

1. No application for a Preliminary Subdivision shall be considered or reviewed by the City of Longview unless this application form is completed and submitted with the plat, and a case file number is assigned.
2. The applicant is solely responsible for all costs to obtain the services of a surveyor or engineer and to pay all recordation fees as required by Cowlitz County.



# **Mt. Solo Estates Phases 4-5**

## **INTRODUCTION**

The Mt. Solo Estates Subdivision is a master planned development with 5 phases. The parent parcels are 107200-100 & 107460-100. There are 49.69 acres total for the overall project site. Phases 1-3 were previously approved. The current subdivision application proposes to subdivide the property into 76 single-family detached lots in phases 4 and 5. The site is located at Branch Creek Drive and north of the approved phases 1-3 in Longview, WA. All future homes will gain access from the proposed roads. The parcel is zoned R-1 (residential district). The parcels to the north, south, east, and west are zoned R-1. These parcels contain existing single-family homes or are vacant. The city public works yard is located to the north east of the site across the slough.

The minimum lot area allowed in the R-1 zone is 6,000 square feet and the maximum density allowed is 6 units per acre. The proposed density is approximately 4.5 units per acre. The minimum lot width allowed is 50 feet. The minimum width proposed is 50 feet.

Phase 4 and 5 construction are tentatively scheduled to start in 2022. Home construction will follow shortly after.

## **CRITICAL AREAS**

There are critical areas known to be on the site. Ecological Land Services has provided a wetland delineation report and updated information regarding the on-site agricultural ditches.

## **STORMWATER**

Stormwater control will conform to the requirements of the City of Longview Stormwater Manual. Stormwater from the new impervious surfaces will be treated by a Filtera bioscape vault, or other approved bmp's. Treated stormwater will be released to the existing sloughs and ditches. See the stormwater report for additional information and all the details of the stormwater plan.

## **ROADS AND PARKING**

All interior roads will be constructed with a 60-foot right-of-way, 32 foot paved width and 5 foot detached sidewalk.

All on-site roadway improvements are proposed to meet or exceed



# Mt. Solo Estates Phases 4-5

City of Longview standards.

Two driveway parking stalls and a minimum of two garage parking stalls will be provided for each lot providing at least 4 parking spaces per lot.

## **ACCESS**

Access for the project will come from the extension of Branch Creek Drive and with the newly constructed roadways from phases 1-3.

## **TRAFFIC**

The existing site area for phases 4-5 has no daily traffic. A complete traffic study has been previously prepared for the preliminary by Kittelson & Associates. The traffic report has been submitted with the subdivision application.

## **WATER & SEWER**

Public water and sewer lines exist in Schneiter Drive and Branch Creek Drive. Water and sewer service will be supplied by City of Longview. Water and sewer mains will be looped through the site where necessary. All lots will have an individual water meter and sanitary sewer lateral. The project will require a new pump station which is located in phase II and under construction now.

The city code has been cut and pasted below for reference. The applicants responses are in ***bold italics***.

## **Preliminary Subdivision Application Requirements** LMC [19.80.110](#)

(1) Pre-application Conference. A pre-application conference is not required but is strongly encouraged. A pre-application conference is non-binding and advisory in intent and effect.

Pre-application conference date: ***05-03-21*** .

Attended by: ***Scott Taylor and Jason Mattos of SGA Engineering***

(2) Application Contents. The applicant shall submit the following materials for subdivision applications:

(a) Completed preliminary plat application on form supplied by the city; ***Completed and submitted with package.***

## Mt. Solo Estates Phases 4-5

(b) Payment of all required fees; ***Required Fees will have been paid by the applicant.***

(c) Completed SEPA environmental checklist; ***Submitted with Application.***

(d) If critical areas exist on the subject site, the permit and report requirements of Chapters 17.10 and 17.12 LMC shall be adhered to and submitted with the preliminary plat application; provided, that the city engineer may require a geotechnical report in cases where project development may be impacted by underlying soils, even if such area is not officially classed as a critical area; ***A critical areas report has been submitted and permit fee have been paid for this project. Ecological Land Services has prepared the critical areas report and previously approved buffer averaging plan. The updated critical areas report has been included for staff's review. There are no jurisdictional wetlands on-site. Two agricultural ditches are located on-site. Sloughs and CDID Ditches are located on all four sides of the project. City sloughs and ditches will not be affected or altered by this project.***

(e) Preliminary drawings showing sanitary sewer, water and stormwater cross-sections and grade profiles of the existing ground and proposed streets; ***Prelim utility and construction plans have been submitted.***

(f) Twenty-five copies of the preliminary plat, conforming to the specifications of this chapter, including 11-inch by 17-inch copies of all large plans so that copies can be made; ***These have been submitted.***

(g) If the property is to be developed in phases, each phase shall be clearly labeled and demarcated on the preliminary plat and the master plan requirements of LMC 19.80.140 shall be met; ***This project proposes last two phases to construct the 76 lots. A master plan with five phase was previous reviewed to provide a total of 168 lots.***

(h) Copy of a recent title report for the property issues within the last 60 days, including a legal description according to the official records in the office of the county auditor; ***This has been provided.***

(i) A verified statement with original signatures that the property affected by the application is in the exclusive ownership of the applicant, or that the applicant has submitted the application with the consent of all owners of the affected property; ***SOLO, LLC is the owner and has signed the application.***

(j) Traffic impact analysis report as required by the city pursuant to Chapter 12.50 LMC; ***This has been completed by Kittelson & Associates.***

(k) If it has been determined that a zoning map amendment or variance is required for approval of the preliminary plat, completed applications for the same if not previously submitted and reviewed; ***N/A***

(l) A tree survey and preservation plan, report or drawing that complies with LMC 19.80.130 LMC; ***No mature trees will be removed with phases 4 and 5. New street trees will be planted on-site. See the Preliminary Landscape Plan submitted with this application.***

(m) Preliminary stormwater report; and ***This has been submitted.***

(n) Project Narrative. A preliminary subdivision application shall include a narrative that addresses the following topics:

# Mt. Solo Estates Phases 4-5

- (i) Description of the uses proposed for the site; ***Single-family residence.***
- (ii) Phasing plan, if applicable; ***Shown on submitted plans.***
- (iii) Construction schedule; ***Proposed phase 4 and 5 constructed 2022.***
- (iv) Any deviations or variances proposed pursuant to LMC 19.80.180; ***No Variances proposed at this time.***
- (v) Existing covenants or restrictions and easements, if applicable; ***An existing forced main sanitary sewer easement is located on-site and will remain. The sewer main line is located in the right-of-way of future Branch Creek Drive. This is shown on the utility plans.***
- (vi) History of any previous subdivisions and short subdivisions of the property; and ***Phase 4 and 5 portion of the property has not been previously subdivided.***
- (vii) Other items required pursuant to applicable portions of LMC.

## Approval Criteria LMC 19.80.120

(1) To grant approval of a preliminary subdivision, the applicant must demonstrate compliance with all of the following criteria:

- (a) Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for transportation, water, storm drainage, erosion control and sanitary sewage disposal methods that are consistent with the city's current ordinances, standards and plans; ***Preliminary plans have been provided which demonstrate compliance with city standards and ordinances.***
- (b) Appropriate provisions have been made for but not limited to public health, safety and general welfare; ***Public sidewalks and trails have been provided for safe pedestrian circulation. Stop signs and other traffic control will be conditioned by the city and applied to construction plans as necessary.***
- (c) Appropriate provisions have been made for proposed streets, alleys and public ways, utilities and other improvements that are consistent with the city's current ordinances, standards and plans, and Department of Health and/or Washington State Department of Transportation standards and plans, where applicable; ***Appropriate provisions have been made and are demonstrated on the submitted plans. WSDOT will reviewed the SR-432 deceleration taper plans and approved them prior to construction.***
- (d) Appropriate provisions to the extent necessary to mitigate an impact of the development have been made for open space, parks, schools, dedications, easements and reservations; ***School, park and transportation impact fees will be paid for the 76 proposed lots as well as the previous lots in phases 1, 2, and 3.***
- (e) The design of the proposed subdivision site has taken into consideration the physical features of the site, including but not limited to: topography, soil conditions, susceptibility to flooding, inundation or swamp conditions, steep slopes or unique natural features such as wildlife habitat or wetlands; ***The site layout works with the existing sloughs, ditches and physical features of the site.***

## Mt. Solo Estates Phases 4-5

(f) When replatting an existing subdivision, the subdivision shall comply with all of the terms and conditions of the existing subdivision's conditions of approval; **N/A**

(g) Compliance with the following: **The 8 following requirements have been met and are discussed elsewhere in this narrative.**

- (i) State requirements including those set for in Chapter 58.17 RCW;
- (ii) Longview parks and recreation plan and the Cowlitz regional trails plan;
- (iii) Longview zoning ordinance;
- (iv) Cowlitz County shoreline master program;
- (v) Other plans and programs as the city has adopted, including the stormwater runoff standards set forth in Chapter 17.80 LMC;
- (vi) The standards of this chapter and this title;
- (vii) The International Fire Code and other adopted code; and
- (viii) Plans and specifications adopted by the public works department including those set forth in Chapter 12.50 LMC and the Kelso/Longview standard plans and specifications;

(h) A proposed subdivision may be disapproved because of flood, inundation or swamp conditions. Construction of protective improvements may be required as a condition of approval, and such improvements shall be noted on the final plat. No plat shall be approved covering any land situated in a flood control zone as provided in Chapter 86.16 RCW without the prior written approval of the State Department of Ecology; **The site is located outside of the floodplain. The diking district and associated sloughs maintain drainage in this part of Longview.**

(i) Dedication of land to any public body, provision of public improvements to serve the subdivision may be required as a condition of subdivision approval. An offer of dedication may include a waiver of right of direct access to any street from any property, and if the dedication is accepted, any such waiver is effective. The city may require such waiver as a condition of approval. Any dedication, donation or grant as shown on the face of the plat shall be considered for all intents and purposes as a quitclaim deed to the said donor(s) grantee(s) for his/her/their use for the purpose intended by the grantor(s) or donor(s). If the plat is subject to a dedication, a certificate or separate written instrument shall contain the dedication of all streets and other areas to the public, any individuals, religious societies or corporation (public or private), as shown on the plat, and a waiver of all claims for damages against any governmental authority which may be occasioned to the adjacent land by the established construction, drainage and maintenance of said road. Said certificate or instrument of dedication shall be signed and acknowledged before a notary public by all parties having any ownership interest in the lands subdivided and recorded as part of the final plat. **The final plat will prepare all required covenants and agreements for all public and private dedications as conditioned by the City with the preliminary plat approval.**

(2) Written Findings Required. During the public hearing on the preliminary plat, the city shall inquire into the public use and interest proposed to be served by the establishment of the subdivision and any dedications proposed. The proposed subdivision and/or dedications shall not be approved/ accepted or recommended for approval/acceptance unless the planning commission and/or city council makes written findings that the approval criteria have been met.

**This project warrants a staff report with findings and conditions of approval. The applicant looks forward to working with the city on the draft staff report and public hearing process.**

(3) Authority to Condition Approval. The commission and council may attach those conditions to an approval or recommendation for approval as deemed necessary to promote the public interest, safety, health and welfare, except as prohibited in this chapter or other law. The commission may

# Mt. Solo Estates Phases 4-5

recommend and the council may require that conditions of approval be listed on the face of the final plat. In order that the applicant/developer bear a fair share of the cost of repair or improvement of these affected properties, facilities and services, the commission may recommend and the council may require construction, repair, expansion, improvement or other provision of off-site improvements by the applicant. Such requirements may include but shall not be limited to dedication of land for right-of-way, resurfacing a street that provides access to a subdivision, or replacement in inadequately sized off-site utilities whose capacity will be affected by the development. For short plats, the director may establish conditions and require similar improvements as part of a conditionally approved preliminary short plat. ***This project warrants a staff report with findings and conditions of approval.***

(4) Phasing. For phased projects, the commission shall consider the relationship between the preliminary plat and the master plan. The master plan should be used to establish appropriate modifications to the preliminary plat, conditions of approval, dedications and off-site improvements. ***A previous master plan has been submitted and approved with phases 1-3 of this subdivision. Appropriate conditions, dedications and off-site improvements will be part of the project approval.***

## Public Improvements Minimum Standards LMC 19.80.130

Public improvements may be required of any subdivision and shall be installed at the expense of the owner. Unless otherwise noted, all designs shall be consistent with the Kelso/Longview standard plans and specifications; provided, that if a conflict exists between two different standards, the required design shall be determined by the city engineer. The following standards within this section shall be followed in the development of all subdivisions and shall be considered minimum standards:

***Preliminary plans have been provided which demonstrate compliance with city standards. Final engineering and construction plans will detail out the public improvements and apply conditions of approval required by the City.***

(1) Streets, Curbs, Sidewalks, Alleys. The standards set forth in Chapter [12.50](#) LMC shall be met.

(2) Stormwater management shall conform to Chapter [17.80](#) LMC.

(a) Innovative Stormwater Management Techniques. To encourage innovative and environmentally sound development approaches (i.e., low impact development, etc.) to stormwater management, the city may modify its adopted standards and guidelines; provided, that the proposal provides equal or superior design. Any requested/permitted deviation shall be reviewed pursuant to LMC 19.80.180.

(3) Easements. The following easement standards apply:

(a) Utility Easements. Perpetual easement to utility providers for installation and maintenance of utilities shall be provided to serve each and every lot at locations deemed necessary by the utility providers. Such utilities may include sewer, water, stormwater, gas, electricity, communication lines and cables and other similar utilities. Utility easements shall be at least 10 feet in width or five feet on each side of contiguous lot lines unless otherwise approved by the city engineer. When the utility easements are needed at lot corners, the size of the easement shall be at least five feet by five feet. Additional easements for major distribution and transmission lines or unusual electric or communication facilities may be required where necessary. Additional easements for major distribution and transmission lines or unusual electric or communication facilities may be required.

## Mt. Solo Estates Phases 4-5

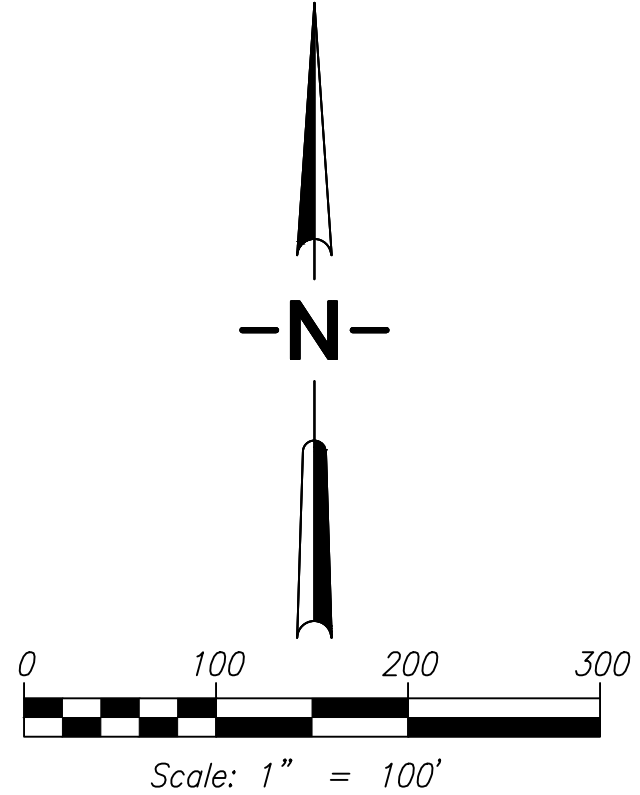
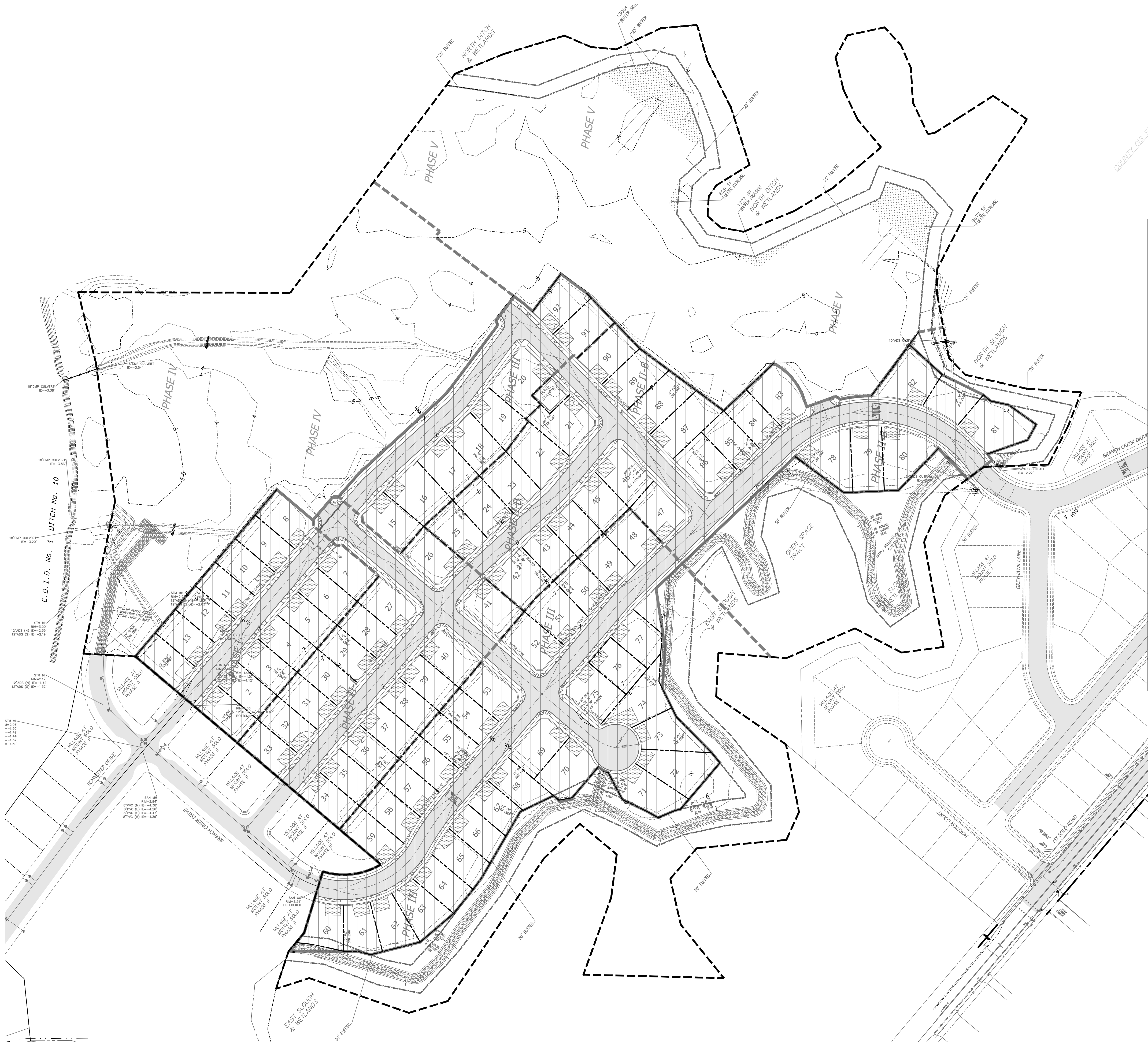
- (iv) Location and sizes of existing sewers, water mains, and culverts within and immediately adjacent to the future phases;
- (v) Location of existing buildings within and immediately adjacent to the future phases;
- (vi) Approximate topography, with arrows showing direction of incline or rough contour lines;
- (vii) Approximate location of proposed streets, trails and crosswalks through blocks;
- (viii) Approximate lot lines or an indication of the number and general locations of proposed lots; and
- (ix) Approximate location, dimension, area and proposed use of parcels to be set aside for public or common parks and other open space. (Ord. 3090 § 2, 2009).

***A previous master plan has been submitted and approved with phases 1-3 of this subdivision. Appropriate conditions, dedications and off-site improvements will be part of this project approval as necessary for phases 4 and 5.***

***Thank you for staff's review and time on this application. Please do not hesitate to contact SGA Engineering with questions, clarifications and for additional information. 360-993-0311 or email Scott Taylor, [staylor@sgaengineering.com](mailto:staylor@sgaengineering.com)***



© SGA ENGINEERING PLLC - DATE PLOTTED: Jun. 14, 2021 - 11:09 AM SGA DRAWING FILE: W:\DWG\0802 MT SOLO PUD\DRAWINGS\PRELIMINARY SHEET SET (PH IV-V)\C2.0 EXISTING CONDITIONS.DWG



## MT. SOLO ESTATES SUBDIVISION

### PHASES IV-V

BEING A PORTION OF SECTIONS 14 & 23, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE  
WILLAMETTE MERIDIAN COWLITZ COUNTY, WASHINGTON  
PRELIMINARY APPLICATION  
JUNE 2021

#### APPLICANT:

HINTON DEVELOPMENT CORP  
ATTN: JOE MELO  
14010-A NE 3RD COURT SUITE 106  
VANCOUVER, WA 98685  
PH: 360-921-7410  
EM: joe@hintondevelopment.com

#### PROPERTY OWNER:

SOLO LLC  
14010-A NE 3RD COURT SUITE 106  
VANCOUVER, WA 98685

#### PARCEL # & PROPERTY ADDRESS:

107460100  
NO SITUS ADDRESS

#### CONTACT PERSON:

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

#### EXISTING SITE INFORMATION

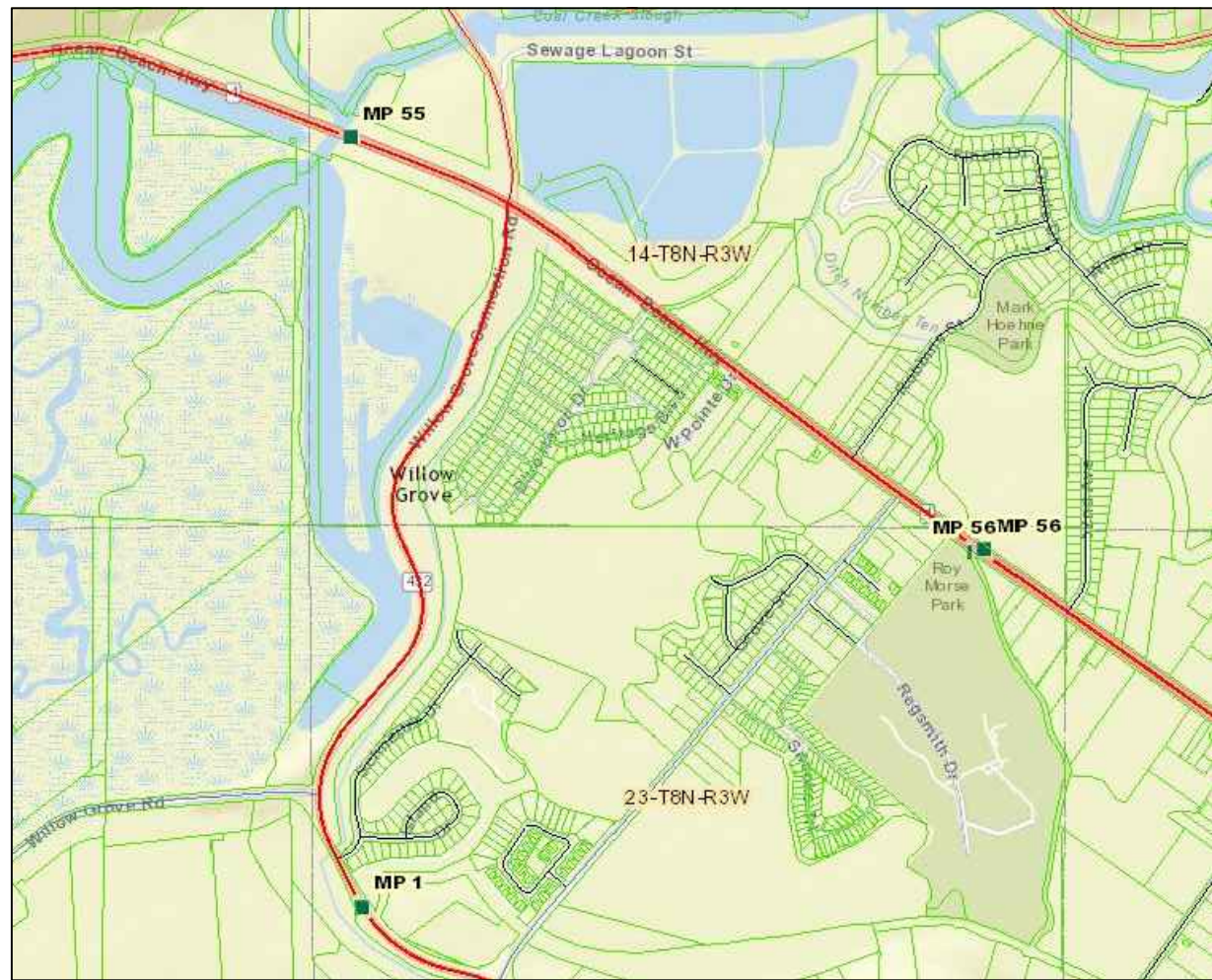
|                          |                                                                                                                                                                                                           |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EXISTING PARCEL NUMBER   | 107460100                                                                                                                                                                                                 |
| CURRENT USE              | VACANT LAND                                                                                                                                                                                               |
| ZONING DESIGNATION       | R-1                                                                                                                                                                                                       |
| GROSS SITE AREA          | 20.36 ACRES 886,921 S.F.                                                                                                                                                                                  |
| TRANSIT ROUTES           | NO KNOWN BUS ROUTES WITHIN 1 MILE OF THE SITE.                                                                                                                                                            |
| EXISTING WATER AND SEWER | SEWER SERVICE WILL BE PROVIDED BY THE CITY OF LONGVIEW. PUBLIC WATER SERVICE WILL BE PROVIDED BY THE CITY OF LONGVIEW. NO SEPTIC SYSTEMS ARE KNOWN TO EXIST ON SITE. NO WELLS ARE KNOWN TO EXIST ON-SITE. |

#### ENVIRONMENTAL CONDITIONS

THE SITE CONTAINS SLOUGHS AND FARM DITCHES. THE SITE IS LOCATED IN THE COLUMBIA RIVER WATERSHED.

#### EXISTING CONDITIONS DISCLAIMER

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



VICINITY MAP  
NTS

EXISTING CONDITIONS

# MT. SOLO ESTATES PHASES IV-V

WASHINGTON  
CITY OF LONGVIEW

#### PRELIMINARY

#### REVISIONS

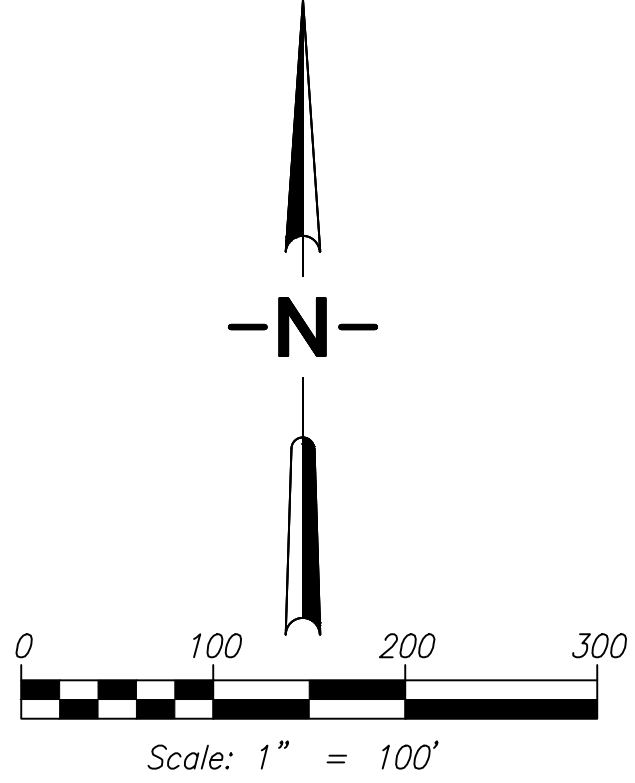
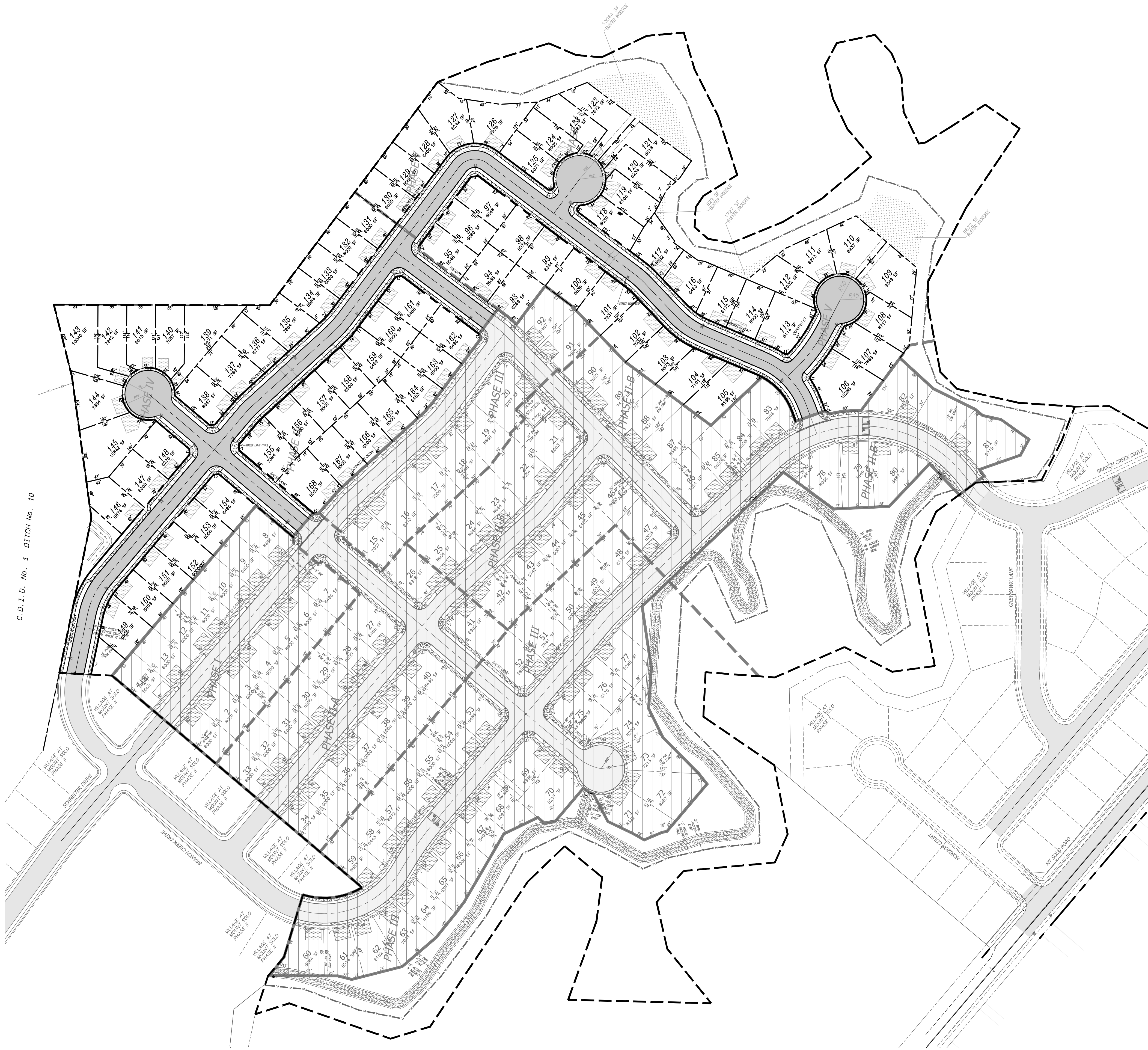
|              |           |
|--------------|-----------|
| DESIGNED BY: | SAT       |
| DRAWN BY:    | SAT, SEM  |
| CHECKED BY:  | JTM       |
| SCALE:       | 1" = 100' |

JOB NUMBER  
0802

SHEET  
PRE1.0



C.D.I.D. No. 1 DITCH No. 10



MT. SOLO ESTATES SUBDIVISION  
PHASES IV-V

BEING A PORTION OF SECTIONS 14 & 23, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE  
WILLAMETTE MERIDIAN COWLITZ COUNTY, WASHINGTON  
PRELIMINARY APPLICATION

**APPLICANT:**  
HINTON DEVELOPMENT CORP  
ATTN: JOE MELO  
14010-A NE 3RD COURT SUITE 106  
VANCOUVER, WA 98685  
PH: 360-921-7410  
EM: joe@hintondevelopment.com

**PROPERTY OWNER:**  
SOLO LLC  
14010-A NE 3RD COURT SUITE 106  
VANCOUVER, WA 98685

**PARCEL # & PROPERTY ADDRESS:**  
107460100  
NO SITUS ADDRESS

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

**EXISTING SITE INFORMATION**

|                          |                                                                                                                                                                                                           |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| EXISTING PARCEL NUMBER   | 107460100                                                                                                                                                                                                 |
| CURRENT USE              | VACANT LAND                                                                                                                                                                                               |
| ZONING DESIGNATION       | R-1                                                                                                                                                                                                       |
| GROSS SITE AREA          | 20.36 ACRES 886,921 S.F.                                                                                                                                                                                  |
| TRANSIT ROUTES           | NO KNOWN BUS ROUTES WITHIN 1 MILE OF THE SITE.                                                                                                                                                            |
| EXISTING WATER AND SEWER | SEWER SERVICE WILL BE PROVIDED BY THE CITY OF LONGVIEW. PUBLIC WATER SERVICE WILL BE PROVIDED BY THE CITY OF LONGVIEW. NO SEPTIC SYSTEMS ARE KNOWN TO EXIST ON SITE. NO WELLS ARE KNOWN TO EXIST ON-SITE. |

**ENVIRONMENTAL CONDITIONS**

THE SITE CONTAINS SLOUGHS AND FARM DITCHES. THE SITE IS LOCATED IN THE COLUMBIA RIVER WATERSHED.

**EXISTING CONDITIONS DISCLAIMER**

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

**PROPOSED SITE INFORMATION**

**PROPOSED USE**  
SINGLE-FAMILY RESIDENTIAL (76 LOT) SUBDIVISION

**DEVELOPMENT STANDARDS**

|                            |                                                |
|----------------------------|------------------------------------------------|
| MINIMUM LOT AREA           | 6,000 SF ALLOWED<br>6,000 SF LOT SIZE PROPOSED |
| MINIMUM LOT WIDTH          | 50' MIN. ALLOWED, 50' MIN. PROPOSED            |
| MINIMUM LOT DEPTH          | N/A                                            |
| FRONT YARD SETBACK         | 25'                                            |
| STREET SIDE YARD SETBACK   | 15'                                            |
| INTERIOR SIDE YARD SETBACK | 5'                                             |
| REAR YARD SETBACK          | 15'                                            |
| MAXIMUM LOT COVERAGE       | 65%                                            |
| MAXIMUM BUILDING HEIGHT    | 35'                                            |

**UTILITY PROVIDERS**

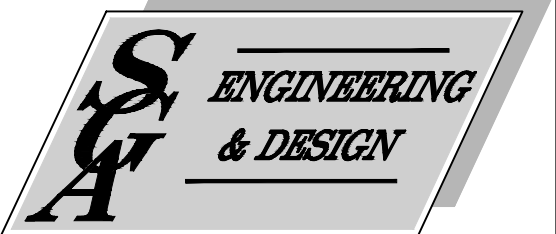
|            |                  |
|------------|------------------|
| SEWER      | CITY OF LONGVIEW |
| WATER      | CITY OF LONGVIEW |
| ELECTRICAL | COWLITZ PUD      |

**STORMWATER MANAGEMENT**

|           |                                                                                                                                     |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------|
| TREATMENT | CITY OF LONGVIEW STANDARDS<br>STORMWATER WILL BE TREATED USING CONTECH FILTERRA SYSTEMS OR OTHER APPROVED BMP'S                     |
| DISPOSAL  | STORMWATER WILL BE RELEASED TO THE EXISTING DRAINAGES SURROUNDING THE SITE. DETENTION WILL BE PROVIDED THROUGH THE DIKING DISTRICT. |

**PROPOSED SITE AREA SUMMARY**

|                               |             |             |
|-------------------------------|-------------|-------------|
| GROSS SITE AREA               | ACRES 20.35 | S.F. 886921 |
| AVERAGE LOT AREA              | 0.16        | 6824        |
| PUBLIC RIGHT-OF-WAY DEDICATED | 4.22        | 183817      |



CIVIL ENGINEERING ~ LAND PLANNING  
DEVELOPMENT SERVICES  
LANDSCAPE ARCHITECTURE

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



PRELIMINARY PLAT

MT. SOLO ESTATES  
PHASES IV-V

WASHINGTON

CITY OF LONGVIEW

PRELIMINARY

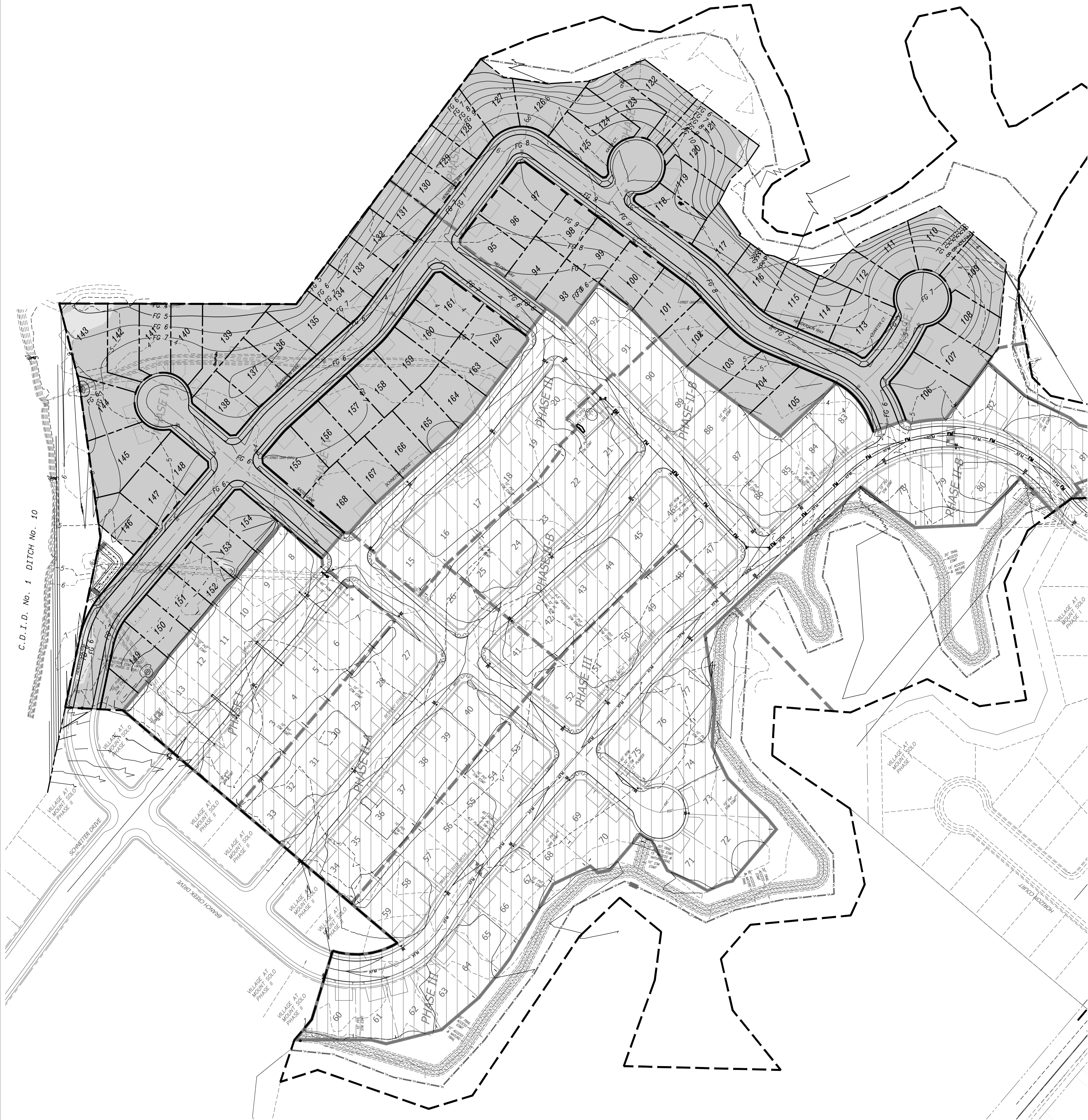
REVISIONS

DESIGNED BY: SAT  
DRAWN BY: SAT, SEM  
CHECKED BY: JTM  
SCALE: 1" = 100'

JOB NUMBER  
0802

SHEET  
PRE2.0





GRADING AND DRAINAGE NOTES:

- 1.) ALL STRIPPING, GRUBBING, GRADING, AND COMPACTION ARE TO BE DONE IN ACCORDANCE WITH THE SOIL ENGINEER'S REQUIREMENTS.
- 2.) SOIL STRIPPING WAS ASSUMED TO BE 0.833'. THE CONTRACTOR SHALL VERIFY NECESSARY STRIPPING DEPTHS AND LOCATIONS WITH THE SOIL ENGINEER, AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY AND COORDINATE THIS WITH THE SOIL ENGINEER.
- 3.) THE CONTRACTOR IS ADVISED TO MAKE HIS OWN TAKEOFF OF EARTHWORK QUANTITIES AND DETERMINE HIS OWN QUANTITIES FOR BIDDING. THE CONTRACTOR IS ADVISED TO DIG TEST HOLES OR USE WHATEVER METHOD HE DEEMS NECESSARY TO DETERMINE EARTHWORK QUANTITIES. EARTHWORK QUANTITIES MAY VARY DEPENDING ON SUCH VARIABLES AS COMPACTION, SHRINKAGE, CONTRACTOR'S METHOD OF OPERATION, STRIPPING DEPTHS, AND ACCURACY OF THE EARTHWORK TAKEOFF. WITH THE SIGNING OF THE CONTRACT FOR THE CONSTRUCTION OF THESE IMPROVEMENTS, THE CONTRACTOR AGREES THAT HIS COST FOR CONSTRUCTING THE GRADING IMPROVEMENTS, AND DISPOSAL OF THE EXCESS MATERIAL IF NECESSARY, IS SATISFACTORY AND THERE WILL BE NO ADDITIONAL CHARGE FOR THIS ITEM.
- 4.) THERE SHOULD BE NO EXCAVATING OR FILLING WITHIN 2 FEET OF THE PROPERTY LINE AS PER CHAPTER J. OF THE IBC.
- 5.) THIS PROJECT WILL NOT INCREASE OR CONCENTRATE STORMWATER RUNOFF ONTO ADJACENT PARCELS AS PER CCC 40. CROSS LOT DRAINAGE WILL NOT BE ALLOWED.
- 6.) IMPORTED SOIL PLACED DURING EARLY GRADING SHALL ALLOW FOR ACHIEVABLE COMPACTION REQUIREMENTS FOR FINAL CONSTRUCTION INCLUDING 95% COMPACTION UNDER ROADWAY AND 90% COMPACTION IN LOT AREAS.
- 7.) GRADE FINISHED LOTS WITH POSITIVE GRADIENT TO THE STREET OR AS SHOWN ON INDIVIDUAL LOT GRADING DETAILS.
- 8.) SEE ADDITIONAL NOTES ON EROSION CONTROL DETAIL SHEET.
- 9.) TEMPORARY SEDIMENT/INFILTRATION BASIN SHALL BE INSTALLED AS NEEDED TO ENSURE NO DIRTY RUNOFF LEAVES THE SITES CONSTRUCTION LIMITS.

EXISTING CONDITIONS DISCLAIMER:

THE EXISTING CONDITIONS SHOWN ON THIS PLAN WERE OBTAINED FROM A VARIETY OF SOURCES. SGA ENGINEERING, PLLC DOES NOT GUARENTEE THE ACCURACY OF THIS INFORMATION.

RECOMMENDED CONSTRUCTION SEQUENCE FOR EROSION CONTROL:

- 1.) PRE-CONSTRUCTION MEETING.
- 2.) FLAG OR FENCE CLEARING LIMITS.
- 3.) POST NOTICE OF CONSTRUCTION ACTIVITY PHONE NUMBER OF EROSION SEDIMENT CONTROL SUPERVISOR.
- 4.) INSTALL CATCH BASIN PROTECTION IF REQUIRED.
- 5.) GRADE AND INSTALL CONSTRUCTION ENTRANCE(S).
- 6.) INSTALL PERIMETER PROTECTION (SILT FENCE, BRUSH BARRIER, ETC.).
- 7.) CONSTRUCT SEDIMENT PONDS AND TRAPS.
- 8.) GRADE AND STABILIZE CONSTRUCTION ROADS.
- 9.) CONSTRUCT SURFACE WATER CONTROLS (INTERCEPTOR DIKES, PIPE SLOPE DRAINS, ETC.) SIMULTANEOUSLY WITH CLEARING AND GRADING FOR PROJECT DEVELOPMENT.
- 10.) MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH CITY OF LONGVIEW STANDARDS AND MANUFACTURER'S RECOMMENDATIONS.
- 11.) RELOCATE SURFACE WATER CONTROLS AND EROSION CONTROL MEASURES OR INSTALL NEW MEASURES SO THAT AS SITE CONDITIONS CHANGE THE EROSION AND SEDIMENT CONTROL IS ALWAYS IN ACCORDANCE WITH THE CITY OF LONGVIEW EROSION AND SEDIMENT CONTROL STANDARDS.
- 12.) COVER ALL AREAS THAT WILL BE UNWORKED FOR MORE THAN SEVEN DAYS DURING THE DRY SEASON OR TWO DAYS DURING THE WET SEASON WITH STRAW, WOOD FIBER MULCH, COMPOST, PLASTIC SHEETING OR EQUIVALENT.
- 13.) STABILIZE ALL AREAS THAT REACH FINAL GRADE WITHIN SEVEN DAYS.
- 14.) SEED OR SOD ANY AREAS TO REMAIN UNWORKED FOR MORE THAN 30 DAYS.
- 15.) UPON COMPLETION OF THE PROJECT, ALL DISTURBED AREAS MUST BE STABILIZED AND BEST MANAGEMENT PRACTICES REMOVED IF APPROPRIATE.

EROSION CONTROL NOTES:

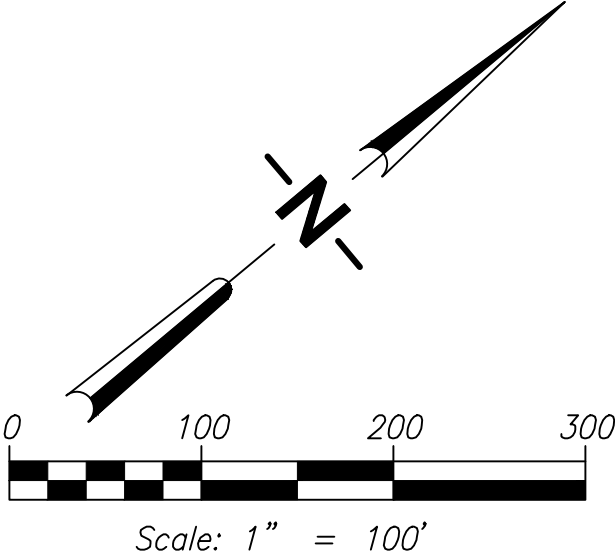
- 1.) EROSION CONTROL MEASURES SHOWN ON THE EROSION CONTROL PLAN ARE THE MINIMUM REQUIRED. ADDITIONAL MEASURES MAY BE REQUIRED TO CONTROL EROSION AND SEDIMENT.
- 2.) EROSION CONTROL MEASURES SHOWN ARE FOR DRY WEATHER CONSTRUCTION. ADJUSTMENTS WILL BE REQUIRED IF WET WEATHER CONSTRUCTION IS UNDERTAKEN.
- 3.) SGA HAS INITIATED THE NPDES PERMITTING PROCESS. THE CONTRACTOR WILL BE RESPONSIBLE FOR COMPLETING THE PROCESS, AND OBTAINING AND MAINTAINING THE FINAL NPDES PERMIT.
- 4.) THE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) BE ONSITE AT ALL TIMES DURING CONSTRUCTION. SGA HAS PREPARED THE SWPPP.

WET WEATHER CONDITIONS & STEEP TERRAIN:

SIGNIFICANT VARIATION AND DEGREE OF EROSION CONTROL EFFORT WILL BE DICTATED BY WEATHER CONDITIONS. THE DEVELOPER AND CONTRACTOR SHOULD BE PREPARED TO PROVIDED EXTRA EROSION CONTROL PROVISIONS AND EFFORT DURING WINTER AND WET WEATHER CONDITIONS BEYOND THAT NORMALLY REQUIRED DURING SUMMER AND DRY WEATHER CONDITIONS. FINE GRAINED AND UNCONSOLIDATED SOILS ON SLOPING SITES MAY BECOME UNSTABLE WHEN SUBJECT TO EXCESSIVE MOISTURE.

DUE TO THE STEEP TERRAIN, ADDITIONAL EROSION CONTROL MEASURES MAY ALSO BE NEEDED. MEASURES WHICH COULD BE USED INCLUDE, BUT ARE NOT LIMITED TO, MULTIPLE SILT FENCE ROWS, SEDIMENT BARRIERS, FIBER ROLLS, OR CUT-OFF DITCHING TO DIVERT POTENTIAL STORM FLOW. LARGE BARREN SLOPES SHALL NOT BE EXPOSED FOR LONG PERIODS OF TIME AND SHOULD BE PROTECTED WITH AN APPROVED EROSION CONTROL BMP.

CLEARING AND GRADING PRACTICES SHOULD BE COMPLETED IN SEVERAL PHASES TO AVOID LARGE AREAS OF UNPROTECTED EXPOSED SOIL. EROSION CONTROL SHALL BE IMPLEMENTED ON EACH PHASE BEFORE CONTINUING GRADING.



| LEGEND                      |                                           |
|-----------------------------|-------------------------------------------|
| FILL AREA                   | TEMPORARY SEDIMENTATION PER EC-060        |
| CUT AREA                    | TEMPORARY SILT FENCE PER EC-040           |
| FLOW ARROW                  | FG 100 FINISHED GRADE MAJOR CONTOURS      |
| INLET PROTECTION PER EC-095 | FG 99 FINISHED GRADE MINOR CONTOURS       |
|                             | -100- EXISTING MAJOR CONTOURS             |
|                             | -100- EXISTING MINOR CONTOURS             |
|                             | GRAVEL CONSTRUCTION ENTRANCE (PER EC-010) |

**ENGINEERING & DESIGN**

CIVIL ENGINEERING ~ LAND PLANNING  
DEVELOPMENT SERVICES  
LANDSCAPE ARCHITECTURE

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



PRELIMINARY GRADING PLAN

MT. SOLO ESTATES  
PHASES IV-V

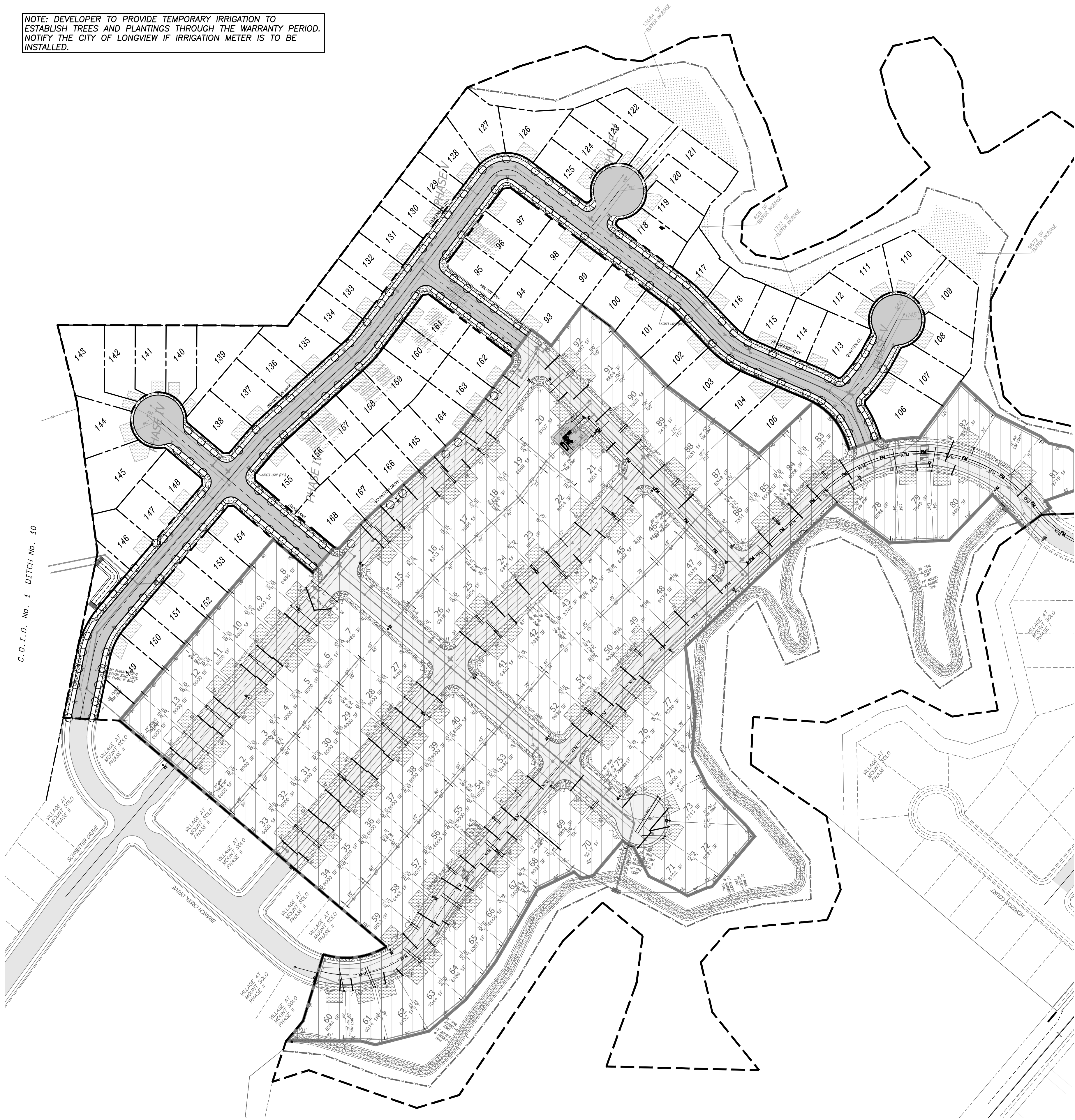
WASHINGTON

CITY OF LONGVIEW

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| DESIGNED BY: | SAT       |
| DRAWN BY:    | SAT,SEM   |
| CHECKED BY:  | JTM       |
| SCALE:       | 1" = 100' |
| JOB NUMBER   | SHEET     |
| 0802         | PRE3.0    |



NOTE: DEVELOPER TO PROVIDE TEMPORARY IRRIGATION TO ESTABLISH TREES AND PLANTINGS THROUGH THE WARRANTY PERIOD. NOTIFY THE CITY OF LONGVIEW IF IRRIGATION METER IS TO BE INSTALLED.



**LANDSCAPING OF PLANTING/UTILITY STRIP**  
THE DEVELOPER OR THEIR SUCCESSOR SHALL BE RESPONSIBLE FOR ENSURING THAT, PRIOR TO ISSUANCE OF AN OCCUPANCY PERMIT FOR A LOT, THE UTILITY/PLANTING STRIP ABUTTING THE CURB ADJACENT TO THE LOT IS PLANTED IN GRASS OR OTHER APPROVED LANDSCAPING AND WITH STREET TREES. THE PLANTINGS SHALL INCLUDE STREET TREES MEETING THE FOLLOWING CHARACTERISTICS:

- (i) SHALL BE AT LEAST TWO-INCH DBH AT TIME OF PLANTING AND BE SPACED AT APPROXIMATELY 30-FOOT INTERVALS ON CENTER;
- (ii) SHALL BE CENTERED BETWEEN THE CURB AND SIDEWALK;
- (iii) SHALL BE PLANTED AT LEAST 20 FEET FROM DRIVEWAYS, AT LEAST 20 FEET FROM STREET LIGHT STANDARDS AND AT LEAST EIGHT FEET FROM FIRE HYDRANTS AND SEWER LATERALS;
- (iv) SHALL BE OF A TYPE, SPECIES AND QUANTITY APPROVED BY THE SUPERINTENDENT OF PARKS;
- (v) SHALL BE AT LEAST 30 FEET FROM ANY CORNER WHERE CURB LINES INTERSECT; AND SHALL BE PLANTED AND MAINTAINED IN AN ACCEPTABLE MANNER.

**TIMING AND PROCEDURE FOR CONSTRUCTION OF SIDEWALKS SHALL BE AS FOLLOWS:**

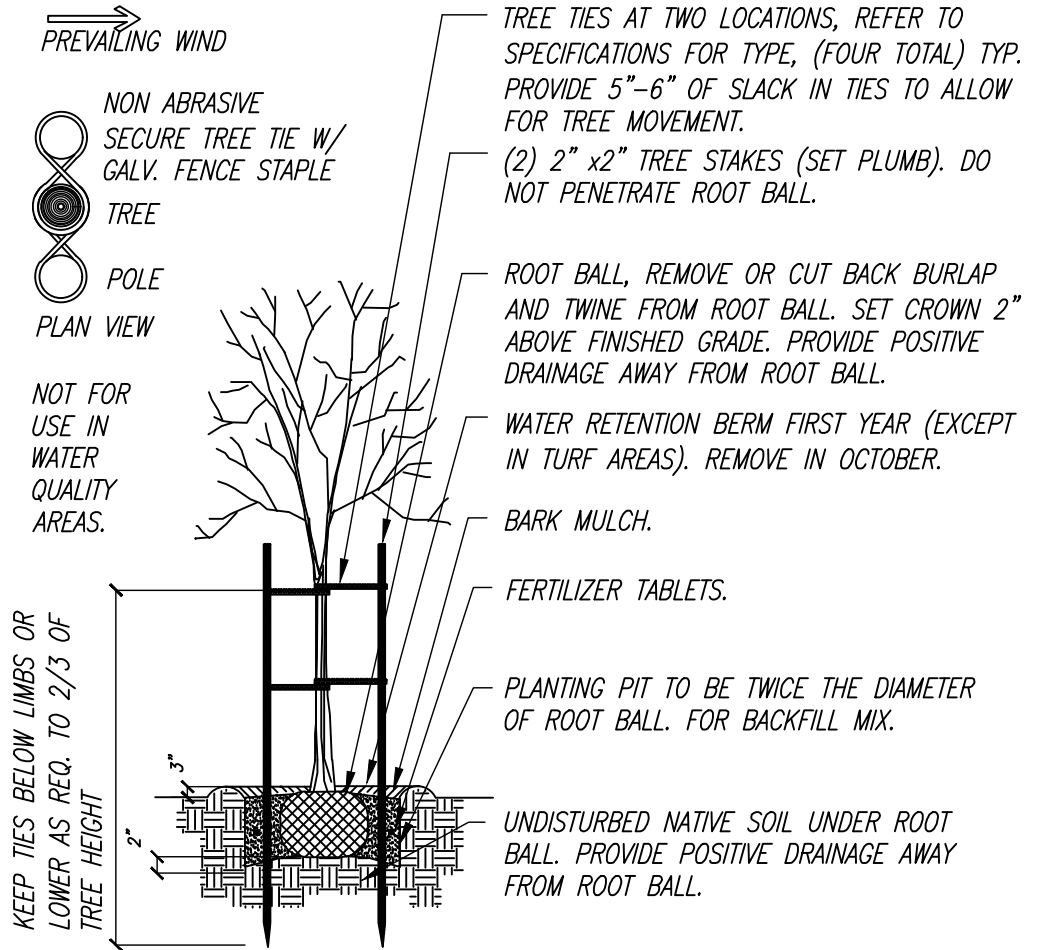
- (i) ALL INTERSECTION CURB RAMPS SHALL BE CONSTRUCTED WITH ROADWAY INFRASTRUCTURE REQUIRED FOR THE SUBDIVISION;
- (ii) SIDEWALKS SHALL BE CONSTRUCTED WITH ROADWAY INFRASTRUCTURE REQUIRED FOR THE SUBDIVISION ON ALL OPEN SPACE TRACTS, NONBUILDING LOTS, AND ON THE MAJOR STREET FRONTAGE OF DOUBLE FRONTAGE LOTS; AND
- (iii) ON BUILDING LOTS, CONSTRUCTION OF THE SIDEWALK SHALL BE DONE ON A LOT-BY-LOT BASIS, PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE LOT.

**LANDSCAPE NOTES**  
LANDSCAPING SHALL BE WATERED WITH AN IRRIGATION SYSTEM CAPABLE OF SUSTAINING THE PLANTINGS IN A HEALTHY CONDITION YEAR AROUND.  
TREES AND OTHER PLANTINGS SHALL BE PRUNED, WATERED, FERTILIZED AND MAINTAINED IN A HEALTHY CONDITION.

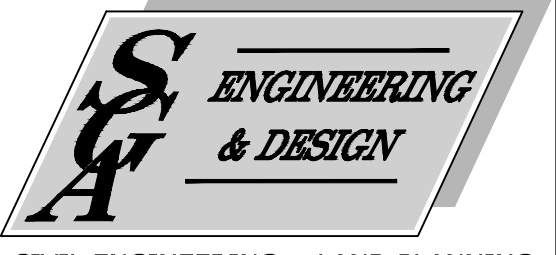
APPROXIMATE LOCATIONS FOR TREES ARE SHOWN ON THE PLAN. EXACT LOCATIONS TO BE DETERMINED BY DEVELOPER OR BUILDER AFTER CONSTRUCTION OF DRIVEWAYS, SIDEWALKS AND BUILDINGS.

**PLANTING LEGEND - PHASE IV & V**

|  | SIZE                                              | SPACING          | QUANTITY           |
|--|---------------------------------------------------|------------------|--------------------|
|  | ACER GLABRUM 'ROCKY MTL. GLOW' or approved equal. | 2" CAL. 30' O.C. | 133 (PHASE IV & V) |

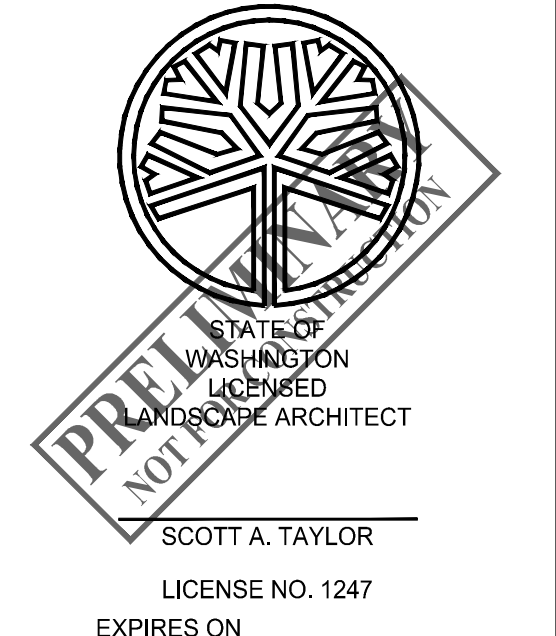


**B&B Deciduous Tree Planting Details**



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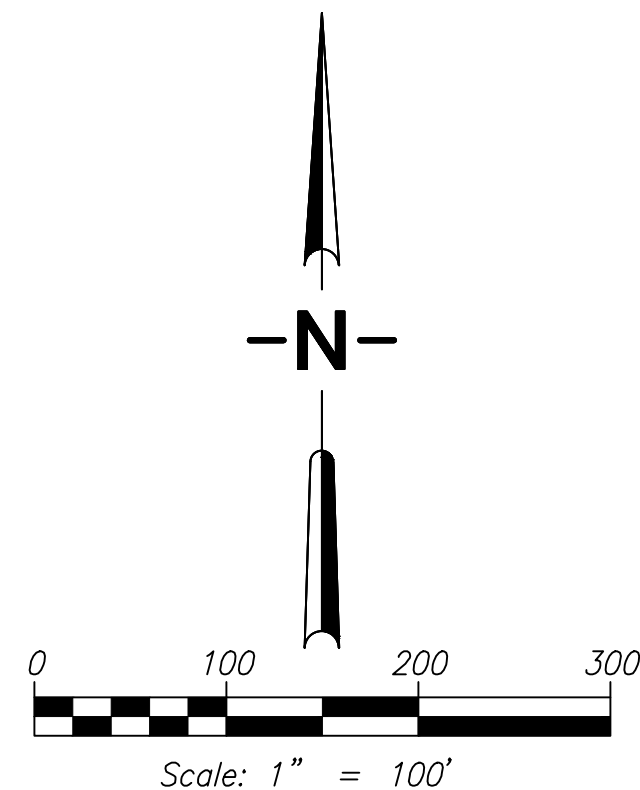
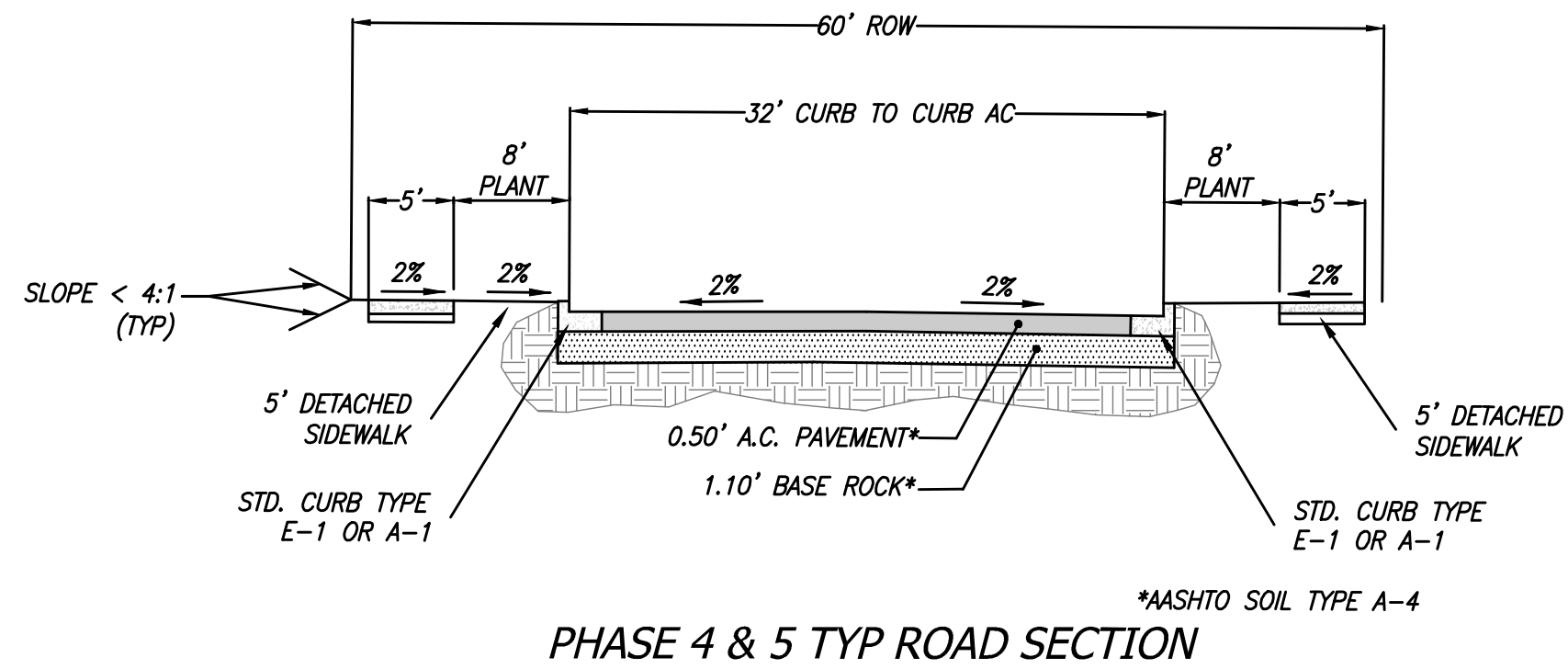
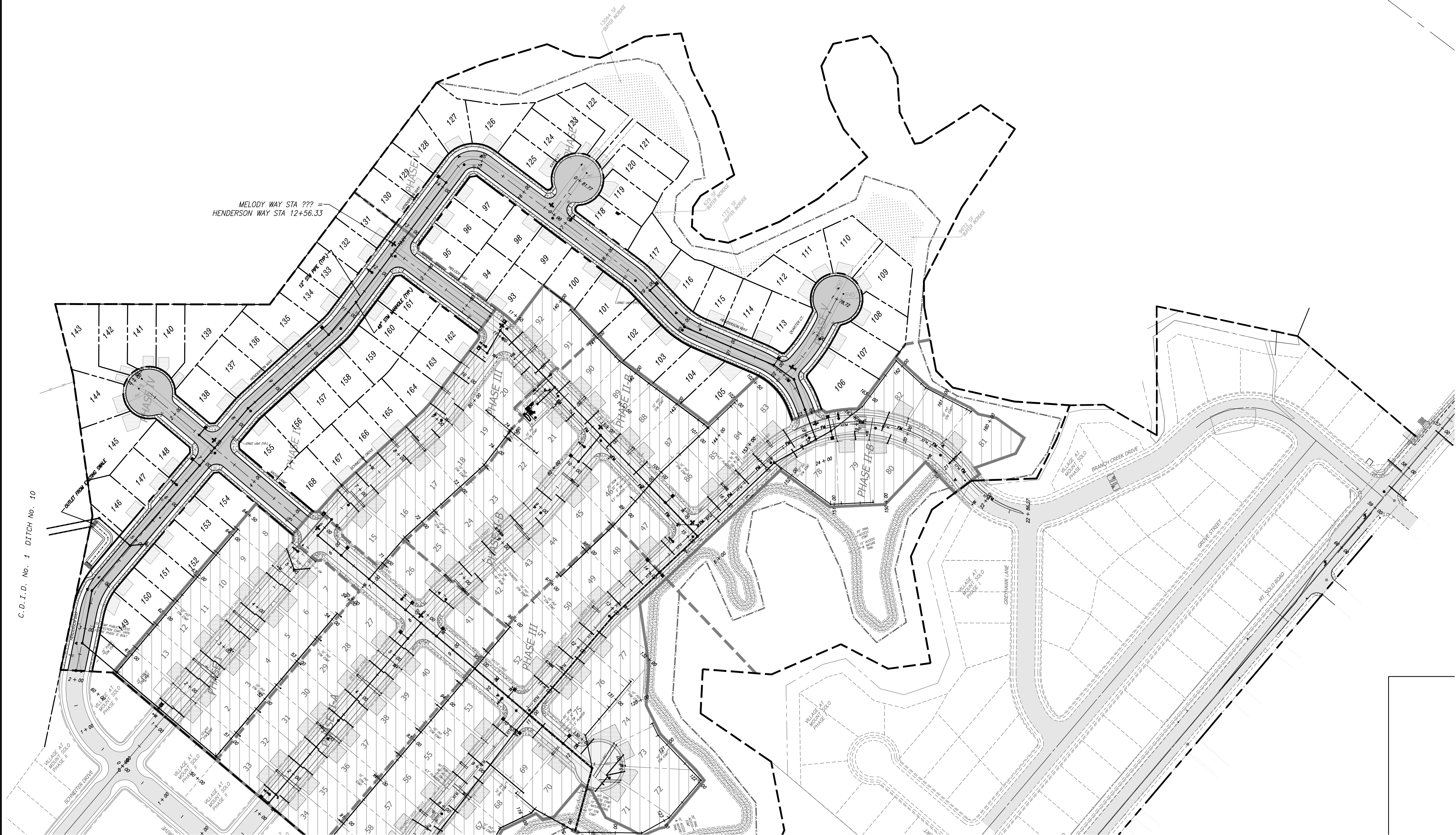
PRELIMINARY LANDSCAPE PLAN  
**MT. SOLO ESTATES  
PHASES IV-V**  
WASHINGTON  
CITY OF LONGVIEW

| PRELIMINARY  |           |
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| DESIGNED BY: | SAT       |
| DRAWN BY:    | SAT,SEM   |
| CHECKED BY:  | JTM       |
| SCALE:       | 1" = 100' |
| JOB NUMBER   | SHEET     |
| 0802         | PRE4.0    |



© SCA ENGINEERING PLLC - DATE PLOTTED: Jun. 14, 2021 - 10:46 AM SCA DRAWING FILE: W:\DWG\0802 MT SOLO PLD\DRAWINGS\PRELIMINARY SHEET SET (PH IV-V)\C5.0 STREET AND STORMDRAIN

C.D.I.D. No. 1 DITCH No. 10



| LEGEND                      |                                           |
|-----------------------------|-------------------------------------------|
| FILL AREA                   | TEMPORARY SEDIMENTATION PER EC-060        |
| CUT AREA                    | TEMPORARY SILT FENCE PER EC-040           |
| FLOW ARROW                  | FG 100 FINISHED GRADE MAJOR CONTOURS      |
| INLET PROTECTION PER EC-095 | FG 99 FINISHED GRADE MINOR CONTOURS       |
|                             | 100 EXISTING MAJOR CONTOURS               |
|                             | 100 EXISTING MINOR CONTOURS               |
|                             | GRAVEL CONSTRUCTION ENTRANCE (PER EC-010) |

DESIGNED BY: SAT  
DRAWN BY: SAT, SEM  
CHECKED BY: JTM  
SCALE: 1" = 100'

JOB NUMBER  
0802

SHEET  
PRE5.0

PRELIMINARY STREET & STORM

# MT. SOLO ESTATES PHASES IV-V

CITY OF LONGVIEW

WASHINGTON

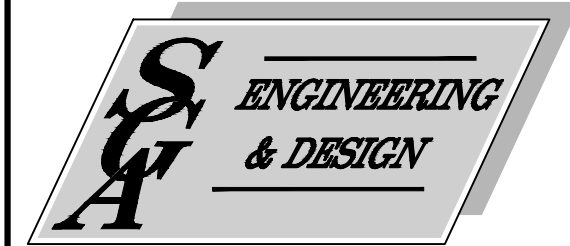
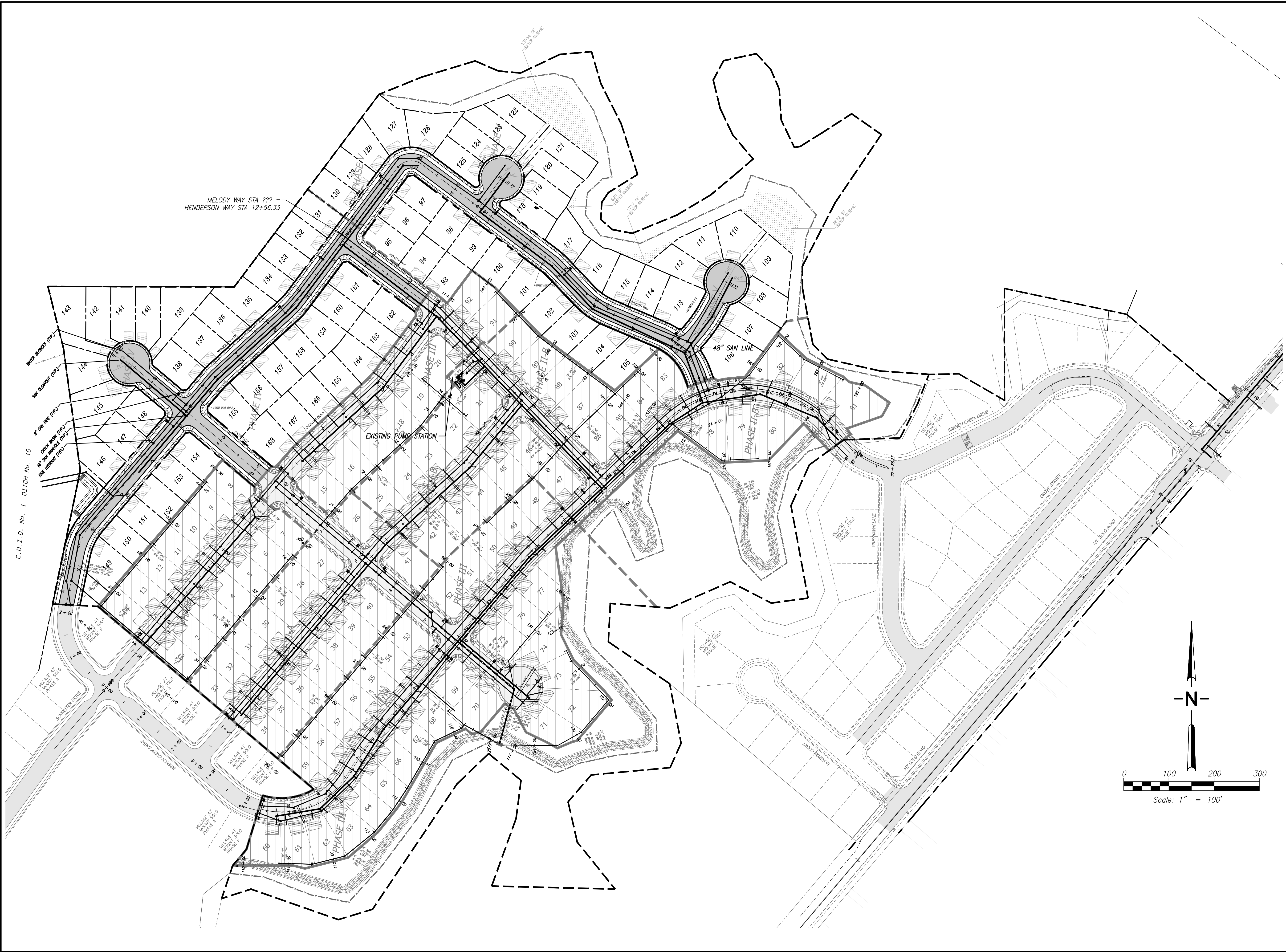
**ENGINEERING & DESIGN**  
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DEVELOPMENT SERVICES  
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FAX (360)993-0912





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CIVIL ENGINEERING ~ LAND PLANNING  
DEVELOPMENT SERVICES  
LANDSCAPE ARCHITECTURE

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



PRELIMINARY UTILITY PLAN

# MT. SOLO ESTATES PHASES IV-V

WASHINGTON

CITY OF LONGVIEW

PRELIMINARY

REVISIONS

DESIGNED BY: SAT  
DRAWN BY: SAT, SEM  
CHECKED BY: JTM  
SCALE: 1" = 100'

JOB NUMBER  
0802

SHEET  
PRE6.0



# City of Longview

## Agenda Summary

### **PLANNING COMMISSION RECOMMENDATION: FINAL PLAT APPROVAL FOR MT. SOLO PLACE PHASE 2A (16 LOTS)**

#### **RECOMMENDED ACTION**

**MOTION TO ACCEPT MT SOLO PLACE PHASE 2A AND GRANT FINAL PLAT APPROVAL WITH THE CONDITION THAT OCCUPANCY FOR THE HOMES IN THIS PHASE WILL NOT BE GIVEN UNTIL COMPLETION OF THE SEWER PUMP STATION.**

#### **COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Strengthen economic conditions & create new opportunities

#### **CITY ATTORNEY REVIEW: N/A**

#### **SUMMARY STATEMENT:**

The Planning Commission at their September 1, regular meeting, held a public hearing on the application. No comments were heard. The Commission recommends the City Council accept phase 2a and grant final plat approval with conditions.

- 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.
- Any unfinished public improvements will be bonded for later completion.
- 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.

#### **STAFF CONTACT:**

Adam Trimble, Interim Planning Manager

#### **Attachments:**

1. Memo to City Council re Mt Solo Place ph 2a final plat
2. Photos of phase 2-A
3. Mt. Solo - Final Plat 2A - Application
4. Mt Solo Place Final plat 2A SHEET 1-2
5. Mt Solo Place proposed covenants (HOA)



## Memorandum

---

December 3, 2020

**TO:** Longview City Council

**FROM:** Adam Trimble, Interim Planning Manager

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

The Planning Commission at their September 1, 2021 regular meeting, held a public hearing on an application for Final Plat approval of Mt. Solo Place subdivision phase 2A. No comments were heard. The Commission recommends the City Council accept phase 2A and grant final plat approval with the condition that occupancy for the homes in this phase will not be given until completion of the sewer pump station.

- This 2nd of 4 phases of the project is a simple, straightforward extension of existing Bethany Street which will loop and connect to the new Schneiter Drive. A total of 16 lots will be created.
- Any unfinished public improvements will be bonded for later completion.
- 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.
- The first 3-phases of this subdivision preliminary plat were approved together with numerous conditions of approval. However, the conditions are not applicable to this phase. All major conditions apply to phases 2b & 3.
- The attached final plat map has been found to confirm with the original proposal and will result in a block of homes as approved under the preliminary plat.

The Longview Municipal code section [19.80.160 Final plat procedure](#), provides the City Council with the approval process below (staff responses in italics):

(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; *there is no change from the original layout*



(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; *this is the second final plat in Longview since 2008. It has undergone all required reviews and clearances.*

(c) Improvements have been completed or properly guaranteed to be completed in accordance with LMC 19.80.210; *The developer has provided a surety bond for later completion of the street, sidewalks, planting strips, landscaping, street lights, mailboxes and additional items. This will allow homebuilders to construct homes without damaging the work. A condition of approval will require completion of the sewer pump station prior to occupancy for any homes in this phase.*

(d) The required dedications, certifications and acknowledgments and signatures required by this chapter have been duly stated and obtained; *The final plat dedicates the new public infrastructure and off-site stormwater facilities to the City. Signatures will be obtained in the order prescribed, after council action. The Mayor will sign last.*

(e) Inspection and street sign fees have been paid; *Inspection fees have been paid in full. The street sign is existing.*

(f) Proposed covenants are in satisfactory form and ready for recording with the final plat; and *Attached to the agenda are the proposed covenants, which incorporate these lots into a homeowners association with the greater subdivision and master plan area, which will have some common areas to maintain when phases 2-3 are constructed.*

(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). *Staff and the Planning Commission are recommending approval of the final plat for Mt. Solo Place. A final map will be provided for the Mayor to sign if council affirmatively makes the above determinations.*

The agenda has pictures of the new street, the final plat application form and maps, and the proposed covenants.

If you have any questions please let me know at 360-442-5092.







## 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 3<sup>rd</sup> 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 \_\_\_\_\_

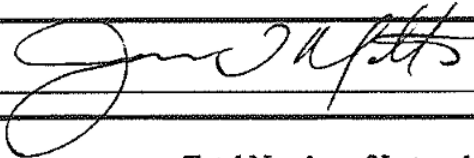
Relationship to Owner: Title Company – Fidelity National Title \_\_\_\_\_

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: \_\_\_\_\_



Total Acreage of Site: 3.56 \_\_\_\_\_ Total Number of Lots: 16 \_\_\_\_\_

Buildable: 16 \_\_\_\_\_ Common: \_\_\_\_\_

FILING FEE:

Base Fee: ..... \$1,738 +

Number of Lots ( 16 ) times \$81.00 fee per lot..... \$1296.00 \_\_\_\_\_

Total Fee: ..... \$3034.00 \_\_\_\_\_

Comments: \_\_\_\_\_

SUPPLEMENTARY MATERIALS PER LMC 19.80.160(2) INCLUDING:

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: \_\_\_\_\_

LONGVIEW PLANNING COMMISSION:

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\_\_\_\_.

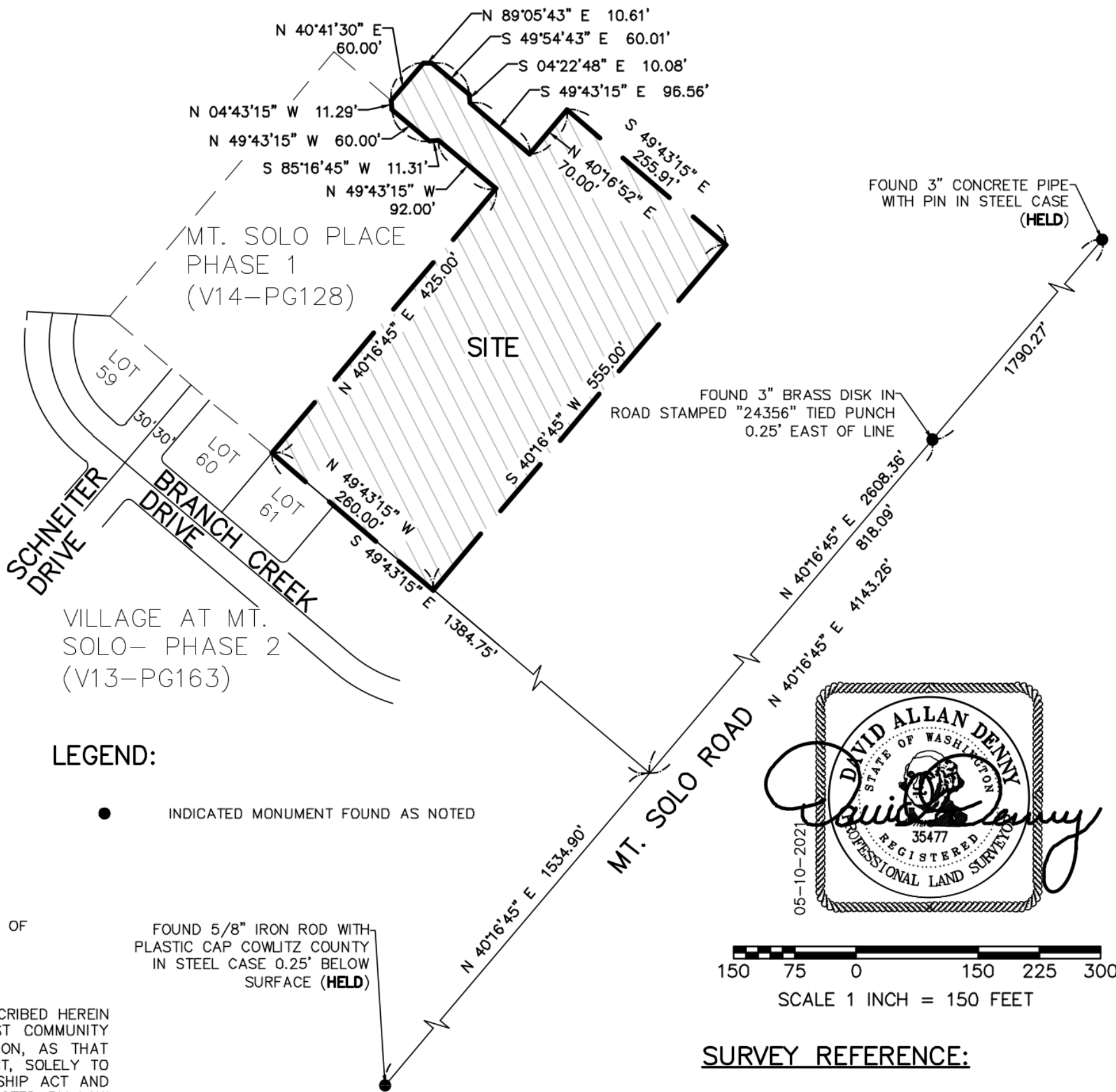
SIGNED \_\_\_\_\_  
NOTARY PUBLIC IN AND FOR THE STATE OF \_\_\_\_\_  
RESIDING IN \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_  
PRINT NOTARY NAME \_\_\_\_\_

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

FOUND 5/8" IRON ROD WITH PLASTIC CAP COWLITZ COUNTY IN STEEL CASE 0.25' BELOW SURFACE (HELD)

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.

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.

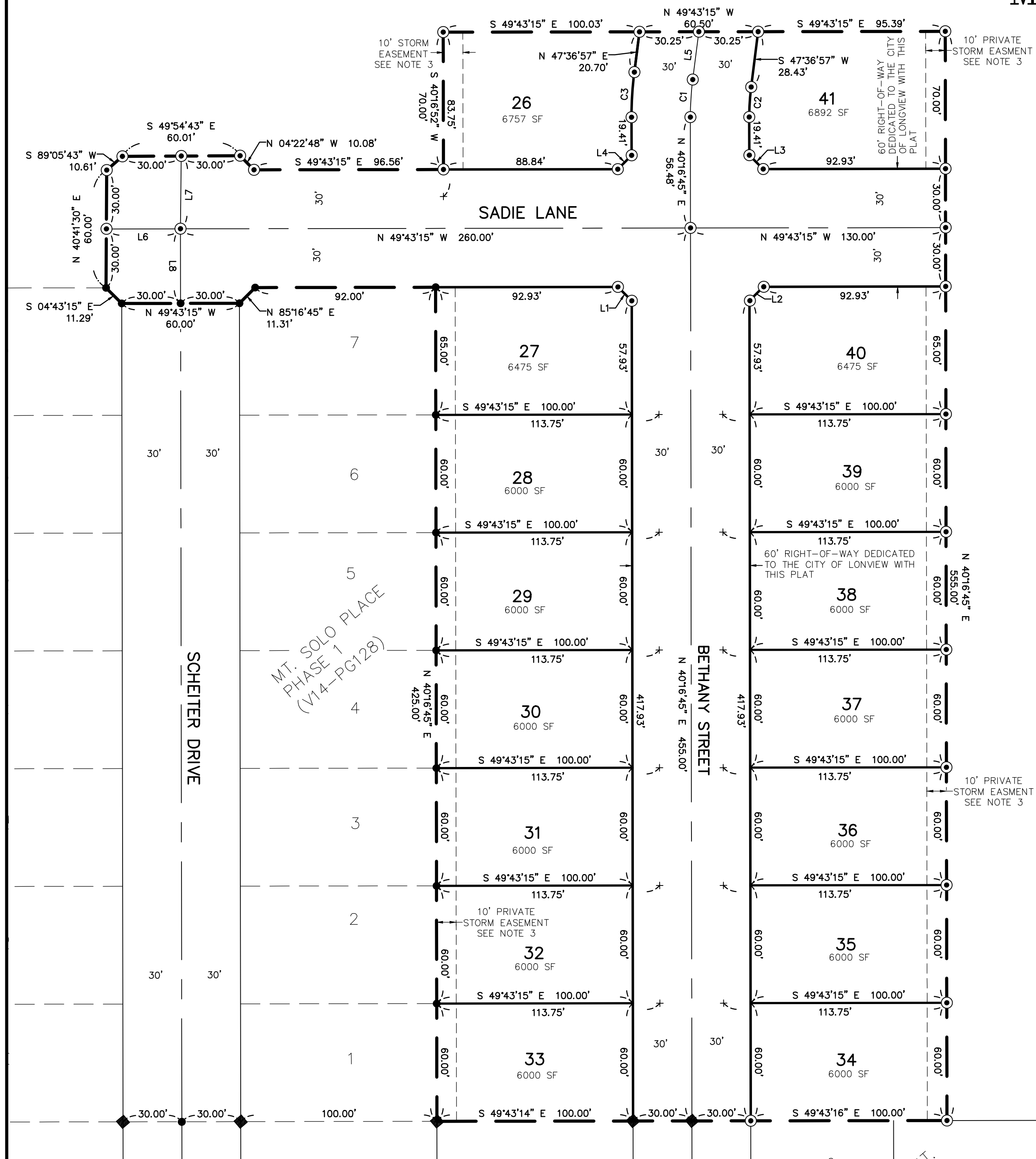
IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THE DAY AND YEAR IN CERTIFICATE FIRST ABOVE WRITTEN \_\_\_\_\_ NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON RESIDING AT \_\_\_\_\_

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

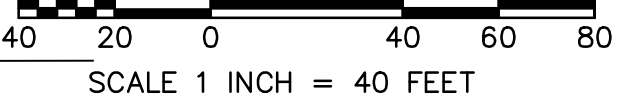
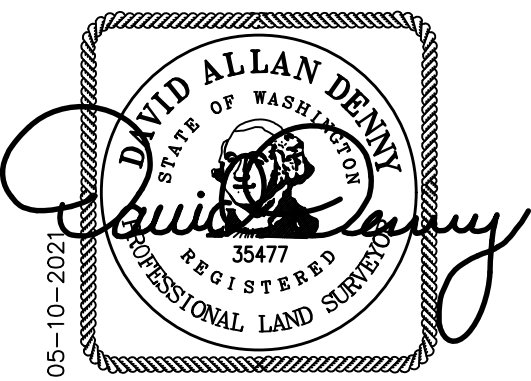


| CURVE TABLE |         |          |           |               |             |
|-------------|---------|----------|-----------|---------------|-------------|
| CURVE       | RADIUS  | DELTA    | ARC DIST. | CHORD BEARING | CHORD DIST. |
| C1          | 150.00' | 7°20'12" | 19.21'    | S 43°56'51" W | 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

AFTER RECORDING RETURN TO:  
Lennar Northwest, Inc.  
Attn: John Marquardt.  
11807 NE 99<sup>th</sup> Street, Suite 1170  
Vancouver, WA 98682

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**  
**FOR MT. SOLO PLACE**

Grantor/Declarant: LENNAR NORTHWEST, INC., a Delaware corporation  
Grantee: LENNAR NORTHWEST, INC., a Delaware corporation  
Abbreviated: NW ¼ Section 23 T8N R3W, SW ¼ Section 17 T8N R3W, City of Longview, Cowlitz County, Washington.

**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS**  
**FOR MT. SOLO PLACE**

THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
IS FOR MT. SOLO PLACE.

WHEREAS, the Declarant and the Owner, at 14010-A NE 3<sup>rd</sup> Court, Vancouver, WA 98685 signing below, or control, all that certain real property and improvements thereon located in the City of Longview, County of Cowlitz, State of Washington, described in, incorporated herein by reference, and also referred to as Mt. Solo Place ("Property"), recorded concurrently with this Declaration; and

WHEREAS, Declarant intends to develop the Property as a residential development subject to the provisions of the Revised Code of Washington Chapter 64.90 and to establish the residential development of Mt. Solo Place. Declarant desires to impose these mutually beneficial covenants, conditions, restrictions, easements, assessments and liens on the Property under a comprehensive general plan of improvement and development for the benefit of all of the Owners, the Lots and Common Areas and shared utilities within the Property; and

WHEREAS, Declarant and the Owner signing below have deemed it desirable for the preservation of the values and amenities within the Property to create a homeowners association, to which will be delegated and assigned the powers and authority to own, maintain and administer the Association, Common Areas and shared facilities, and administer and enforce the covenants, conditions, and restrictions of this Declaration, and collect and disburse the assessments and charges hereinafter created.

NOW THEREFORE, Declarant and the Owner signing below declares that the Property shall be held, transferred, sold, conveyed and occupied subject to the following covenants, conditions, restrictions, easements, charges and liens, or as noted herein, which shall run with the land and shall be binding upon all parties having or acquiring any right, title or interest in the Property or any part thereof and shall inure to the benefit of the Association and of each Lot Owner.

## SECTION 1

### DEFINITIONS

1.1 "Architectural Review Committee" or "ARC" shall be appointed as provided in Section 6.1 below.

1.2 "Articles" shall mean the Articles of Incorporation for the non-profit corporation, MT. SOLO PLACE Homeowners Association, or such similar name approved by and which have been or shall be filed by Declarant with the Washington Secretary of State on or prior to conveyance of the first Lot to an Owner other than Declarant.

1.3 "Association" shall mean the nonprofit corporation to be formed as Mt. Solo Place Homeowners Association, its successors and assigns.

1.4 "Board" or "Board of Directors" shall mean the duly appointed or elected Board of Directors of the Association.

1.5 "Bylaws" shall mean the Bylaws of the Association, which have been or shall be recorded by Declarant in the deed records of Cowlitz County, Washington.

1.6 "Common Area" shall mean any areas of land shown on the recorded Plats, including any improvements thereon, which are intended to be devoted to the common use and enjoyment of the Members of the Association, and areas outlined herein as the maintenance responsibility of the Association, including but not limited to any signs, gates, paths or trails, parks equipment, or other shared utilities or improvements, and maintenance of any Easements held by the Association and as shown on the Plat.

1.7 "Declarant" shall mean Lennar Northwest, Inc., a Delaware corporation, its successors or assigns, or any successor or assign to some or all of its interest in the development of the Property. All successors to Declarant shall have the same rights and interest as the initial Declarant. "Declarant" shall not refer to any other subsequent purchaser of a Lot or Home.

1.8 "Declaration" shall mean the covenants, conditions, restrictions, and all other provisions set forth in this Declaration of Covenants, Conditions and Restrictions for the Property.

1.10 "General Common Expenses" shall mean those Common Area expenses incurred by the Association for the benefit of all of the Owners of the Lots within the Property. Such definition shall also apply to the words "Common Expenses" as used in this Declaration.

1.11 "General Plan of Development" shall mean the Declarant's general plan of development of the Property as approved by appropriate governmental agencies, as may be amended from time to time.

1.12 "Home" shall mean any portion of a structure on a Lot designed and intended for use and occupancy as a residence by a single family or household.

1.13 "Lot" shall mean any plot of land indicated upon the recorded Plats of the Property or any part thereof creating individual Home sites, including any annexations to the Plats. These do not include Common Areas, Tracts or areas deeded to a government authority or utility.

1.14 "Lot Easement Area" shall mean those portions of any Lot subject to any easement benefiting the Association.

1.15 "Members" shall mean the Owners of Lots within the Property who are Members of the

Association.

1.16 "Mt. Solo Place" shall mean the real property and all Common Areas described on the recorded Plats for the Property, as well as any annexations of additional lands.

1.17 "Occupant" shall mean the occupant of a Home who shall be the Owner, lessee or any other person authorized by the Owner to occupy the premises.

1.18 "Owner" shall mean the record Owner, whether one or more persons or entities, of the fee simple title to any Lot or a purchaser in possession under a land sale contract. The foregoing does not include persons or entities that hold an interest in any Lot merely as security for the performance of an obligation.

1.19 "Plats" shall mean the recorded Plat of MT. SOLO PLACE, PHASE 1 and any future Plats annexed to Phase 1.

1.20 "Property" shall mean all real property described on the Plats, and any annexations of additional property, including the Common Area Tracts, and all improvements located on the real property, as may be brought within the jurisdiction of the Association and be made subject to this Declaration.

1.21 "Rules and Regulations" shall mean the documents containing rules and regulations and policies adopted by the Board of the Association or the Architectural Review Committee ("ARC") and as may be from time to time amended by the Board and/or ARC.

1.22 "Sale" shall mean the conveyance of a Lot to a party other than Declarant or a successor Declarant.

1.23 "Tract" shall mean a parcel of land shown on the Plats and denoted by the Word "Tract."

1.24 "Turnover Meeting" shall be the meeting called by the Declarant not later than a date that is sixty days after the conveyance of seventy-five percent of the units that may be created to unit owners other than a declarant, the board must schedule a transition meeting and provide notice to the unit owners in accordance with RCW 64.90.445(1)(c). At the transition meeting, the board elected by the unit owners must be elected in accordance with RCW 64.90.410(2) to the Class A members.

## SECTION 2

### **PROPERTY SUBJECT TO THIS DECLARATION**

2.1 The real property which is and shall be held, transferred, sold, conveyed and occupied subject to this Declaration is located in the City of Longview, County of Cowlitz, State of Washington, in that certain plat entitled Mt. Solo Place Phase 1 and any future plats for Phases 2 and 3.

2.1.1 The Real Property is made up of Lots 1 through 14 in the MT. SOLO PLACE, PHASE 1 plat, Lots 15, 21 through 47 and 78 through 90 to be included in the MT. SOLO PLACE, PHASE 2 plat and Lots 16 through 20, 48 through 77 and 91 through 92 to be included in the MT. SOLO PLACE, PHASE 3 plat, as shown on attached Exhibit A. Lots included in the MT. SOLO PLACE, PHASE(s) 2 and 3 plats are anticipated to be annexed into the HOA upon recording of the plats for these phases.

2.2 Covenant of Annexation. The Declarant and Seller desire to annex the Mt. Solo Place Phases 2 and 3 Lots to the Mt. Solo Place Homeowners Association upon the close of escrow or start of homebuilding of the Lots in Phases 2 and 3 of the development. At the time of each Closing, a Covenant of Annexation shall be recorded annexing the Lots indicated for that Closing into the Association. The

Real Property is made up Lots 1 through 14 in the Mt. Solo Place Phase 1 plat. Any Real Property recorded as part of future phases annexed into the Association shall be subject to the terms hereof to the same extent as if originally included herein and subject to such other terms, covenants, conditions, easements and restrictions as may be imposed thereon by Declarant. Declarant currently anticipates that there will be a total of approximately 92 Lots in the subdivision, including the Lots on the Plat, and Lots and Tracts expected to be created in property to be annexed to the subdivision, but this number may be adjusted at the sole discretion of Declarant.

2.2.1 **Eligible Property.** There is no limitation on the number of Lots which Declarant may annex to the Property, or the right of Declarant to annex common property, except as may be established by applicable ordinances, agreements, or land use approvals.

2.2.2 **Consent or Joinder Not Required.** No consent or joinder of any Class A Member as defined in this Declaration or other party except the record owner of the land being annexed shall be necessary to effect any annexation made pursuant to this Section.

2.2.3 **Declaration of Annexation.** Annexation shall be evidenced by a written Declaration of Annexation executed by Declarant or (in the case of an annexation by action of members) by the Board and the owners of the property being annexed, setting forth the legal description of the property being annexed and any additional covenants, conditions, and restrictions to be applied to such annexed property. Notwithstanding any provision apparently to the contrary, a declaration with respect to any annexed property may:

2.2.3.1 establish such new land classifications and such limitations, uses, restrictions, covenants, and conditions with respect thereto as Declarant may deem to be appropriate for the development of the annexed property;

2.2.3.2 with respect to existing land classifications, establish additional or different limitations, uses, restrictions, covenants, and conditions with respect thereto as Declarant may deem to be appropriate for the development of such annexed property; or

2.2.3.3 contain provisions necessary or appropriate to comply with any condition, requirement, or imposition of any governmental or regulatory authority.

Without limitation of the meaning of the foregoing provisions of this Section 2.2.3, in any Declaration of Annexation, Declarant may, but shall not be obligated to: (i) establish different types of Lots and have particular rights and obligations pertain to different types of Lots; (ii) establish easements particular to different Lots; (iii) establish assessments that pertain only to certain types of Lots; (iv) establish maintenance obligations of the Association or of Owners that vary in accordance with different types of Lots or different tracts of Common Areas; (v) establish insurance and casualty provisions that relate to certain types of Lots and not others; and (vi) establish limited Common Areas that benefit particular Lots to the exclusions of other Lots and provisions particular to such limited Common Areas.

2.2.4 **Voting Rights; Allocation of Assessments.** Upon annexation, additional lots so annexed shall be entitled to voting rights and shall be responsible for payments or assessments as required for that fiscal year. At the beginning of the next fiscal year, assessments shall be reallocated and reapportioned equally based on the total number of lots following such annexations.

2.2.5 **No Duty to Annex.** Nothing herein contained shall establish any duty or obligation on the part of Declarant or any member to annex any property into the Association and no owner of property excluded from the Association shall have any right to have such property annexed thereto.

## SECTION 3

### **OWNERSHIP AND EASEMENTS**

3.1 Non-Severability. The interest of each Owner in the use and benefit of the Common Area shall be appurtenant to the Lot owned by the Owner. No Lot shall be conveyed by the Owner separately from the interest in the Common Area, subject to the provisions of Section 3.3. Any conveyance of any Lot shall automatically transfer the right to use the Common Area without the necessity of express reference in the instrument of conveyance. There shall be no judicial partition of the Common Areas. Each Owner, whether by deed, gift, devise, or operation of law, for the Owner's own benefit and for the benefit of all other Owners, specifically waives and abandons all rights, interests, and causes of action for judicial partition of any interest in the Common Areas and does further agree that no action for judicial partition shall be instituted, prosecuted, or reduced to judgment. The ownership interest in the Common Areas and Lots described in this Section are subject to the easements granted and reserved in this Declaration and in the Plats. Each of the easements reserved or granted herein shall be deemed to be established upon the recordation of this Declaration and shall forever be deemed to be covenants running with the land for the use and benefit of the Owners and their Lots and shall be superior to all other encumbrances applied against or in favor of any portion of the Property.

3.2 Ownership of Lots. Title to each Lot within the Property shall be conveyed in fee to an Owner. If more than one person or entity owns an undivided interest in the same Lot, such persons or entities shall constitute one Owner. No Lot shall be divided or combined with any other Lot without the prior written approval of the ARC, and of Declarant so long as Declarant owns any Lot.

3.3 Ownership of Common Areas. Title to the Common Areas shall be conveyed to the Association not later than the date the first Lot is conveyed from Declarant to Owners other than Declarant successors or assigns, or seven years from the date this Declaration is recorded, whichever is earlier. Declarant or the Board may convey title to any present or future Common Area or Tracts to a city, county, or other government agency.

3.4 Easements. Individual deeds to Lots may, but shall not be required to, set forth the easements specified in this Section.

3.4.1 Easements on Plats. The Common Area and Lots are subject to the easements and rights of way shown or noted on the Plats.

3.4.2 Easements for Common Area. Every Owner shall have a non-exclusive right and easement of use and enjoyment in and to the Common Area, which shall be appurtenant to and shall pass with the title to every Lot.

3.4.3 Easements Reserved by Declarant. So long as Declarant owns any Lot, Declarant reserves an easement over, under, and across the Common Areas in order to carry out sales activities necessary or convenient for the sale of Lots. In addition, Declarant hereby reserves to itself, and for its successors and assigns, a perpetual easement and right-of-way for access over, upon, and across the Common Areas for construction, utilities, communication lines, drainage, and ingress and egress for the benefit of the Lots or other property owned by Declarant. Declarant, for itself and its successors and assigns, hereby retains a right and easement of ingress and egress over, in, upon, under, and across the Common Area and the right to store materials thereon and to make such other use thereof as may be reasonably necessary or incident to the construction of the improvements on the Property or other real property owned by Declarant in such a way as to not unreasonably interfere with the occupancy, use, enjoyment, or access to an Owner's Lot by that Owner or that Owner's family, tenants, guests, or invitees. Further, Declarant reserves the right to install and maintain landscape improvements and hereby reserves a landscape maintenance easement on any Lot(s) or Common Areas as Declarant



deems necessary for sales and marketing purposes. Declarant is not obligated to provide any landscaping in said areas noted in this Section.

3.4.4 Additional Easements. Notwithstanding anything expressed or implied to the contrary, this Declaration shall be subject to all easements granted by Declarant for the installation and maintenance of utilities and drainage facilities necessary for the development of the Property. No structure, planting, or other material shall be placed or permitted to remain within any easement area which may damage or interfere with the installation or maintenance of utilities, or which may change the direction of flow of drainage channels in the easements, or which may obstruct or retard the flow of water through drainage channels in the easements. The easement area of each Lot and all improvements thereon shall be maintained continuously by the Owner of the Lot, except for those improvements for which a public authority, utility company, or the Association is responsible.

3.4.5 Association's Easements. There are hereby reserved to the Association and its duly authorized agents and representatives such easements on, under, and over the Property as are necessary to perform the duties and obligations of the Association set forth in this Declaration, the Bylaws, and Articles of Incorporation, as the same may be amended or supplemented.

3.4.6 Easement to Governmental Entities. There is hereby reserved and granted a non-exclusive easement over the Common Area to all governmental and quasi-government entities, agencies, utilities, and their agents for the purposes of performing their duties within the Property.

3.4.7 Maintenance Obligations/Owner Restrictions. Except as otherwise provided in this Declaration, the Owner, at the Owner's expense, shall maintain, repair, and replace the improvements and utility installations in any Lot Easement Area in a condition acceptable by the Board and shall hold the Association harmless from any such costs.

## **SECTION 4**

### **LOTS AND HOMES**

4.1 Residential Use. Lots shall be used for residential purposes only, except as otherwise required by RCW 64.90. Except with the consent of the Board of Directors of the Association, no trade, craft, business, profession, commercial or similar activity of any kind shall be conducted on any Lot, nor shall any goods, equipment, vehicles, materials or supplies used in connection with any trade, service or business be kept on stored on any Lot. Nothing in this paragraph shall be deemed to prohibit (a) activities relating to the sale of residences, (b) the right of Declarant or any contractor or home builder to construct residences in any Lot, to store construction materials and equipment on such Lots in the normal course of construction, to use any residence as a sales office or model home for purposes of sales, and to maintain on site a temporary construction office or trailer, and (c) the right of the Owner of a Lot to maintain his professional or personal library, keep his personal business or professional records or accounts, handle his personal business or professional telephone calls or confer with business or professional associates, clients or customers, in his residence, so long as such activity is not observable outside of the residence, does not significantly increase parking or vehicular traffic, or is in violation of applicable local government ordinances. The Board of Directors shall not approve commercial activities otherwise prohibited by this paragraph unless the Board determines that only normal residential activities would be observable outside of the residence and that the activities would not be in violation of applicable local government ordinances.

4.2 Construction. Except for construction performed by or contracted for by Declarant, no construction, reconstruction or exterior alterations shall occur on any Lot unless the approval of

the ARC is first obtained pursuant to Section 6. Consideration such as siting or location on the lot, shape, size, color, design, height, solar access, or material may be taken into account by the ARC in determining whether or not to consent to any proposed work. Such work includes, but is not limited to Homes, storage shelters, swimming pools, spas, landscaping, greenhouses, patios, fencing, basketball hoops or exterior remodeling. The intent of this covenant is to ensure quality of workmanship and material, harmony of external design with the existing and planned structures as to location and visual compatibility and finish grade elevations. All construction must comply with the Ridgefield Municipal Code and Building Code Standards. Original construction designs, materials and product specifications by Declarant may vary from any or all specified in this document. All construction performed by or contracted for by Declarant shall be presumed to have met these minimum requirements or have been granted a variance thereto.

4.3 Design Guidelines. The following restrictions are minimum standards applicable to all Lots:

4.3.1 Height. No Home shall exceed two (2) stories, excluding basement and/or garage levels, in height above the ground.

4.3.2 Building Sites. All structures shall be constructed in compliance with the setback and side yard requirements established by the City of Longview.

4.3.3 Garages. A garage must be constructed on each Lot. Garages may be used as a sales office by Declarant, but must be converted to a garage before permanent occupancy. Garages are to be maintained primarily for the storage of automobiles or similar vehicles. No garage may be enclosed or otherwise used for habitation, nor may any garage door be removed except when necessary to repair or replace a garage door with the same type of garage door.

4.3.4 Security Doors/Windows and Screen Doors. No security doors and no exterior security bars or devices on windows and doors shall be installed without the prior written approval of the ARC. If the ARC approves any type of security door or window security, such approval shall encourage or require a single style for all Homes so they will maintain a uniform and aesthetic appearance.

4.3.5 Exterior Materials. Exterior materials must be approved for use by the ARC. Roofing materials must be cedar shingle, cedar shake or minimum 30-year composition shingle. The exterior siding materials shall be cedar, stucco, Hardiplank, stone or an ARC approved alternative lap siding. T-111 plywood or other pressed wood sheet siding shall not be permitted. Windows shall be wood, vinyl, or an alternative material approved by the ARC. Exterior doors shall be wood or an alternative approved by the ARC. Garage doors may be of wood or metal construction. Front window trim shall be 1 inch by 4 inch, unless an alternative design is approved by the ARC. The ARC may approve other exterior materials to facilitate design, provided they are in keeping with the character of Mt. Solo Place dwellings shall be of double wall construction.

4.3.6 Exterior Finish. The exterior finish of all Improvements on any Lot shall be designed, built and maintained in such a manner as to blend in with the existing structures and landscaping within Mt. Solo Place. The ARC must approve exterior colors of Homes and other Improvements. All paint schemes shall be submitted to the ARC for approval prior to commencement of painting activities. Exterior trim, fences, doors, railings, decks, eaves, gutters and exterior finishes on garages and other accessory buildings shall be designed built and maintained to be compatible with the exterior of the Homes on the Lot. Mailbox and newspaper receptacles placed in front of any Lot shall be included in a single structure of a design approved by Declarant prior to construction unless otherwise dictated

by the U.S. Postal Service.

4.4 Completion of Construction. The construction of any building on any Lot, including painting and all exterior finish, shall be completed within six (6) months from the beginning of the construction so as to present a finished appearance when viewed from any angle. In the event of undue hardship due to weather conditions, this provision may be extended for a reasonable length of time upon written approval from the ARC. The Lot and building area shall be kept reasonably clean and in workmanlike order, free of litter, during the construction period with a garbage disposal facility located on site during such construction period. If construction has not commenced within three (3) months after the project has been approved by the ARC, the approval shall be deemed revoked unless the Owner has applied for and received an extension of time from the ARC. All provisions of this Section 4 shall exclude any construction by the Declarant.

4.5 Improvements and Landscaping. Maintenance of all landscape on Lots, including street frontage landscaping, is the Owner's sole responsibility. Further, all street trees shall be preserved and maintained in good condition at all times by the Lot Owner and replaced if necessary. Replacement of any street trees or rear yard trees shall be approved by the ARC and must be consistent with the City of Longview Community Development Code standards regarding size and type. In addition, Owner shall comply with the City of Longview's tree ordinance(s) including but not limited to maintenance and preservation of all existing trees in yards. All landscaping and improvements on any Lot shall be maintained and cared for in a manner consistent with the standard of design and quality as originally established by Declarant or the ARC. Maintenance of landscaped areas shall include, but not be limited to watering, weeding, pruning, fertilization, mowing and other forms of maintenance. All lots shall be kept free of weeds and diseased or dead lawn, trees, ground cover or shrubs shall be promptly removed and replaced. All lawn areas shall be watered, fertilized and neatly mowed, and trees and shrubs shall be fertilized and neatly trimmed on regular basis.

4.5.1 Landscape installation on Lots by Owners is subject to approval by the ARC. All landscape on all Lots shall be completed no later than six (6) months after occupancy. No Owner may connect to any Association maintained irrigation system.

4.5.2 If Owner fails to maintain or repair Owner maintained areas, Declarant or the Board of Directors reserves the right to cause such maintenance and/or repair to be performed on behalf of Owner subject to Section 4.21.

4.5.3 Declarant reserves the right to install and maintain landscape improvements on any Lots or Common Area as described in Section 3.4.3 above.

4.6. Rental of Homes. An Owner shall be entitled to rent his residence if:

4.6.1 Written Rental Agreements Required. There is a written rental or lease agreement specifying that: (i) the tenant shall be subject to all provisions of the Declaration, Bylaws and Rules and Regulations, and (ii) failure to comply with any provision of the Declaration, Bylaws and Rules and Regulations shall constitute a default under the rental agreement.

4.6.2 Minimum Rental Period. The period of the rental or lease is not less than thirty (30) days; and

4.6.3 Tenant Must Be Given Documents. The Owner gives each tenant a copy of the Declaration, Bylaws and Rules and Regulations.

4.6.4 Owner Responsibility. Owner shall be responsible for any violations by tenants and shall be solely responsible for either correcting or eliminating such violations, or getting

tenant to do same.

4.7 Animals. No animals, livestock or poultry of any kind shall be raised, bred, kept or permitted within any Lot other than a reasonable number of domestic household pets which are not kept, bred or raised for commercial purposes and which are reasonably controlled so as not to be a nuisance. Any inconvenience, damage or unpleasantness caused by such pets, including noise, shall be the responsibility of the respective Owners thereof. No dogs shall be permitted to roam the Property unattended, and all dogs shall be kept on a leash while outside a Lot. It is the sole responsibility and requirement of any pet owner to immediately cleanup any pet waste deposited upon any Lot, Common Area, or Association maintained easement area. An Owner may be required to remove a pet from the Property upon the receipt of the third notice in writing from the Association Board of Directors of violation any rule, regulation or restriction governing pets within the Property. A "reasonable number of domestic household pets" and the definition of "domestic household pets" shall be subject to rules adopted and approved by the Board in its sole discretion. Dog runs and doghouses must be fully screened or fenced from view from any other Lot and must not be visible from the street. The design and construction of such screening, enclosure or doghouse is subject to guidelines adopted by the Architectural Review Committee.

4.8 Nuisance. No noxious, harmful or offensive activities shall be carried on upon any Lot or Common Area, nor shall anything be done or placed on any Lot or Common Area which interferes with or jeopardizes the enjoyment, or which is a source of annoyance to the other Owners or Occupants.

4.9 Parking. Parking of boats, trailers, commercial vehicles, mobile homes, campers, other recreational vehicles or equipment regardless of weight shall not be allowed on any part of the Lot or Common Area except within a fenced area as approved by the ARC. All fencing must conform to Section 4.13. Parking shall only be in garages or driveways if no portion of the vehicle overhangs the street, sidewalks or pathways. Garages shall be primarily used for vehicular parking and not solely for storage. In addition, parking of vehicles is prohibited on any public street, private street or Common Areas within the Property if so designated as a "no parking" area and are subject to being towed. Any vehicle in violation of this Section can be towed or impounded as provided in Section 10.8 below.

4.10 Vehicles in Disrepair. No Owner shall permit any vehicle, which is not currently licensed or is in an extreme state of disrepair to be abandoned or to remain parked upon any Lot for a period in excess of forty-eight (48) hours, nor on a Common Area for any length of time. A vehicle shall be deemed in an "extreme state of disrepair" when the Board of Directors reasonably determines that its presence offends the Owners and Occupants. Should any Owner fail to remove such vehicle within five (5) days following the date on which the notice is mailed and charge the expense of such removal to the Owner. All oil or grease on roadways and/or driveways shall be cleaned up immediately by Owner. Any vehicle in violation of this Section can be towed or impounded as provided in Section 10.8 below.

4.11 Signs. No signs shall be erected or maintained on any Lot except that not more than one "For Sale" sign placed by the Owner, Declarant or by a licensed real estate agent, not exceeding twenty-four (24) inches high and thirty-six (36) inches long, may be temporarily displayed on any Lot, subject to the provisions of Section 9.2 below and applicable law. The restrictions contained in this paragraph shall not prohibit the temporary placement of "political" signs on any Lot by the Owner or Occupant, or construction and marketing related signage by the Declarant or its contractors, subject to compliance of the sign and its placement with applicable law. No signs of any kind, other than Declarant's marketing signs or any Association signs for the common good of the Community, which have been previously approved by the Board of Directors, will be allowed on Common Areas. The foregoing restrictions shall not be deemed to prohibit the display of the flag of the United States by an Owner or occupant of a Lot if the flag is displayed on the Lot in a

manner consistent with federal flag display law, 4 U.S.C. § 1 *et seq.*, and RCW 64.90.510(1). The Board may adopt reasonable rules and regulations consistent with federal flag display law regarding the placement and manner of display of such flag and the location and size of the flagpole.

4.12 Rubbish and Trash. No Lot or part of the Common Area shall be used as a dumping ground for trash or rubbish of any kind. All garbage and other waste shall be kept in appropriate containers for timely and proper disposal, out of public view. Yard rakings, dirt and other material resulting from landscaping work shall not be dumped onto streets, the Common Areas or any other Lots. Should any Owner fail to remove any trash, rubbish, garbage, yard rakings or any such materials from any Lot, any roadways or Common Area where deposited by him/her within five (5) days following the date on which notice is mailed to him/her by the Board of Directors, the Association may have such materials removed and charge the expense of such removal to the Owner. Each Owner is responsible for trash disposal, and shall remove individual trash containers within twelve (12) hours of collection. No trash and/or storage containers shall be visible from any adjacent street or neighboring Lot, and shall not be allowed to emit any odors or attract insects or rodents.

4.13 Fences and Hedges. No fences or boundary hedges shall be installed without prior written approval of the ARC. Further, all fences must meet the City of Longview Municipal Code Standards regarding fencing. Except as otherwise provided in this Declaration, any fencing installed on Owner's Lots either by Owner, or by Declarant, will be Owner's maintenance responsibility. The responsibility for and cost of maintenance, repair and replacement of fencing on boundary lines between Lots will be shared by the Owners on either side of the fence in accordance with RCW Chapter 16.60, including sharing equally the cost of the installation of any new fence or replacement fence as necessary for the Lot and Improvements to remain in good repair and condition. Fences enclosing a Lot are the owner's responsibility, including any fence located in the Front Yard. Fences on boundary lines between Lots and Common Areas will be the sole responsibility of the Lot Owner, except as otherwise provided in Sections 5.1 above. All fences that are the Owner's responsibility shall be maintained in a condition acceptable to the Board and ARC. Stained fencing shall be maintained using Sherwin Williams – WoodScapes semi-transparent stain in SW 3518 Hawthorne @ 150%, or matching stain color from another manufacturer. The maximum height of a boundary fence on any Lot shall be six (6) feet. Said fence may not be placed forward of the Home's front building footprint. Side yard fencing on any Lot shall maintain a minimum five (5) foot setback from the front of the Home. Any variance to approved designs and material shall be "equal to, or better", and will require ARC approval.

4.14 Basketball Equipment. Service Facilities: Utilities. All basketball hoops and backboards shall be portable, shall not be placed upon any street within the community, and shall not be affixed to a garage, residence, stationary post or other structure on a Home. When not in use, basketball hoops and backboards shall be stored out of sight of neighboring Homes. Service facilities (e.g. garbage containers, clotheslines, gardening equipment, air conditioning compressors, etc.) shall be screened such that the elements screened are not visible at any time from the street or a neighboring Home. All utility lines shall be maintained, repaired and replaced by the Owner of each Lot, or all Owners collectively at their sole expense. The Association is not responsible for the maintenance of any utility, cable TV, or phone service facilities. The exterior location of any heating and air conditioning compressors or heat pumps shall be approved in advance by the ARC. Said locations must take into consideration the noise and view from adjacent Homes.

4.15 Antennas, Satellite Dishes and Solar Collectors. No Owner may erect or maintain a television or radio receiving or transmitting antenna, or similar implement or apparatus, or solar collector panels or equipment upon any Lot unless such apparatus is erected and maintained in such a way that it is screened from public view along the public street right-of-way directly in front (and side, in the case of a corner Lot) of the house erected on such Lot; and no such apparatus shall be erected without the prior written consent of the ARC. Exterior satellite dishes with a surface

diameter of eighteen (18) inches or less may be placed on any Lot, subject to ARC approval, so long as they are installed above the first story (at least eight feet off the ground) and fully below the highest peak of the roof, in the least noticeable location as possible, such as at the eaves or other break in the natural lines of the residence. The ARC, as designated in this Declaration, shall have the absolute authority to determine whether the placement of the satellite dish fits these standards. The authority of the ARC in this matter shall be subject to any regulations issued by the Federal Communications Commission ("FCC") or any other applicable governmental authority.

4.16 Exterior Lighting or Noisemaking Devices. Except with the consent of the ARC, no exterior lighting or noisemaking devices shall be installed or maintained on any Lot, other than security and fire alarms. Area, flood and ornamental lighting must be of a subdued nature. False alarms of security and fire systems will not be allowed to repeatedly occur. Seasonal holiday lighting and decorations are permissible if consistent with any applicable rules and regulations and if removed within thirty (30) days after the celebrated holiday.

4.17 Grades, Slopes, and Drainage. There shall be no modification to and/or interference with the established grading and/or drainage patterns or other systems over or through any Lot or Common Areas on the Property, unless properly engineered and permitted by the City of Longview, if required, and as approved by the ARC. Notwithstanding the foregoing, however, any permitted modifications to the established grading and/or drainage patterns may not affect other Lots, Common Areas and/or real property on or outside of the Property. The term "established grading and/or drainage patterns" shall mean any Declarant installed walls, grading, drainage systems, conduits, inlets and outlets, designed and constructed on the Property.

4.18 Damage or Destruction to Home and/or Lot. If all or any portion of a Lot or Home is damaged by fire or other casualty, the Owner shall either (i) restore the damaged improvements or (ii) remove all damaged improvements, including foundations, and leave the Lot in a clean and safe condition. Any restoration proceeding under (i) in the immediately preceding sentence must be performed so that the improvements are in substantially the same condition in which they existed prior to the damage, subject to current governmental regulations and building codes. The Owner must commence such work within sixty (60) days after the damage occurs and must complete the work within six (6) months thereafter.

4.19 Detached Building. No permanent or removable detached accessory buildings, including, but not limited to, storage buildings, greenhouses, children's playhouses and similar structures, shall be built without the prior written consent of the ARC and may not be built in any front or side yards adjacent to a street. All such detached buildings must meet the City of Longview Municipal Code and Building Code Standards. No detached buildings shall be used as additional living space and none shall contain any plumbing. Permanent outbuildings shall be of a one (1) story design, shall not exceed nine (9) feet above the existing grade of the Lot, and shall be constructed of wood with roofing, siding color, style and finish that matches that of the exterior material of the house. Metal sheds are prohibited. Heavy duty rubber or unbreakable plastic or composite storage sheds that are portable and temporary in nature, may be approved providing that they are: (i) screened or hidden from the view of neighboring Lots and Common Areas, and (ii) aesthetically harmonious with the home in terms of color and texture/finish (e.g. pebbled/muted/dull).

4.20 Owner's Maintenance Obligations. Each Owner shall maintain their Lot and improvements in a clean and attractive condition, in good repair and in such a fashion as not to create a hazard of any kind. Such maintenance shall include, without limitation, painting or staining, repair, replacement and care of roofs, gutters, downspouts, surface water drainage, walls and other exterior improvements and glass surfaces. In addition, each Owner shall keep shrubs, trees, grass and plantings of every kind neatly trimmed, fertilized, property cultivated and free of trash, weeds and other unsightly materials. The provisions of this Section include all areas on Lots.

4.21 City Ordinances and Regulations. The standards and restrictions of the Section 4 shall be the minimum required. To the extent the ordinances and regulations of the City of Longview, Washington are more restrictive or provide for a higher or different standard, the ordinances and regulations of the City of Longview, Washington shall prevail.

4.22 Security. The Association is not responsible for security of the neighborhood or any Homes. The Owners are exclusively responsible for security of their Home and Property.

4.23 Environmental Issues. Each Owner acknowledges that Mt. Solo Place includes environmentally sensitive areas and that there are common stormwater drainage systems within Mt. Solo Place. The stormwater drainage systems shall be kept free from debris. Each Owner and the Association shall comply with all applicable laws and ordinances regarding the storage, disposal or release of hazardous materials. No dumping, spilling, release or washing of hazardous materials, waste or debris shall be done or permitted by any Owner or the Association within Mt. Solo Place. All Owners and the Association shall dispose of any hazardous materials off site.

## SECTION 5

### COMMON AREA

5.1 Use of Common Areas. Use of Common Areas is subject to the provisions of the Declaration, Bylaws, Articles of Incorporation, and any Rules and Regulations promulgated by the Board of Directors. There shall be no obstruction of any part of any Common Areas. Nothing shall be stored or kept in any Common Area without the prior written consent of the Board of Directors, which can be withheld in the Board's sole discretion. The community of Mt. Solo Place may include entry features, recreational facilities, natural resource or critical area signage, trail easements, stormwater easements and other portions of Common Areas including areas within the Property dedicated to the City of Longview and/or the Consolidated Diking Improvements District #1, which the Board of Directors may elect to maintain. No alterations or additions to the Common Area shall be permitted without the prior written approval by the Board of Directors and the City of Longview, which can be withheld in the Board's sole discretion. Nothing shall be stored or kept in the Homes or Common Area which will increase the rate of insurance on the Common Areas without the prior written consent of the Board.

5.2 Maintenance of Common Area and Easements. Except as otherwise provided in this Declaration, the Association shall pay for and maintain any common improvements, including irrigation, and maintenance of any Easements held by the Association as described in Section 3.4.5. The Association shall keep the Common Areas, the improvements thereon, and any Easements in good condition and repair, provide for all necessary services and cause all acts to be done which may be necessary or proper to assure the maintenance of the Common Areas and Easements in first class condition. All landscaping and improvements on any Lot or Common Area shall be maintained and cared for in a manner consistent with the standard of design and quality as originally established by the Declarant or the ARC. All Lots and Common Areas shall be kept free of weeds and diseased or dead lawn, trees, ground cover or shrubs shall be promptly removed and replaced. All lawn areas shall be fertilized and neatly mowed, and trees and shrubs shall be fertilized and neatly trimmed on a regular basis. Fences and walls located on boundaries between General or Limited Common Areas and Lots will be deemed 'Boundary Fences' subject to the provisions of Section 5.3 below.

5.3 Maintenance Easements. The Owner of any Lot that includes a Common Maintenance Area, or adjoins or blends together visually with any Common Area must, if the Association so requires, permit the Association to enter upon the Lot to perform the maintenance of such Common Area. The Owner and Occupant of each Lot is responsible for controlling the Owner's or Occupant's pets so they do not harm or otherwise disturb persons performing such maintenance on behalf of the Association.



5.4 Funding. Expenditures for alterations, maintenance or repairs to an existing capital improvement for which a reserve has been collected shall be made from the reserve account(s). As provided in Section 10, the Board may levy a special assessment to fund any construction, alteration, repair or maintenance of an improvement (or any other portions of the Common Area and the Easements) for which no reserve has been collected or for which the reserve account is insufficient to cover the cost of the proposed improvement.

5.5 Condemnation of Common Area. If all or any portion of the Common Area is taken for any public or quasi-public use under any statute, by right of eminent domain or by purchase in lieu of eminent domain, the entire award shall be received by and expended by the Board of Directors in a manner which in their discretion is in the best interest of the Association. The Association shall represent the interest of all Owners in any negotiations, suit or action or settlement in connection with such matters.

5.6 Damage or Destruction of Common Area. In the event any Common Area or Easements are damaged or destroyed by an Owner or any of his Occupants, guests, tenants, licensees, agents or members of his family in a manner that would subject such Owner to liability for such damage under Washington law, such Owner does hereby authorize the Association to repair such damage. The Association shall repair the damage and restore the area in workmanlike manner as originally constituted or as may be modified or altered subsequently by the Association in the discretion of the Board of Directors. The reasonable cost necessary for such repairs shall become a special assessment upon the Lot of the Owner who caused or is responsible for such damage.

5.7 Enforcement by the Governing Jurisdiction. The provisions of this Declaration relating to preservation and maintenance of Common Elements shall be deemed to be for the benefit of the governing jurisdiction as well as the Association and Owners of Lots, and the governing jurisdiction may enforce such provisions by appropriate proceedings at law or in equity, and shall have the authority to enter Association Property to perform any required maintenance or repair necessary to correct a problem which threatens public health, safety or welfare or to protect and preserve public property or facilities, or may cause such maintenance or repair to be performed and the costs of such work shall become a lien upon the Property. Any unpaid taxes on any property owned in common, or any costs incurred by the City of Longview to enforce the rights granted hereunder, shall constitute a proportional lien on all property of each owner in common.

## SECTION 6

### ARCHITECTURAL REVIEW COMMITTEE

6.1 Architectural Review. No improvement shall be commenced, erected, placed or altered on any Lot until the construction plans and specifications showing the nature, shape, heights, materials, colors, and proposed location of the improvement have been submitted to and approved in writing by the ARC. It is the intent and purpose of this Declaration to assure quality of workmanship and materials and to assure harmony of exterior design with the existing improvements and landscaping. The ARC is not responsible for determining compliance with structural and building codes, solar ordinances, zoning codes or other governmental regulations, all of which are the responsibility of the Lot Owners. The procedure and specific requirements for review and approval of construction may be set forth in design guidelines adopted from time to time by the ARC. Construction by the Declarant is presumed to have been approved and is thereby exempt from this review. In all cases which the ARC consent is required by this Declaration, the provision of this section shall apply.

6.2 Architectural Review Committee, Appointment and Removal.

6.2.1 The ARC shall consist of no fewer than three (3) members and no more than five (5) members, except that for so long as Declarant retains the right to appoint the ARC members, Declarant may appoint a single person to serve as the ARC. Subject to the foregoing, the exact size of the ARC shall be determined by Declarant until the Turnover Date (as defined below) and thereafter by the Owners.

6.2.2 Declarant reserves the right to determine the exact size of the ARC, subject to the parameters set forth in Section 6.2.1 above, and to appoint, remove (at any time for any reason with or without cause), and replace all members of the ARC until the earlier to occur of (the "Turnover Date"): (a) the date which is one (1) year after the conveyance of the last Lot owned by Declarant to an Owner other than a successor Declarant or (b) upon election in writing by Declarant to delegate such right to the Owners.

6.2.3 On the Turnover Date, all members of the ARC appointed by Declarant shall resign and the Owners shall thereafter have the right to determine the exact size of the ARC, subject to the parameters set forth in Section 6.2.1 above, and to appoint, remove (at any time for any reason with or without cause), and replace all members of the ARC in accordance with this Section 6.2. All actions and decisions of the Owners regarding the size or composition of the ARC, including the appointment, removal or replacement of any of its members, shall be approved by a majority of the Owners, based on one (1) vote per Lot. There shall be no cumulative voting for the appointment of ARC members.

6.2.4 Any vote of the Owners regarding the size or composition of the ARC, including the appointment, removal or replacement of any of its members, may be conducted at a meeting of the Owners. Any Owner may call for a meeting of the Owners by delivering to each Owner in person at the Owner's Lot, or by mailing to each Owner by regular first-class mail at the address for the Owner's Lot on record with the Cowlitz County Department of Taxation and Assessment for the mailing of real property tax statements, a written notice stating the location, date, time and purpose of the meeting and the name of the Owner calling the meeting. The notice of the meeting must be delivered at least ten (10) days before the date of the meeting, but not more than fifty (50) days before the date of the meeting. All meetings shall be held at a location within the City of Longview, WA selected by the Owner calling the meeting and designated in the meeting notice. The Owner calling the meeting shall maintain minutes of the meeting, identifying the number and names of the Owners in attendance, describing all matters voted on at the meeting and the number of votes in favor of and against each such matter. The Owners shall not vote on any matters at a meeting unless such matters were described in the notice of the meeting. Following a meeting, the Owner who called the meeting shall deliver a copy of the meeting minutes to each Owner using one of the delivery methods described above for the delivery of meeting notices.

6.2.5 Any action or decision of the Owners regarding the size or composition of the ARC, including the appointment, removal or replacement of any of its members, may also be taken without a meeting if the action or decision is evidenced by a written consent describing the action taken or decision made and signed by a majority of the Owners, based on one (1) vote per Lot. Any action or decision of the Owners by written consent shall be effective when a majority of the Owners, based on one (1) vote per Lot, have signed the written consent unless the written consent specifies a different effective date. The record date for determining the Owners entitled to take action without a meeting shall be the date on which the first Owner signs the written consent. Upon the execution of any written consent by a majority of the Owners, based on one (1) vote per Lot, the Owner who prepared the written consent shall deliver a signed copy of the written consent to each Owner using one of the delivery methods described in Section 5.2.4 above for the delivery of meeting notices.

6.2.6 The term of office for each member of the ARC shall be for one (1) year unless lengthened by Declarant or the Owners, as applicable, at the time of appointment or election or unless a member of the ARC is sooner removed by Declarant or the Owners, as applicable, in accordance with this Section 6.2. Notwithstanding anything contained herein to the contrary, if any member of the ARC resigns, then the remaining members of the ARC shall have the right to appoint the resigning member's replacement who shall serve the remainder of the resigning member's term unless sooner removed in accordance with this Section 6.2. Declarant or the Owners may appoint one or more members to the ARC who are not Owners, but who have special expertise regarding the matters which come before the ARC.

6.3 Majority Action. Except as otherwise provided in this Declaration, a majority of the members of the ARC shall have the power to act on behalf of the ARC, without the necessity of a meeting and without the necessity of consulting the remaining members of the ARC. The ARC may render its decision only by written instrument setting forth the action taken by the members consenting thereto.

6.4 Duties. The ARC shall consider and act upon the proposals and/or plans submitted pursuant to this Section. The ARC, from time to time and at its sole discretion, may adopt architectural rules, regulations and guidelines ("Architectural Standards"). The Architectural Standards shall interpret and implement the provisions of this Declaration for architectural review and guidelines for architectural design, placement of buildings, color schemes, exterior finishes and materials and similar features which may be used in the Property; provided, however that the Architectural Standards shall not be in derogation of the minimum standards established by this Declaration.

6.5 ARC Decision. The ARC shall render its approval or denial decision with respect to the construction proposal within twenty (20) working days after it has received all material required by it with respect to the application. All decisions shall be in writing. In the event the ARC fails to render its decision of approval or denial within sixty (60) days of receiving all material required by it with respect to the proposal, the application shall be deemed approved. Approval by the ARC does not imply government approval which is solely the responsibility of the Owner.

6.6 ARC Discretion. The ARC may, at its sole discretion, withhold consent to any proposed work if the ARC finds the proposed work would be inappropriate for the particular Lot or incompatible with the design standards that the ARC intends for the Property. Consideration such as siting or location on the Lot, shape, size, color, design, height, solar access, or other effect on the enjoyment of other Lots or the Common Area, and any other factors which the ARC reasonably believe to be relevant, may be taken into consideration by the ARC in determining whether or not to consent to any proposed work.

6.7 Nonwaiver. Consent by the ARC to any matter proposed to it or within its jurisdiction shall not be deemed to constitute a precedent or waiver impairing the ARC's right to withhold approval as to any similar matter thereafter proposed or submitted to it for consent.

6.8 Appeal. At any time after Declarant has delegated appointment of the members of the ARC to the Board of Directors pursuant to Section 6.2, any Owner adversely impacted by action of the ARC may appeal such action to the Board of Directors. Appeals shall be made in writing within ten (10) days of the ARC's action and shall contain specific objections or mitigating circumstances justifying the appeal. If the Board is already acting as the ARC, the appeal shall be treated as a request for a rehearing, but in such case the Board must actually meet and receive evidence and argument. A final, conclusive decision shall be made by the Board of Directors within fifteen (15) days after receipt of such notification. The determination of the Board shall be final.

6.9 Effective Period of Consent. The ARC's consent to any proposed work shall automatically be revoked three (3) months after issuance unless construction of the work has been commenced

or the Owner has applied for and received an extension of time from the ARC.

6.10 Determination of Compliance. The ARC shall inspect, from time to time, all work performed and determine whether it is in substantial compliance with the approval granted. If the ARC finds that the work was not performed in substantial conformance with the approval granted, or if the ARC finds that the approval required was not obtained, the ARC shall notify the Owner in writing of the noncompliance. The notice shall specify the particulars of any noncompliance and shall require the Owner to take the necessary action to bring the work into compliance with the approved project.

6.11 Noncompliance. If the ARC determines that an Owner has not constructed an improvement consistent with the specifications on which approval is based, and if the Owner fails to diligently commence to remedy such noncompliance in accordance with the provisions of the notice of noncompliance, then at the expiration of the third (3<sup>rd</sup>) day from the date of such notification, the ARC shall provide a notice of a hearing to consider the Owner's continuing noncompliance. The hearing shall be set not more than thirty (30) days from the date of the notice of noncompliance. At the hearing, if the ARC finds that there is no valid reason for the continuing noncompliance, the ARC shall determine the estimated costs of correcting it. The ARC shall then require the Owner to remedy or remove the same within a period of not more than ten (10) days from the date of the ARC's determination. If the Owner does not comply with the ARC's ruling within such period or within any extension of such period as the ARC, at its discretion, may grant, the Association may (a) remove the noncomplying improvement, (b) remedy the noncompliance, or (c) file suit to compel compliance. The costs of such action shall be assessed against the Owner and his Lot, including all attorneys' fees and other costs expended and incurred to enforce compliance before suit or action is filed and at trial or on any appeal or review of therefrom.

6.12 Liability. Neither the ARC, the Board, their agents, nor any member thereof shall be liable to any Owner, Occupant, or builder for any damage, loss or prejudice suffered or claimed or claimed to be suffered arising from any action by the ARC or a member thereof or failure of the ARC or a member thereof, provided only that the member has acted in good faith in accordance with the actual knowledge possessed by him.

6.13 Estoppel Certificate. Within fifteen (15) working days after written request is delivered to the ARC by an Owner, and upon payment to the ARC of a reasonable fee fixed by the ARC to cover costs, the ARC shall provide such Owner with a certificate executed by the Chairman of the ARC, and acknowledged, certifying with respect to any Lot owned by the Owner, that as of the date thereof either (a) all improvements made on done upon or within such Lot by the Owner comply with this Declaration or any Rules and Regulations either promulgated by the Board or the ARC, or (b) such improvements do not so comply, in which event, the certificate shall also identify the noncomplying improvements and set forth with particularity the nature of such noncompliance. The Owner, his/her/their heirs, devisees, successors and assigns shall be entitled to rely on the certificate with respect to the matters set forth. The certificate shall be conclusive as between the Declarant, the ARC, the Association and all Owners, and all such persons deriving an interest through any of them.

## SECTION 7

### **MT. SOLO PLACE HOMEOWNERS ASSOCIATION**

7.1 Members. Each Owner shall be a mandatory member of the Association. Membership in the Association shall be appurtenant to, and may not be separated from, ownership of any Lot. Transfer of ownership of a Lot automatically transfers membership in the Association. Without any other act or acknowledgement, Occupants and Owners shall be governed and controlled by this Declaration the Articles of Incorporation, Bylaws, and Rules and Regulations and any

amendments thereof.

7.2 Proxy. Each Owner may cast his vote in person, pursuant to a proxy executed by the Owner, or by written ballot. An Owner may not revoke a proxy given pursuant to this Section except by actual notice or revocation to the person presiding over a meeting of the Association. A proxy shall not be valid if it is undated or purports to be revocable without notice. A proxy shall terminate one (1) year after its date, unless the proxy specifies a shorter term.

7.3 Voting Rights. The Association shall have two (2) classes of voting members.

7.3.2 Class B. The Class B member shall be the Declarant, its successors and assigns. The Class B member shall have three (3) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership upon the earlier of:

7.3.2.1 The date that Lots representing ninety percent (90%) of Lots anticipated to be created and subject to this Declaration, including any anticipated annexation of additional Lots, have been conveyed to Owners other than Declarant ("Termination Date"); or

7.3.2.2 At such earlier time as Declarant may elect in writing to terminate Class B membership.

Thereafter, each Owner, including the Declarant, shall be entitled to one (1) vote for each Lot owned with respect to all matters upon which Owners are entitled to vote, and the total number of votes shall be equal to the total number of Lots.

When more than one (1) person or entity owns a Lot, the vote for such Lot may be cast as they shall determine, but in no event will fractional voting be allowed. Fractional or split votes shall be disregarded, except for purposes of determining a quorum. The total number of votes as of the Termination Date and thereafter shall be equal to the total number of Lots.

7.4 Procedure. All meetings of the Association, the Board of Directors, the ARC, and Association committees shall be conducted with such rules of order as may from time to time be adopted by the Board of Directors. Notwithstanding which rule of order is adopted, the chairman shall be entitled to vote on all matters, not merely to break a tie vote. A tie vote does not constitute a majority or approval of any motion or resolution.

## **SECTION 8**

### **DECLARANT CONTROL**

8.1 Interim Board and Officers. The Declarant hereby reserves administrative control of the Association. The Declarant, in its sole discretion, shall have the right to appoint and remove members of the interim Board of Directors, which shall manage the affairs of the Association and which shall be vested with all powers and rights of the Board of Directors. The interim Board shall consist of from one to three members. Notwithstanding the provision of this Section, at the Turnover Meeting (as hereinafter defined) at least one (1) Director shall be elected by Owners other than the Declarant, even if the Declarant otherwise has voting power to elect all of the members of the Board.

8.2 Turnover Meeting. Within sixty (60) days after the Termination Date, the Declarant shall call the Turnover Meeting as provided in Section 3.2 of the Bylaws for the purpose of turning over administrative control of the Association from the Declarant to the Class A members. The Declarant shall give notice of the meeting to each Owner as provided in the Bylaws. If the Declarant does not

call the meeting required under this Section, any Owner may do so.

8.3 Board of Directors. At and following the Turnover Meeting, the Board of Directors of the Association shall be comprised of three (3) directors. The directors will be elected in the manner provided in the Bylaws.

## SECTION 9

### **DECLARANT'S SPECIAL RIGHTS**

9.1 General. Declarant is undertaking the work of developing Lots and other improvements within the Property and annexing other Phases. The completion of the development work and the marketing and sale of the Lots is essential to the establishment and welfare of the Property as a residential community. Until the Homes on all Lots on the Property have been constructed, fully completed and sold, and all property annexed to the satisfaction of Declarant, with respect to the Common Areas and each Lot on the Property, the Declarant shall have the special rights set forth in this Section 9.

9.2 Marketing Rights. Declarant shall have the right to maintain a construction trailer, sales office and model on one or more of the Lots which the Declarant may or may not own, to be staffed by the employees of the Declarant or any licensed real estate sales agents. The Declarant and prospective purchasers and their agents shall have the right to use and occupy the construction trailer, sales office and models during reasonable hours any day of the week. The Declarant may maintain a reasonable number of "For Sale" signs at reasonable locations of the Property, including, without limitation, the Common Area.

9.3 Declarant's Easements. The Declarant has reserved easements over the Property as more fully described in Section 3.4.3 and 3.4.4 hereof.

9.4 Appearance and Design of the Property. Declarant shall not be prevented from changing the exterior appearance of the Common Area, including the landscaping or any other matter directly or indirectly connected with project in any manner deemed desirable by Declarant, provided that the Declarant obtain governmental consents required by law. The construction and material standards of Section 4 notwithstanding, Declarant may change exterior and/or interior designs of Homes and Lots from initial plans and provisions in this document, without notice. This may include designs, colors, and type of materials, provided Declarant obtains any necessary governmental consent.

9.5 Construction by Declarant. All construction by Declarant is presumed to have been approved by the ARC and to meet any Design Guidelines of the Association.

9.6 Partial Assignment of Declarant Rights. Declarant reserves the right to assign all or a portion of its Special Declarant rights to other assignees.

9.7 Limited Obligations. Until the Turnover Meeting, Declarant shall have no obligation to publish financial statements, hold meetings, or otherwise account to or consent with Owners, except as required under RCW Chapters 64.90 and 24.03 or as expressly required herein.

## SECTION 10

### **FUNDS AND ASSESSMENTS**

10.1 Purpose of Assessment. The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the Owners and Occupants and for the improvement, operation and maintenance of the Common Area and the Easements including administrative costs and insurance for the Association.

10.1.1 Common Expense Designations. Common Expenses of the nature described in Section 10.1 which are to be, or are, incurred by the Association for the benefit of all of the Owners of Lots within the Property shall be separately budgeted for allocation among all such Owners, except the Declarant or a Declarant assignee, and shall be designated "General Common Expenses". Any Common Expenses that benefit only one Phase or portion of Lots shall be allocated solely to those Lots as described in Section 10.4.3.

10.1.2 Insurance by the Association. The Board shall obtain, and maintain in effect, from reputable insurance companies authorized to do business in the State of Washington, public liability insurance with respect to all the Common Area, in such amounts and in such forms as the Board deems advisable to provide adequate protection for bodily injury, including deaths of persons, and property damage, whether caused by the negligence of the Association or otherwise; provided, however, that such policy(ies) shall not be for an amount of less than One Million and No/100 Dollars (\$1,000,000.00) per person, per occurrence, and that such policy(ies) shall provide that the coverage thereunder cannot be canceled or substantially modified without at least ten (10) days written notice to the Association. No fire and casualty coverage will be purchased by the Association for Homes. The Association may obtain such other and further policies of insurance as it deems advisable. The named insured on the policy shall be Cloverhill PUD Subdivision Phase 7 Homeowners Association. The casualty insurance to be obtained by the Association pursuant to this Section 10.1.2 shall include the following terms, if the Board determines they are reasonably available:

10.1.2.1 A waiver of subrogation by the insurer as to any claims against the Board, any Owner, or any guest of an Owner;

10.1.2.2 A waiver by the insurer of its right to repair and reconstruct instead of paying cash;

10.1.2.3 A provision that no policy may be canceled, invalidated, or suspended because of the action of an Owner;

10.1.2.4 A provision that no policy may be canceled, invalidated, or suspended because of the conduct of any director, officer, or employee of the Association unless the insurer gives the Association a prior written demand that the Association correct the defect and allows the Association a reasonable time to make the correction; and

10.1.2.5 A provision that any "other insurance" clause in any policy shall exclude from its coverage all owners' policies. The Association shall purchase and maintain insurance on behalf of any person who is or was a Director, Officer, employee, or agent of the Association, against any liability asserted against him or her and incurred by him or her in any such capacity, or arising out of his/her/their status as such, whether or not the Association would have the power to indemnify him or her against such liability under the provisions of the Articles of Incorporation of the Association.

10.2 Covenants to Pay and Funds Held. Declarant, on behalf of each and every subsequent Owner of any Lot, covenants and agrees that each Lot will pay the Association the assessments and any additional charges levied pursuant to this Section 10. The assessments collected by the Association shall be held by the Association for and on behalf of each Owner and shall be used solely for the operation, care and maintenance of the Property as provided by this Declaration. Upon the sale or transfer of any Lot, the Owner's interest in the funds shall be deemed automatically



transferred to the successor in interest of such Owner, and is not refundable.

10.3 Basis of Assessments and Commencement of Assessments. Assessments are to be levied against all Lots, except those owned by the Declarant, whether or not such Lots have been improved with a substantially completed Home. Provided, however, that no Assessment shall be levied against any Lot until such time as it is first sold to an Owner other than Declarant or Declarant assignee. Assessments for all Lots conveyed by the Declarant to Owner, either by deed or land sales contract, shall begin on the day of the recording of the deed or land sale contract conveying or contracting to convey the Lot of the new Owner.

10.4 Annual Assessments. Annual assessments for each fiscal year shall be established when the Board approves the budget for that fiscal year. The fiscal year shall be the calendar year unless another year is adopted by vote of the Board members. Annual Assessments will be levied on a quarterly basis unless otherwise approved by the Board.

10.4.1 Budget. Regardless of the number of Members or the amount of assets of the Association, each year the Board shall prepare, approve and make available to each Member a pro forma operating statement (budget) containing; (i) estimated revenue and expenses on an accrual basis; (ii) the amount of the total cash reserves of the Association currently available for replacement or major repair of the Common Area, the Easements, and for contingencies; (iii) an itemized estimate for the remaining life of, and the methods of funding to defray repair, replacement or additions to major components of the Common Areas and the Easements; and (iv) a general statement setting forth the procedures used by the Board in the calculation and establishment of reserves to defray the costs and repair, replacement or additions to major components of the Common Areas and the Easements. For the first fiscal year, the budget shall be approved by the Board no later than the date on which annual assessments are scheduled to commence. Thereafter, the Board shall annually prepare and approve the budget and distribute a summary thereof to each Member, together with written notice of the amount of the annual assessments to be levied against the Owner's Lot, not less than thirty (30) days after adoption of the budget. The summary of the budget shall include all information required by RCW 64.90.525(2). Within thirty (30) days after adoption of the budget, the Board shall set a date for a meeting of the Owners to ratify the budget as required by RCW 64.90.525(1).

10.4.2 Allocation of General Assessments. The amount in the Association budget other than for Limited Assessments (defined below) shall be charged equally against all Lots which have closed escrow to an Owner other than the Declarant or a Declarant assignee as annual assessments. Any profits of the Association shall be similarly allocated.

10.4.3 Special Assessments. The Board shall charge all expenses for maintenance, repair, replacement, taxes and insurance, including reserves if the Board elects pursuant to Section 10.5 below, for property that benefits only particular Lots to those benefitted Lots in equal shares.

10.4.4 Individual Assessments. Any expense of the Association or, except as otherwise provided in this Declaration, any part of a common expense benefiting fewer than all of the Lots may be assessed exclusively against the Lots benefitted. Such Individual Assessments may include (if not assessed as Townhome Assessments (as defined in Section 10.9), without limitation, charges for services provided under Sections 5, 4. and any common expense that is incurred by the Association because of the fault of the Owner and that is not paid by insurance. Individual Assessments shall also include default assessments levied against any Lot to reimburse the Association for costs incurred in bringing such Lot or its Owner into compliance with the provisions of this Declaration or the rules and regulations of the Association and for fines or other charges imposed pursuant to this Declaration for violation thereof. Unless

otherwise provided by the Board of Directors, Individual Assessments shall be due thirty (30) days after the Board of Directors has given written notice thereof to the Owners subject to the Individual Assessments.

10.4.5 Non-Waiver of Assessments. If before the expiration of any fiscal year the Association fails to fix annual assessments for the next fiscal year, the annual assessments established for the preceding year shall continue until a new annual assessment is fixed.

10.4.6 Working Capital Fund. Declarant shall establish in the name of the Association a working capital fund for the Association. Amounts paid into this fund shall not be considered advance payments of the monthly assessments for common expenses assessments described in Section 10.4.2. Prior to the Turnover Meeting, the working capital fund shall be available for unexpected expenses, budget shortfalls, and capital expenditures, in the discretion of Declarant. At the time of closing of each sale of each Lot, the purchaser of such Lot shall make an initial contribution to the working capital fund equal to two months of Association general assessments for such Lot. After the Turnover Meeting, the working capital fund shall be a reserve fund available for unexpected expenses, budget shortfalls and capital expenditures, in the discretion of the Board of Directors.

## 10.5 Reserve Funds

10.5.1 Reserve Fund for Replacing Common Area Improvements. Declarant may in addition establish a reserve fund in the name of the Association for replacement, in whole or in part, for any completed improvements located in, on, or under the Common Area or Lots for which the Association is responsible pursuant to this Declaration, that will normally require replacement within thirty (30) years. The reserve account need not include those items that could reasonably be funded from the maintenance fund or operating assessments, or for which one or more Owner is responsible for maintenance and replacement under the provisions of this Declaration or the Bylaws. For purposes of funding the reserve fund, the Declarant initially, and thereafter the Association may impose an assessment to be called the "Reserve Fund Assessment" against each Lot, which assessment shall be spread equally over the Lots, except as otherwise provided in Section 10.4.3 above. The Reserve Fund Assessment, if any, shall be based on the reserve study, and updates thereof, described in Section 10.5.5, or other sources of reliable information. Nothing herein shall limit the authority of the Declarant or the Association to establish other separate and unrelated reserve funds that are funded by assessments for reserves that are in addition to the Reserve Fund or that relate only to a particular type or category of Lot. The Reserve Fund shall be kept separate from other funds and may be used only for the purposes for which reserves have been established as specified in this Section.

10.5.2 If Declarant elects to impose reserve assessments, Declarant may elect to defer payment of the Reserve Fund Assessments due on Lots it owns until the date of the conveyance of the Lot to an Owner. However, the Declarant may not defer such payment beyond the date of the Turnover Meeting or, if no Turnover Meeting is held, beyond the date the Owners assume administrative control of the Association. The books and records of the Association shall reflect the amount owing from the Declarant for all Reserve Fund Assessments.

10.5.3 After the Turnover Meeting or at such time as the Owners have assumed responsibility for administration of the Association, the Board may borrow funds from the Reserve Fund to meet high seasonal demands on the regular operating funds or to meet other unexpected increases in expenses. Such funds borrowed from the Reserve Fund shall be repaid from regular annual or special assessments against the Lots, if the Board has

adopted a resolution, which may be an annual, continuing resolution, authorizing the borrowing of funds. Not later than the adoption of the budget for the following year, the Board shall adopt by resolution a written payment plan providing for repayment of the borrowed funds within a reasonable period.

10.5.4 The Board may adjust the amount of the Reserve Fund Assessments as indicated by any reserve study or update, and provide for any other reserve items that the Board, in its discretion, may deem appropriate during a fiscal year. In addition, after the second anniversary of the Turnover Meeting, the Association may elect to reduce or increase future Reserve Fund Assessments by a seventy-five (75%) vote of the Owners. Any funds established for any of the purposes mentioned in this Section shall be deemed to be within the Reserve Fund notwithstanding that it may not be so designated by the Board of Directors. The amount of the Reserve Fund, if any, shall constitute an asset of the Association and shall not be refunded or distributed to any Owner.

10.5.5 Reserve Study. If Declarant elects to establish a Reserve Fund, the Declarant initially, and thereafter the Board of Directors, shall on behalf of the Association annually conduct a reserve study, or review and update an existing study, of the Common Area components to determine the requirements of the reserve fund described in Section 10.5.1 above. The reserve study shall meet the requirements of RCW 64.90.545 and RCW 64.90.550.

10.6 Special Assessments. The Board of Directors shall have the power to levy special assessments against an Owner or all Owners in the following manner for the following purposes:

10.6.1 Deficits in Operating Budget. To correct a deficit in the operating budget, by vote of a majority of the Board;

10.6.2 Breach of Documents. To collect amounts due to the Association from an Owner for breach of the Owner's obligations under the Declaration, the Bylaws, or the Rules and Regulations, by vote of a majority of the Board;

10.6.3 Repairs. To make repairs or renovations to the Common Area and the Easements, if sufficient funds are not available from the operating budget or replacement reserve accounts by vote of a majority of the Board; or

10.6.4 Capital Additions. To make capital acquisitions, additions or improvements, by vote of at least seventy-five percent (75%) of all votes allocated to the Lots.

10.7 Accounts.

10.7.1 Types of Accounts. Assessments collected by the Association may be deposited into at least two (2) separate accounts with a bank, which accounts shall be designated as (i) the Current Operating Account and (ii) the Reserve Account. Those portions of the assessments collected for current maintenance and operation levied under Section 10.4.2 will be in the Current Operating Account and those portions of the assessments collected as reserves for replacement and deferred maintenance of capital improvements, if any, into the Reserve Account. Special Assessments shall be deposited into one of the two accounts, whichever is deemed by the Board to be appropriate. Withdrawal of funds for the Association's Reserve Account, if any, shall require the signatures of two (2) Directors.

10.7.2 Reserve Account. The Association shall pay out of the Reserve Account only those costs that are attributable to the maintenance, repair or replacement of capital improvements for which reserves have been collected and held.

10.7.3 Current Operating Account. All ordinary maintenance and operating expenses shall be paid from the Current Operating Account.

10.8 Default in Payment of Assessments, Enforcement of Liens.

10.8.1 Personal Obligation. All assessments properly imposed under this Declaration or the Bylaws shall be the joint and several personal obligations of all Owners of the Lot to which such assessment pertains. In a voluntary conveyance the grantees shall be jointly and severally liable with the grantor(s) for all Association assessments imposed through the recording date of the instrument affecting the conveyance. A suit for a money judgment maybe initiated by the Association to recover such assessments without either waiving or foreclosing the Association's lien.

10.8.2 Association Lien. At any time, any assessment (of any type provided for by this Declaration or the Bylaws) or installment thereof is delinquent, the Association, by and through its Board or any management agent may file a notice of lien in the deed records of Cowlitz County, Washington against the Lot in respect to which the delinquency pertains. Once filed, such lien shall accumulate all future assessments or installments, interest, late fees, penalties, fines, attorneys' fees (whether or not suitor action is instituted) and other appropriate costs properly chargeable to an Owner by the Association, until such amounts are fully paid. The provisions regarding the attachment, notice, recordation, duration and foreclosure of liens established on real property under Washington law shall apply to the Association's lien. The lien of the Association shall be superior to all other liens and encumbrances except property taxes and assessments, and any first mortgage or deed of trust.

10.8.3 Interest; Fines; Late Fees; Penalties. The Board in its reasonable discretion may from time to time adopt resolutions to set the rate of interest not higher than the maximum rate allowed under Washington law, and to impose late fees, fines and penalties on delinquent assessments or for violations of the provisions of this Declaration, the Bylaws, any Rules and Regulations, and any rules and regulations adopted by the ARC. The adoption of such impositions shall be communicated to all Owners in writing not less than thirty (30) days before the effective date by a notice mailed to the assessment billing addresses of such Owners. Such impositions shall be considered assessments which are lienable and collectible in the same manner as any other assessments. Provided, however, no fine or penalty for violation of this Declaration, the Bylaws or any Rules and Regulations (other than late fees, fines or interest arising from an Owner's failure to pay regular or special assessments) may be imposed against an Owner or his Lot until such Owner is given an opportunity for a hearing as provided in Section 4.24.

10.8.4 Acceleration of Assessments. In the event an Owner is delinquent in payment of any assessment or installment on any assessment, the Association, upon not less than ten (10) days written notice to the Owner, may accelerate the due date of the full annual assessment for that fiscal year and all future installments of any special assessments.

10.8.5 Association's Right to Rents/Receiver. In any foreclosure suit by the Association with respect to such lien, the Association shall be entitled to collect reasonable rent from the defaulting Owner for the use of his Lot or shall be entitled to the appointment of a Receiver. Any default by the Owner in any provisions of the Declaration or Bylaws shall be deemed to be a default by the Owner of any mortgage to which the Owner is party or to which the Lot is subject.

## SECTION 11

### GENERAL PROVISIONS

11.1 Indemnification of Directors, Officers, Employees and Agents. To the extent allowed under Washington law, the Association shall indemnify any Director, officer, employee or agent who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by the Association) by reason of the fact that he/she is or was a Director, officer, employee or agent of the Association or is or was serving at the request of the Association as a Director, officer, employee or agent of another corporation, partnership, joint venture, trust or other enterprise, against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by said person in connection with such suit, action or proceeding if he/she acted in good faith and in a manner he/she reasonably believed to be in, or not opposed to, the best interest of the Association, and, with respect to any criminal action or proceedings, had no reasonable cause to believe his conduct was unlawful. The termination of any action, suit or proceeding by judgment, order, settlement, conviction, or with a plea of *nolo contendere* or its equivalent, shall not of itself create a presumption that a person did not act in good faith and in a manner which he/she reasonably believed to be in, or not opposed to, the best interest of the Association, and with respect to any criminal action or proceedings, had reasonable cause to believe his conduct was unlawful. Payment under this clause may be made during the pendency of such claim, action, suit or proceeding as and when incurred, subject only to the right of the Association to reimbursement of such payment from such person, should it be proven at a later time that such person had no right to such payments. All persons who are ultimately held liable for their actions on behalf of the Association as a Director, officer, employee or agent shall have a right of contribution over and against all other Directors, officers, employees or agents and members of the Association who participated with or benefited from the acts which created said liability.

11.2 Enforcement; Attorneys' Fees. The Association and the Owners within the Property or any mortgagee on any Lot shall have the right to enforce all of the covenants, conditions, restrictions, reservations, easements, liens and charges now or hereinafter imposed by any of the provisions of this Declaration as may pertain specifically to such parties or owners by any proceeding at law or in equity. Failure by either the Association or by any Owner or mortgagee to enforce any covenant, condition or restriction herein contained shall in no event be deemed a waiver of their right to do so thereafter. The prevailing party in any such action or appeal therefrom shall be entitled to recovery of reasonable attorney fees and costs.

11.3 Severability. Invalidity of any one of these covenants, conditions or restrictions by judgment or court order shall not affect the other provisions hereof and the same shall remain in full force and effect.

11.4 Duration. The covenants, conditions and restrictions of this Declaration shall run with and bind the land for a term of thirty-five (35) years from the date of this Declaration being recorded, after which time they shall be automatically extended for successive periods of ten (10) years, unless rescinded by a vote of at least ninety percent (90%) of the Owners and ninety percent (90%) of the first mortgagees. Provided however, amendments which do not constitute rescission or termination of the Declaration may be adopted as provided in Section 11.6 below.

11.5 Amendment. Except as otherwise provided in Sections 11.5, 11.8, and the restrictions set forth elsewhere herein, this Declaration may be amended at any time by an instrument approved by not less than sixty-seven percent (67%) of the total votes (without regard to any weighted vote otherwise allocated to the Class B member) for all Lots subject to this Declaration of each class of members that are eligible to vote. However, prior to transfer of any Lot to an Owner other than a

Successor Declarant, Declarant has the right to amend the Declaration, Bylaws and Sections of Incorporation. Any amendment must be executed, certified and recorded as provided by law. Provided, however, that no amendment of this Declaration shall effect an amendment of the Bylaws or Articles of Incorporation without compliance with the provisions of such documents. Provided further, until the Turnover Meeting, no amendment affecting the General Plan of Development or any other right of the Declarant herein contained may be effected without the express written consent of the Declarant or its successors and assigns. Any changes to this Declaration proposed for adoption shall be reviewed by the City of Longview attorney or approved legal counsel, who will make a written report to the City council concerning the effect of the proposed changes. The cost of review by the city attorney or other legal counsel will be paid by the homeowners' association.

11.6 Release of Right of Control. The Declarant may give up its right of control in writing at any time by notice to the Association.

11.7 Personal Pronouns. All personal pronouns used in this Declaration, whether used in the masculine, feminine or neuter gender, shall include all other genders; the singular shall apply to the plural and vice versa.

11.8 Unilateral Amendment by Declarant. Upon thirty (30) days prior notice to the Owners, Declarant may amend this Declaration in order to comply with the requirements of the Federal Housing Administration of the United States, the Federal National Mortgage Association, the Government National Mortgage Association, the Federal Home Mortgage Loan Corporation, the United States Department of Veterans Affairs, any department, bureau, board, commission or agency of the United States or the State of Washington, or any other state in which the Lots are marketed and sold, or any corporation wholly owned, directly or indirectly, by the United States or the State of Washington, or such other state, the approval of which entity is required in order for it to insure, guarantee or provide financing in connection with development of the Property and sale of Lots. Prior to the Turnover Meeting, no Declarant amendment shall require notice to or approval by any Class A member.

11.9 Resolution of Document Conflicts. In the event of a conflict among any of the provisions in the documents governing the Association, such conflict shall be resolved by looking to the following documents in the order shown below;

1. Declaration of Covenants, Conditions and Restrictions;
2. Articles of Incorporation;
3. Bylaws;
4. Rules and Regulations.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the undersigned being the Declarant herein, has executed this instrument this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

DECLARANT:

Owner at Solo LLC,  
a Washington Limited Liability Company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

LENNAR:

Lennar Northwest, Inc.,  
a Delaware corporation

By: \_\_\_\_\_  
Name: Ryan M. Selby  
Title: Vice President

STATE OF WASHINGTON     )  
                                                      ) ss.  
COUNTY OF CLARK         )

The foregoing instrument was acknowledged before me the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by Ryan M. Selby, Vice President of Lennar Northwest, Inc., a Delaware corporation, on behalf of said corporation.

\_\_\_\_\_  
Notary Public for the State of Washington  
My Commission Expires: \_\_\_\_\_

STATE OF \_\_\_\_\_     )  
                                                      ) ss.  
COUNTY OF \_\_\_\_\_     )

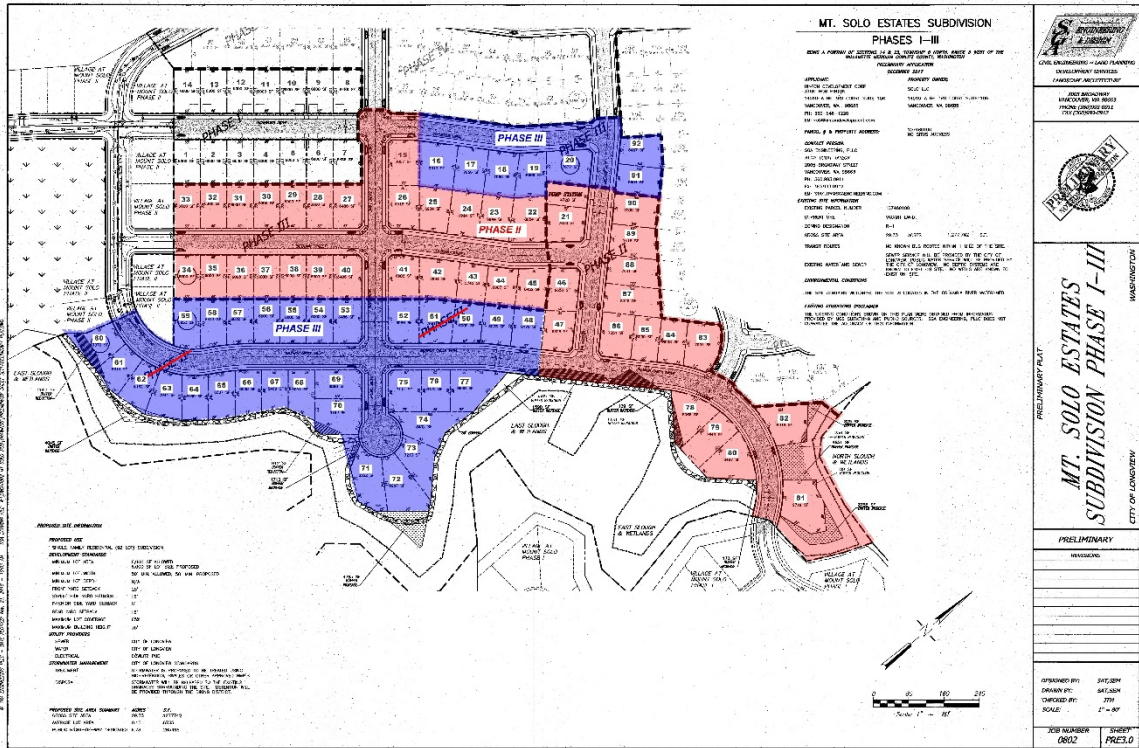
The foregoing instrument was acknowledged before me the \_\_\_\_\_ day \_\_\_\_ of \_\_\_\_\_, 20\_\_, by \_\_\_\_\_, \_\_\_\_\_ of Solo LLC, a Washington Limited Liability Company, on behalf of said corporation.

\_\_\_\_\_  
Notary Public for the State of Washington  
My Commission Expires: \_\_\_\_\_



# EXHIBIT "A"

The Real Property is made up of: (i) Lots 1 through 14 (Phase 1); (ii) Lots 15, 21 through 47 and 78 through 90 (Phase 2); and (iii) Lots 16 through 20, 48 through 77 and 91 through 92 (Phase 3).





# City of Longview

## Agenda Summary

**PLANNING COMMISSION RECOMMENDATION: ZONING CODE AMENDMENTS FOR EMERGENCY SHELTERS, EMERGENCY HOUSING, TRANSITIONAL HOUSING AND PERMANENT SUPPORTIVE HOUSING.**

**RECOMMENDED ACTION:**

**MOTION TO DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE TO ADOPT THE PROPOSED ZONING CODE AMENDMENTS WITH A MODIFICATION TO THE OCCUPANT LIMIT LANGUAGE FOR PERMANENT SUPPORTIVE HOUSING PROVIDED IN THE STAFF MEMO**

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**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Address quality of place issues

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

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 proposed amendments remove all existing conflicting zoning laws regarding these land uses which under the state law are now invalid. The law takes effect October 1, 2021. The Planning Commission held a workshop August 4, 2021 and a public hearing September 1, 2021 on the proposed amendments. The City received 16+ comment letters and heard public comments from four persons during the public hearing. Staff prepared a memo and alternative recommendation for consideration by the Planning Commission as a result of some of the public comment letters received. The Planning Commission, after holding the public hearing, made a motion to recommend the City Council adopt findings and draft zoning code amendments contained in the staff report (not the alternate recommendation) with the modification that only emergency shelters shall be required to submit a facility operations and management plan. During discussion, the Planning Commission recognized that the occupant limit language for permanent supportive housing contained in the draft amendments was in need of modification to be consistent with federal standards but did not have that language available to make a modification to the draft code during the meeting. Staff has now proposed alternate language on occupancy limits for council consideration (or the option to drop the limits and defer to existing building and fire code occupancy limits).

**STAFF CONTACT:**

Adam Trimble, Interim Planning Manager

**Attachments:**

1. PC 2021-5 Memo to council re Emergency Shelters preemption draft zoning amendments
2. Draft zoning amendments re emergency shelters preemption Updated 9-2-21
3. PC 2021-5 Public Comments on Emergency Shelters preemption 9-1-21 a
4. HOSWWA response to proposed City of Longview zoning code changes\_E2SHB 1220
5. PC 2021-5 Staff Report Emergency Shelters preemption 9-1-21
6. PC 2021-5 Memo re public comments on Emergency Shelters preemption 9-1-21

**TO:** Longview City Council

**FROM:** Adam Trimble, Interim Planning Manager

**MEETING DATE:** September 9, 2021

**SUBJECT: Case No. PC 2021-5 - Emergency Shelters preemption zoning code amendments**

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 proposed amendments remove all existing conflicting zoning laws regarding these land uses which under the state law are now invalid. The law takes effect October 1, 2021.

The Planning Commission held a workshop August 4, 2021 and a public hearing September 1, 2021 on amendments to conform the City's zoning code to the new state requirements. 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 recommendation of the Planning Commission includes 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 Planning Commission also recommends requiring an operations plan to be filed with each new application an emergency shelter.

The City received 16+ comment letters and heard public comments from four persons during the public hearing. Staff prepared a memo and alternative recommendation for consideration by the Planning Commission as a result of some of the public comment letters received. The Planning Commission, after holding the public hearing, made a motion to recommend the City Council adopt findings and draft zoning code amendments contained in the staff report (not the alternate recommendation) with the modification that only emergency shelters shall be required to submit a facility operations and management plan. During discussion, the Planning Commission recognized that the occupant limit language for permanent supportive housing contained in the draft amendments was in need of modification to be consistent with federal standards but did not have that language available to make a modification to the draft code during the meeting. Staff has now proposed alternate language on occupancy limits for council consideration (or the option to drop the limits and defer to existing building and fire code occupancy limits):

September 2, 2021

“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 dwelling.”

Included with the agenda is the recommended draft zoning code amendments, staff report and public comment letters and staff memo with alternate recommendations.

If you have any questions please let me know at 360-442-5092.

September 2, 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.

**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, subject to standards set forth in LMC 19.44.110.**

“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 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 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).

**Commented [AT1]:** Replace with "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 dwelling."

**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 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 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,

(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) Permanent supportive housing 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,

~~((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 |     |                     |                 |    |     |
|-------------------------------------------------------------------------------------|-----------------|-----|---------------------|-----------------|----|-----|
|                                                                                     | D-C             | CBD | RC <sup>1</sup>     | NC <sup>2</sup> | GC | O/C |
| Lodging, temporary stay                                                             |                 |     |                     |                 |    |     |
| Hotels, motels and lodges                                                           | P               | P   | ((P <sup>4</sup> )) |                 | 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                |          |                 |                 |                  |                  |
|----------------------------------------------------------------------------|--------------------------------|----------|-----------------|-----------------|------------------|------------------|
|                                                                            | D-C                            | CBD      | RC <sup>1</sup> | NC <sup>2</sup> | 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 <sup>3</sup> )) <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,

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,

((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 shall be subject to standards for facility operations and management plans set forth in LMC 19.22.

(c) Prohibited Areas. Emergency shelters, emergency housing are not to be within 1,000 feet of another emergency shelter, emergency housing 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 18<sup>th</sup> 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.

(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.

## Adam Trimble

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**From:** C R Arnold <corey.r.arnold@gmail.com>  
**Sent:** Wednesday, September 01, 2021 4:50 PM  
**To:** Ken Hash; Adam Trimble  
**Subject:** Public Comment New Zoning Code Concerns

Hello Mr. Hash and Mr. Trimble,

I am a citizen of Longview who lives on 33rd Ave and is writing to express concern regarding the proposed change of the zoning code.

I have a few concerns.

For instance, the justification given for altering zoning protocol regarding transitional, permanent supportive and emergency housing as well as emergency shelters is that such resources will increase demand on services and crime rate. I dispute this purely on factual bases, though the language is also quite callous. An increased demand on emergency services is hard to fathom, though I will not be so naive as to claim a more liberal approach to housing would absolutely lighten the burden. That said, it seems likely the burden would either remain similar or be decreased by greater access to housing – the risk to individuals will be less purely because some individuals will be living more securely. Regarding crime rates, my argument would be similar: Easier access to housing and shelters would reduce crime rates, as it would give potential "criminals" a place to be, whereas in many instances, such crimes as loitering are the simple result of a LACK of housing.

What I see as an even more pragmatic concern regards the new requirement for emergency shelters and the pertinent types of housing to file facility operations and management plans. I can personally attest to the current bureaucratic burden concomitant in social work; any increase in required documentation would strain already sparse resources.

Furthermore, the proposed amendment would require codes of conduct to be signed and maintained. As I understand it, this is not in compliance with federal policy, and if the community is concerned about paying for such services, it's wise to not do anything that could jeopardize future federal funding.

I hope I have made my point clearly, if not concisely.

Please, as a constituent and concerned citizen, I implore you NOT to move forwards with the proposed change to city code.

Thank you,  
Corey Arnold

## Adam Trimble

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**From:** DG Berg <dgberg@gmail.com>  
**Sent:** Wednesday, September 01, 2021 5:57 PM  
**To:** Ken Hash; Adam Trimble  
**Subject:** Proposed Zoning Amendment

Ken and Adam,

I have been a volunteer for Family Promise of Cowlitz County since it's inception two years ago. I have been closely involved with one family of 6, seeing them go from living in their Nissan suv to living in a house rental for the last six months. We have families staying full time now at our day center. They have gone from being homeless to having their life put back together. They are employed and have a voucher for an apartment. Yet there is absolutely nothing available to rent. We need more housing in our community. Please, Please reject this amendment to Longview's zoning law.

Daryl Berg  
Longview, Wa

## Adam Trimble

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**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](http://www.longviewpres.org)

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

## Adam Trimble

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**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.

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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](http://www.longviewpres.org)

Church phone: (360) 577-8951

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

## Adam Trimble

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**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

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**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

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**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

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**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

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**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

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**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

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**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](mailto: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







## Staff Report

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**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:

- |                        |                                                                                                                                                                                  |
|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Goal HO-B</b>       | Promote safe, healthy, environmentally sound, and accessible housing for all economic segments of the population.                                                                |
| <b>Policy HO-B.1.1</b> | Require examination and evaluation of project alternatives for development projects that eliminate ten or more units of existing housing.                                        |
| <b>Policy HO-B.1.2</b> | 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.      |
| <b>Policy HO-B.1.3</b> | Support Continuum of Care homeless planning efforts geared toward providing a continuum of housing choices that allows families and individuals to progress toward independence. |
| <b>Policy HO-B.1.4</b> | 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.<sup>1</sup> 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.

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<sup>1</sup> 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: September 2, 2021



P.O. Box 128  
Longview, WA 98632-7080  
[www.mylongview.com](http://www.mylongview.com)

September 2, 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.<sup>1</sup> 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.

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<sup>1</sup> 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 deleterious 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.





# City of Longview

## Agenda Summary

**ORDINANCE NO. 3448 – VACATING A 17-FT NORTHWEST STRIP OF 20TH AVENUE STREET RIGHT-OF-WAY FROM OLYMPIA WAY TO THE NORTHWEST END OF 20TH AVENUE, ASSESSOR'S PLAT NO. 13**

**RECOMMENDED ACTION:**

**MOTION TO ADOPT ORDINANCE NO. 3448**

**COUNCIL INITIATIVE ADDRESSED:**

Strengthen economic conditions & create new opportunities

**CITY ATTORNEY REVIEW: Required**

**SUMMARY STATEMENT:**

After a public hearing on August 26, 2021, the City Council authorized staff to prepare an ordinance vacating a 17-foot strip of 20<sup>th</sup> Avenue street right of way from Olympia Way to the northwest end of 20<sup>th</sup> Avenue, Assessor's Plat No. 13. Vacation fees were not assessed, and Ordinance No. 3448 can be adopted to complete the right of way vacation.

**FINANCIAL SUMMARY:**

None.

**STAFF CONTACT:**

Ken Hash, Public Works Director

**Attachments:**

1. Ord No. 3448 - 20th Ave ROW Vacation
2. Ord #3448 ROW Vacation Map

ORDINANCE NO. 3448

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AN ORDINANCE VACATING A 17-FT NORTHWEST STRIP OF 20<sup>TH</sup> AVENUE STREET RIGHT-OF-WAY FROM Olympia Way TO THE NORTHWEST END OF 20<sup>TH</sup> AVENUE, ASSESSOR'S PLAT NO. 13, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, LOCATED IN THE CITY OF LONGVIEW, COWLITZ COUNTY, WASHINGTON.

---

WHEREAS, property owner American Baptist Retirement Homes, Inc, who represents 100% of the abutting properties, submitted a request to vacate a 17-ft Northwest strip of 20th Avenue street right-of-way from Olympia Way to the Northeast end of 20th Avenue, Assessor's Plat No. 13, more particularly hereinafter described, the same being a duly dedicated right of way located in the City of Longview, Cowlitz County, Washington, and did file a petition in due and legal form for the vacation of a portion thereof, with the City Clerk of said City; and

WHEREAS, following due notice thereof, a public hearing was duly held on said petition by the City Council on the 26th day of August, 2021, in the City Hall Council Chambers, at which time and place arguments and presentations favoring and opposing such street vacation were made and considered and the City Council, after having been fully advised of all of the facts, and after having considered all of the evidence for and against such vacation, determined that said petition should be granted, subject to the terms and conditions set forth herein.

NOW, THEREFORE, the City Council of the City of Longview do ordain as follows:

Section 1. That the following street right of way, known as a 17-ft Northwest strip of 20th Avenue street right-of-way from Olympia Way to the Northeast end of 20th Avenue, Assessor's Plat No. 13, situated in Section 28, Township 8 North, Range 2 West of the Willamette Meridian, in the City of Longview, Cowlitz County, Washington, more particularly described as follows:

Beginning at the southeasterly corner of Lot 35 of Assessor's Plat No. 13, said corner being a point on the northwesterly line of 20<sup>th</sup> Avenue and the northeasterly line of Olympia Way, then north 51° 56' 33" east a distance of 203.90 feet, then south 74° 58'

east a distance of 21.26 feet, then south 51° 56' 33" west a distance of 216.67 feet, then north 38° 03' 27" west a distance of 17'; to the point of beginning.

shall be, and the same is hereby, vacated, subject to the provisions of Sections 2, and 3 hereof.

Section 2. That a public utility easement is retained over, under, across and through the vacated land for the construction, repair, maintenance and operation of public and private utilities, and for ingress and egress to the easement area at any and all times for such utility purposes.

Section 3. That a public sidewalk easement is retained over, across and through the vacated land for the construction, repair, maintenance and operation of a public sidewalk, and for ingress and egress to the easement area at any and all times for such purposes.

Section 4. This Ordinance shall be published in the manner required by law and shall be deemed to be in full force and effect thirty (30) days thereafter, and the City Clerk, pursuant to the requirements of RCW 35.79.030, shall record a certified copy of this Ordinance with the Auditor for Cowlitz County, Washington.

Passed by the City Council this 9<sup>th</sup> day of September, 2021.

Approved by the Mayor this 9<sup>th</sup> day of September, 2021.

\_\_\_\_\_  
M A Y O R

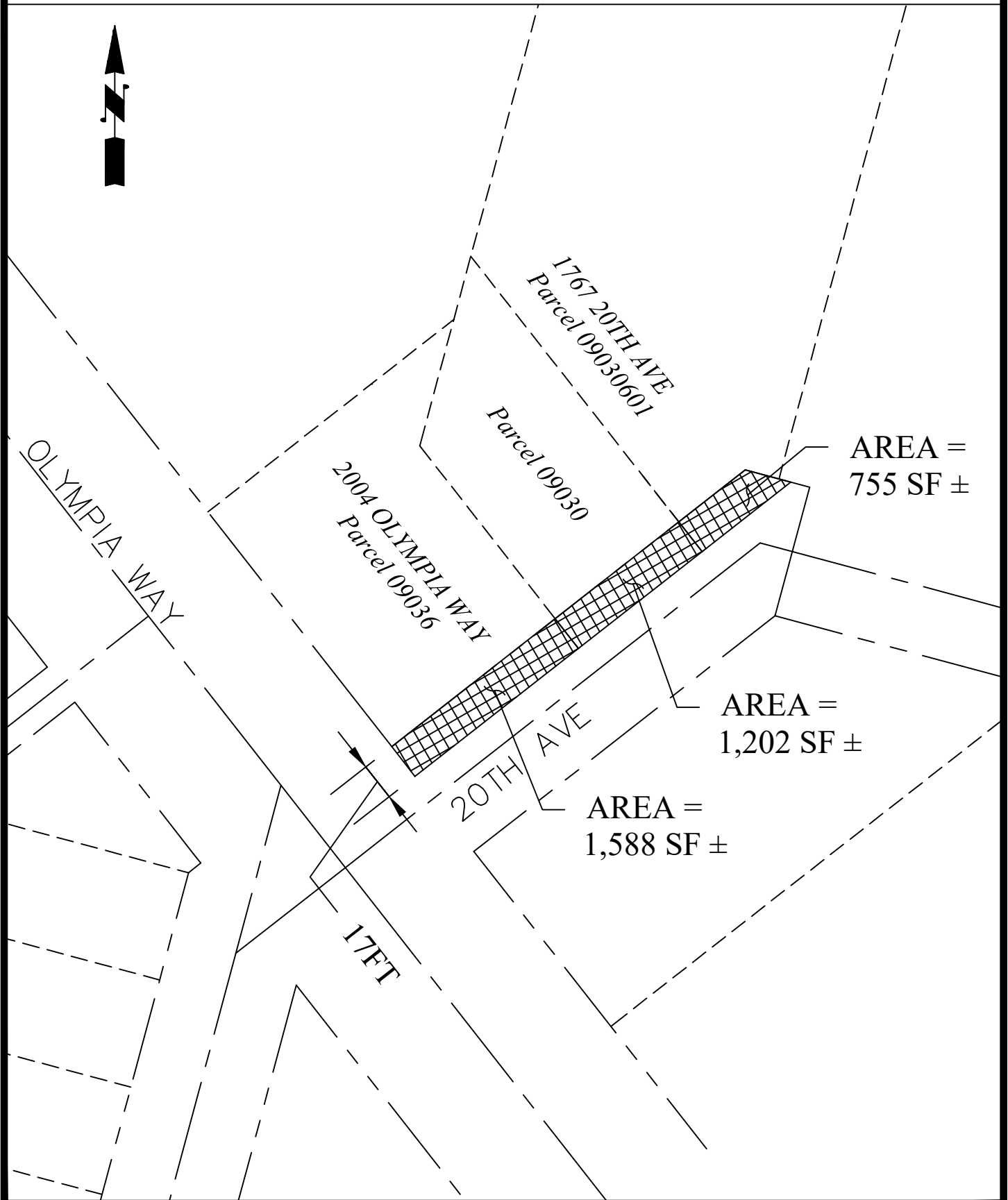
ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**20TH AVENUE VACATION**  
**EXHIBIT A**  
**TOTAL AREA = 3545 SF ±**





# City of Longview

## Agenda Summary

### **ORDINANCE NO. 3449 - SPEED LIMIT REDUCTION**

#### **RECOMMENDED ACTION:**

**MOTION TO ADOPT ORDINANCE NO. 3449**

#### **COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Improve transportation systems

#### **SUMMARY STATEMENT:**

During a workshop on August 26, 2021, the City Council directed staff to prepare an ordinance reducing speed limits on certain streets.

#### **FINANCIAL SUMMARY:**

Wholesale changing of speed limit signs on all arterial streets could cost as much as \$10,000 for materials.

#### **STAFF CONTACT:**

Ken Hash, Public Works Director

#### **Attachments:**

1. Ordinance no 3449 - redlined
2. Ordinance no 3449 - edits accepted

ORDINANCE NO. 3449

---

An Ordinance amending Section 11.24.010 of the Longview Municipal Code relating to and decreasing the speed limits of motor vehicles on certain streets of said city.

---

WHEREAS, the State of Washington sets basic speed limits for cities through RCW 46.61.400;

WHEREAS, the basic speed for cities has been set at 25 MPH;

WHEREAS; the State of Washington gives cities, the right to alter speed limits through RCW 46.61.415;

WHEREAS, the City of Longview Engineering Department has conducted an engineering study and has made a recommendation to make changes to decrease the speed limits on certain streets;

WHEREAS, on August 26, 2021 the City Council voted to authorize the City Attorney to draft revisions to LMC 11.24.010.

**NOW THEREFORE,** The City Council of the City of Longview do ordain as follows:

**Section 1:** That section 11.24.010 in the Longview Municipal Code shall be, and is hereby, amended to read as follows:

Section 11.24.010 Increasing State speed limits in certain zones.

It is hereby determined, upon the basis of an engineering and traffic investigation, that the speed permitted upon certain streets or portions of streets, hereinafter described, is less than is necessary for safe operation of vehicles thereon by reasons of the designation of said streets as arterial highways, or by way of reason of widely spaced intersections, and it is hereby declared that the speed limit upon those streets or portions thereof hereinafter described shall be as hereinafter stated, which speeds so declared shall be effective when appropriate signs giving notice thereof are erected.

| <u>NAME OF STREET</u>                                                         | <u>SPEED LIMIT</u> |
|-------------------------------------------------------------------------------|--------------------|
| 1 <sup>st</sup> /3 <sup>rd</sup> Avenue (Washington Street to Industrial Way) | 35 MPH             |

|                                                                                                              |                   |    |
|--------------------------------------------------------------------------------------------------------------|-------------------|----|
| 7 <sup>th</sup> Avenue (Wheeler Street to California Way)                                                    | 30 MPH            |    |
| <del>7<sup>th</sup> Avenue (Washington Street to Tennant Way)</del>                                          | <del>35 MPH</del> |    |
| 9 <sup>th</sup> Avenue (Tennant Way to Wheeler Street)                                                       | 30 MPH            |    |
| 11 <sup>th</sup> Avenue (Tennant Way to California Way)                                                      | 30 MPH            |    |
| 12 <sup>th</sup> Avenue (Florida St. to Tennant Way)                                                         | 35 MPH            |    |
| 14 <sup>th</sup> Avenue (Florida St. to Tennant Way)                                                         | 35 MPH            |    |
| 15 <sup>th</sup> Avenue ( <del>Ocean Beach Hwy</del> <u>Washington Way</u> to Tennant Way)                   |                   | 30 |
| MPH                                                                                                          |                   |    |
| <del>30<sup>th</sup> Avenue — Beech Street (Pacific Way to Oregon Way)</del>                                 | <del>30 MPH</del> |    |
| 32 <sup>nd</sup> Avenue (Washington Way to Ocean Beach Highway)                                              | 30 MPH            |    |
| <del>38<sup>th</sup> Avenue (Ocean Beach Hwy to Pacific Way)</del>                                           | <del>30 MPH</del> |    |
| 38 <sup>th</sup> Avenue (Olive Way to Ocean Beach Hwy)                                                       | 35 MPH            |    |
| 38 <sup>th</sup> Avenue (Industrial Way to Olive Way)                                                        | 40 MPH            |    |
| 42 <sup>nd</sup> Avenue (Ocean Beech Hwy to Pacific Way)                                                     | 30 MPH            |    |
| Baltimore Street (California Way to Oregon Way)                                                              | 30 MPH            |    |
| California Way (Tennant Way to 3 <sup>rd</sup> Ave.)                                                         | 35 MPH            |    |
| Columbia Heights (Fishers Lane to North City Limits)                                                         | 35 MPH            |    |
| Commerce Avenue (Florida Street to California Way)                                                           | 35 MPH            |    |
| East Industrial Way (3 <sup>rd</sup> Ave. East)                                                              | 35 MPH            |    |
| Fibre Way (Industrial Way to City Limits)                                                                    | 35 MPH            |    |
| <del>Glenwood Drive (Pacific Way to the Curves #2954)</del>                                                  | <del>35 MPH</del> |    |
| Industrial Way (Oregon Way to 3 <sup>rd</sup> Avenue)                                                        | 35 MPH            |    |
| Industrial Way (West of 38 <sup>th</sup> to East of Mt Solo Road)                                            | 50 MPH            |    |
| International Way (Industrial Way to South <del>erly</del> City Limits)                                      | 35 MPH            |    |
| Mt Solo Road (Ocean Beach Highway to Industrial Way)                                                         | 35 MPH            |    |
| <del>Nichols Blvd —</del> Tennant Way ( <del>Ocean Beach Hwy</del> <u>15th Ave.</u> to 7 <sup>th</sup> Ave.) |                   | 35 |
| MPH                                                                                                          |                   |    |
| Ocean Beach Highway (Washington Way to 38 <sup>th</sup> Ave.)                                                | 35 MPH            |    |

|                                                                                                           |                   |    |
|-----------------------------------------------------------------------------------------------------------|-------------------|----|
| <u>Ocean Beach Highway (38<sup>th</sup> Ave. to East of Mt Solo Road)</u>                                 | <u>40 MPH</u>     |    |
| Ocean Beach Highway (East of Mt Solo Road to <del>East of Coal Creek Road</del> <u>West City Limits</u> ) | 50 MPH            |    |
| <del>Olympia Way (19<sup>th</sup> Avenue to Ocean Beach Highway)</del>                                    | <del>30 MPH</del> |    |
| Oregon Way (Tennant Way to South City Limits)                                                             | 35 MPH            |    |
| Pacific Way ( <del>Ocean Beach Highway</del> <u>30<sup>th</sup> Avenue</u> to City Limits)                |                   | 35 |
| Prudential Blvd (Industrial Way to 38 <sup>th</sup> Avenue)                                               | 35 MPH            |    |
| Tennant Way Frontage Road (Gerhart Gardens to Lakeside)                                                   | 35 MPH            |    |
| Tennant Way (East City Limits to 7 <sup>th</sup> Avenue)                                                  | 55 MPH            |    |
| Washington Way (17 <sup>th</sup> Ave. to Nichols Blvd)                                                    | 30 MPH            |    |
| Washington Way (Nichols Blvd to 30 <sup>th</sup> Ave.)                                                    | 30 MPH            |    |
| Washington Way (30 <sup>th</sup> Ave. to Industrial Way)                                                  | 35 MPH            |    |
| Washington Way (Ocean Beach Hwy to 16 <sup>th</sup> Ave.)                                                 | 35 MPH            |    |
| West Side Highway (Fishers Lane to <del>North</del> 150' North of Fishers Ln)                             | 35 MPH            |    |
| West Side Highway (150' North of Fishers Ln to City Limits)                                               | 45 MPH            |    |
| Wheeler Street (9 <sup>th</sup> Avenue to 7 <sup>th</sup> Avenue)                                         | 30 MPH            |    |

**Section 2.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect. The City of Longview hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section 3.** That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

**Section 4.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.



**Section 5.** This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2021.

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2021.

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MAYOR

ATTEST:

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City Clerk

APPROVED AS TO FORM:

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Published: \_\_\_\_\_

ORDINANCE NO. 3449

---

An Ordinance amending Section 11.24.010 of the Longview Municipal Code relating to and decreasing the speed limits of motor vehicles on certain streets of said city.

---

WHEREAS, the State of Washington sets basic speed limits for cities through RCW 46.61.400;

WHEREAS, the basic speed for cities has been set at 25 MPH;

WHEREAS; the State of Washington gives cities, the right to alter speed limits through RCW 46.61.415;

WHEREAS, the City of Longview Engineering Department has conducted an engineering study and has made a recommendation to make changes to decrease the speed limits on certain streets;

WHEREAS, on August 26, 2021 the City Council voted to authorize the City Attorney to draft revisions to LMC 11.24.010.

**NOW THEREFORE,** The City Council of the City of Longview do ordain as follows:

**Section 1:** That section 11.24.010 in the Longview Municipal Code shall be, and is hereby, amended to read as follows:

Section 11.24.010 Increasing State speed limits in certain zones.

It is hereby determined, upon the basis of an engineering and traffic investigation, that the speed permitted upon certain streets or portions of streets, hereinafter described, is less than is necessary for safe operation of vehicles thereon by reasons of the designation of said streets as arterial highways, or by way of reason of widely spaced intersections, and it is hereby declared that the speed limit upon those streets or portions thereof hereinafter described shall be as hereinafter stated, which speeds so declared shall be effective when appropriate signs giving notice thereof are erected.

| <u>NAME OF STREET</u>                                                         | <u>SPEED LIMIT</u> |
|-------------------------------------------------------------------------------|--------------------|
| 1 <sup>st</sup> /3 <sup>rd</sup> Avenue (Washington Street to Industrial Way) | 35 MPH             |

|                                                                     |        |
|---------------------------------------------------------------------|--------|
| 7 <sup>th</sup> Avenue (Wheeler Street to California Way)           | 30 MPH |
| 9 <sup>th</sup> Avenue (Tennant Way to Wheeler Street)              | 30 MPH |
| 11 <sup>th</sup> Avenue (Tennant Way to California Way)             | 30 MPH |
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| 32 <sup>nd</sup> Avenue (Washington Way to Ocean Beach Highway)     | 30 MPH |
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| Baltimore Street (California Way to Oregon Way)                     | 30 MPH |
| California Way (Tennant Way to 3 <sup>rd</sup> Ave.)                | 35 MPH |
| Columbia Heights (Fishers Lane to North City Limits)                | 35 MPH |
| Commerce Avenue (Florida Street to California Way)                  | 35 MPH |
| East Industrial Way (3 <sup>rd</sup> Ave. East)                     | 35 MPH |
| Fibre Way (Industrial Way to City Limits)                           | 35 MPH |
| Industrial Way (Oregon Way to 3 <sup>rd</sup> Avenue)               | 35 MPH |
| Industrial Way (West of 38 <sup>th</sup> to East of Mt Solo Road)   | 50 MPH |
| International Way (Industrial Way to South City Limits)             | 35 MPH |
| Mt Solo Road (Ocean Beach Highway to Industrial Way)                | 35 MPH |
| Tennant Way (15th Ave. to 7 <sup>th</sup> Ave.)                     | 35 MPH |
| Ocean Beach Highway (Washington Way to 38 <sup>th</sup> Ave.)       | 35 MPH |
| Ocean Beach Highway (38 <sup>th</sup> Ave. to East of Mt Solo Road) | 40 MPH |

|                                                                   |        |
|-------------------------------------------------------------------|--------|
| Ocean Beach Highway (East of Mt Solo Road to West City Limits)    | 50 MPH |
| Oregon Way (Tennant Way to South City Limits)                     | 35 MPH |
| Pacific Way (30th Avenue to City Limits)                          | 35 MPH |
| Prudential Blvd (Industrial Way to 38 <sup>th</sup> Avenue)       | 35 MPH |
| Tennant Way Frontage Road (Gerhart Gardens to Lakeside)           | 35 MPH |
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| Washington Way (30 <sup>th</sup> Ave. to Industrial Way)          | 35 MPH |
| Washington Way (Ocean Beach Hwy to 16 <sup>th</sup> Ave.)         | 35 MPH |
| West Side Highway (Fishers Lane to 150' North of Fishers Ln)      | 35 MPH |
| West Side Highway (150' North of Fishers Ln to City Limits)       | 45 MPH |
| Wheeler Street (9 <sup>th</sup> Avenue to 7 <sup>th</sup> Avenue) | 30 MPH |

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**Section 4.** Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

**Section 5.** This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2021.

Approved by the Mayor this \_\_\_\_ day of \_\_\_\_\_, 2021.

---

MAYOR

ATTEST:

---

City Clerk

APPROVED AS TO FORM:

---

Published: \_\_\_\_\_



# City of Longview

## Agenda Summary

### **APPOINTMENT TO MOSQUITO CONTROL BOARD**

#### **RECOMMENDED ACTION:**

**APPOINT MICHAEL RADER TO THE MOSQUITO CONTROL BOARD TO AN UNFULFILLED TERM THAT EXPIRES DECEMBER 31, 2021.**

**CITY ATTORNEY REVIEW: N/A**

#### **SUMMARY STATEMENT:**

Due to a recent resignation, there is a vacancy on the Mosquito Control Board. The Longview representative for the Mosquito Control Board is appointed by city council. The council appointments committee has reviewed applications and recommends the appointment of Michael Rader to an unfulfilled term that expires December 31, 2021.

#### **COUNCIL CONTACT:**

MaryAlice Wallis, Mayor  
Chet Makinster, Councilmember  
Ruth Kendall, Councilmember

Attachments: None



# City of Longview

## Agenda Summary

### **APPROVAL OF CLAIMS**

#### **2ND HALF AUGUST ACCOUNTS PAYABLE**

#### **2ND HALF AUGUST PAYROLL**

Based upon the authentication and certification of claims and demands against the city, prepared and signed by the City's auditing officer, and in full reliance thereon, it is moved and seconded as shown in the minutes of this meeting that the following vouchers/warrants are approved for payment:

**SECOND HALF AUGUST 2021 ACCOUNTS PAYABLE: \$2,368,654.80**

#### **SECOND HALF AUGUST 2021 PAYROLL:**

\$3,476.75, checks no. 1047-1052

\$886,735.98, direct deposits

\$1,147,811.59, wire transfers

\$2,038,024.32 Total

#### **STAFF CONTACT:**

Kaylee Cody, City Clerk

John Baldwin, Accountant

Dana Beck, Payroll

Attachments: None



# City of Longview

## Agenda Summary

### **GENERAL FUND FINANCIAL REVIEW - Q2 2021**

#### **COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

#### **CITY ATTORNEY REVIEW: N/A**

#### **SUMMARY STATEMENT:**

General Fund financial presentation for the period ending June 30, 2021.

#### **RECOMMENDED ACTION:**

No action required.

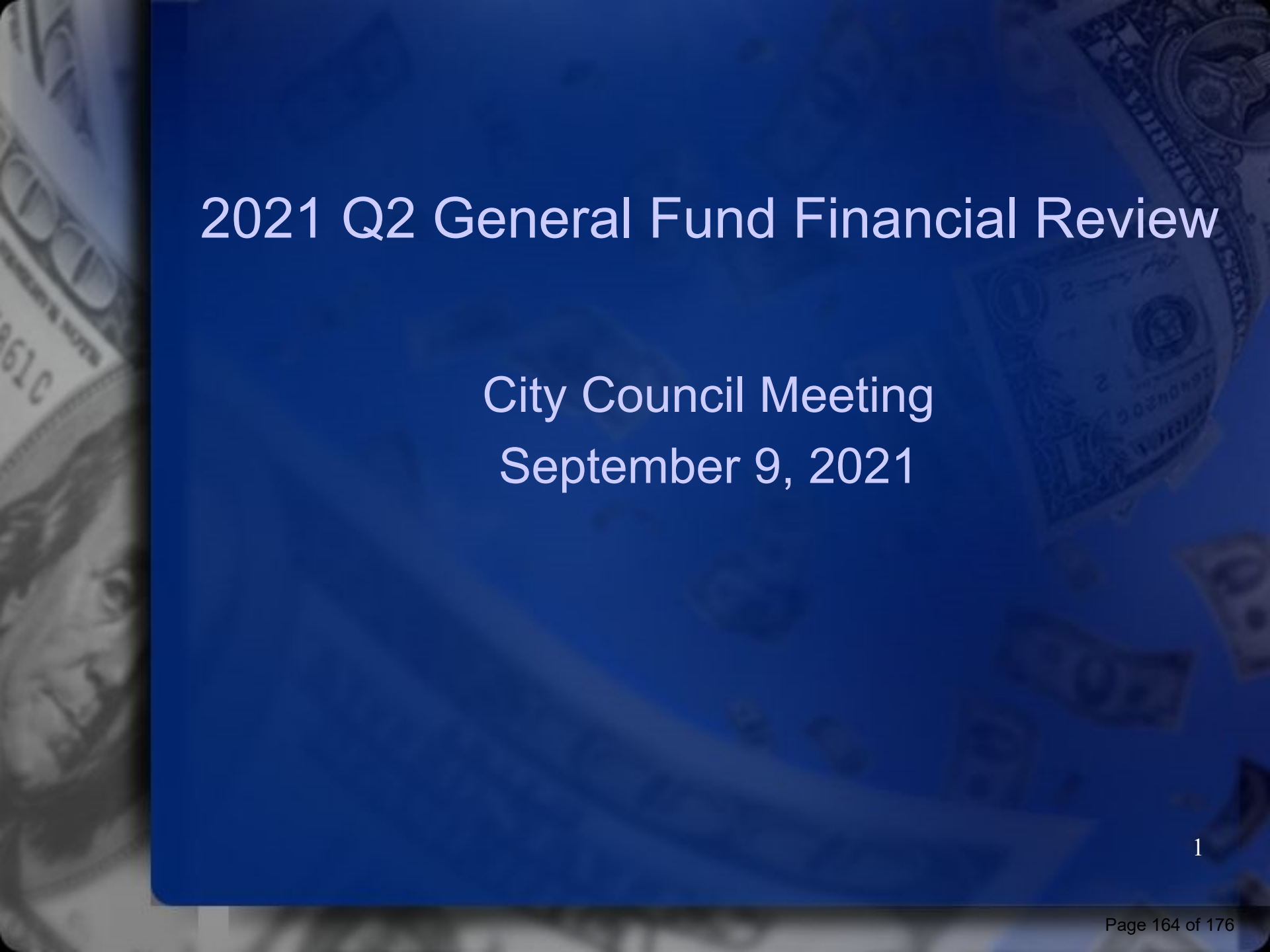
#### **STAFF CONTACT:**

Kurt Sacha, City Manager

#### Attachments:

1. 2021 Q2 GENERAL FUND (2021 0909)

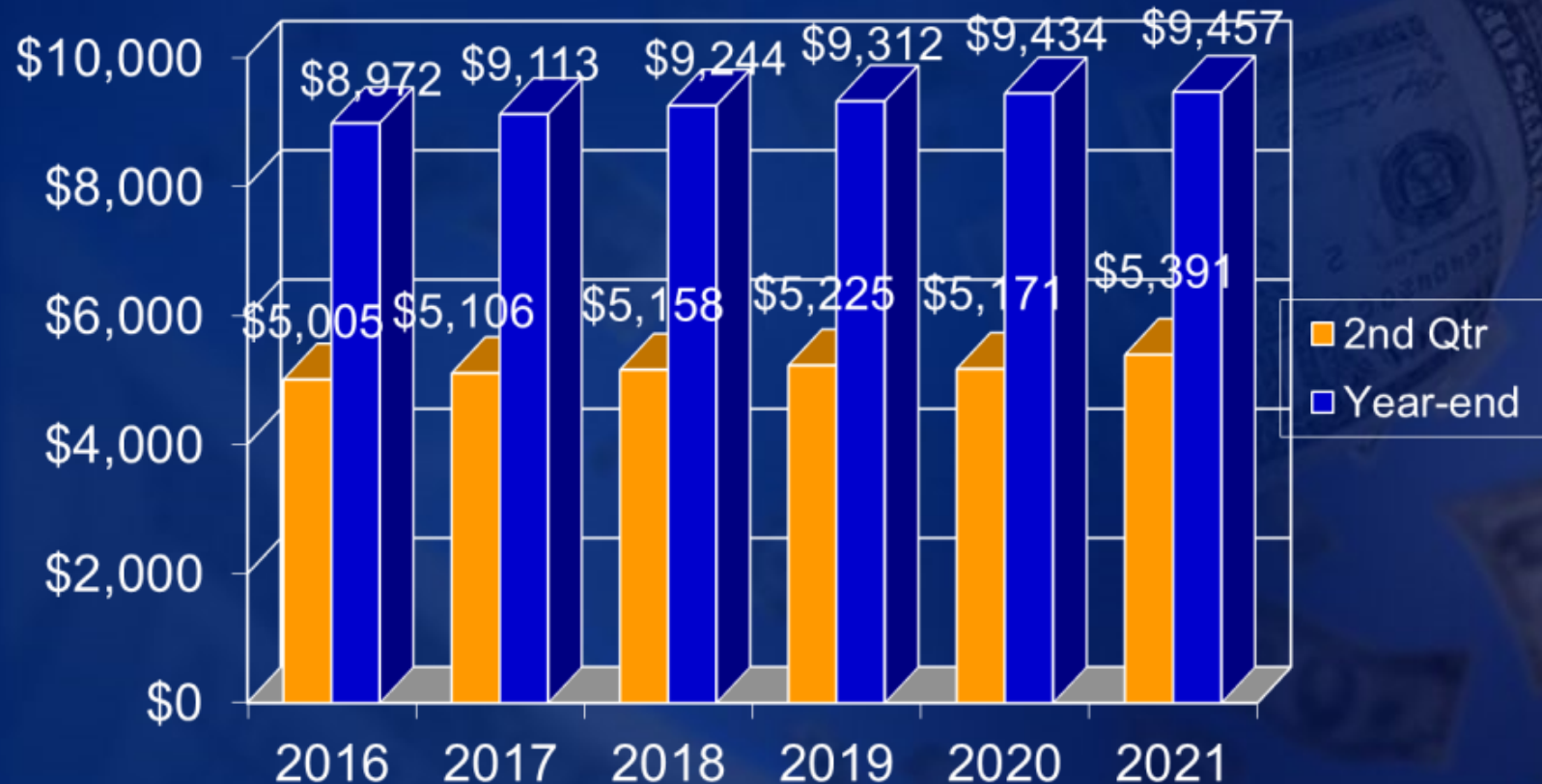


The background of the slide features a collage of US dollar bills. On the left, a portion of a \$100 bill is visible, showing the portrait of Benjamin Franklin. On the right, a \$20 bill is partially visible. The bills are slightly out of focus and overlap each other, creating a textured, financial-themed background.

# 2021 Q2 General Fund Financial Review

City Council Meeting  
September 9, 2021

# History of Property Taxes (in 000's)

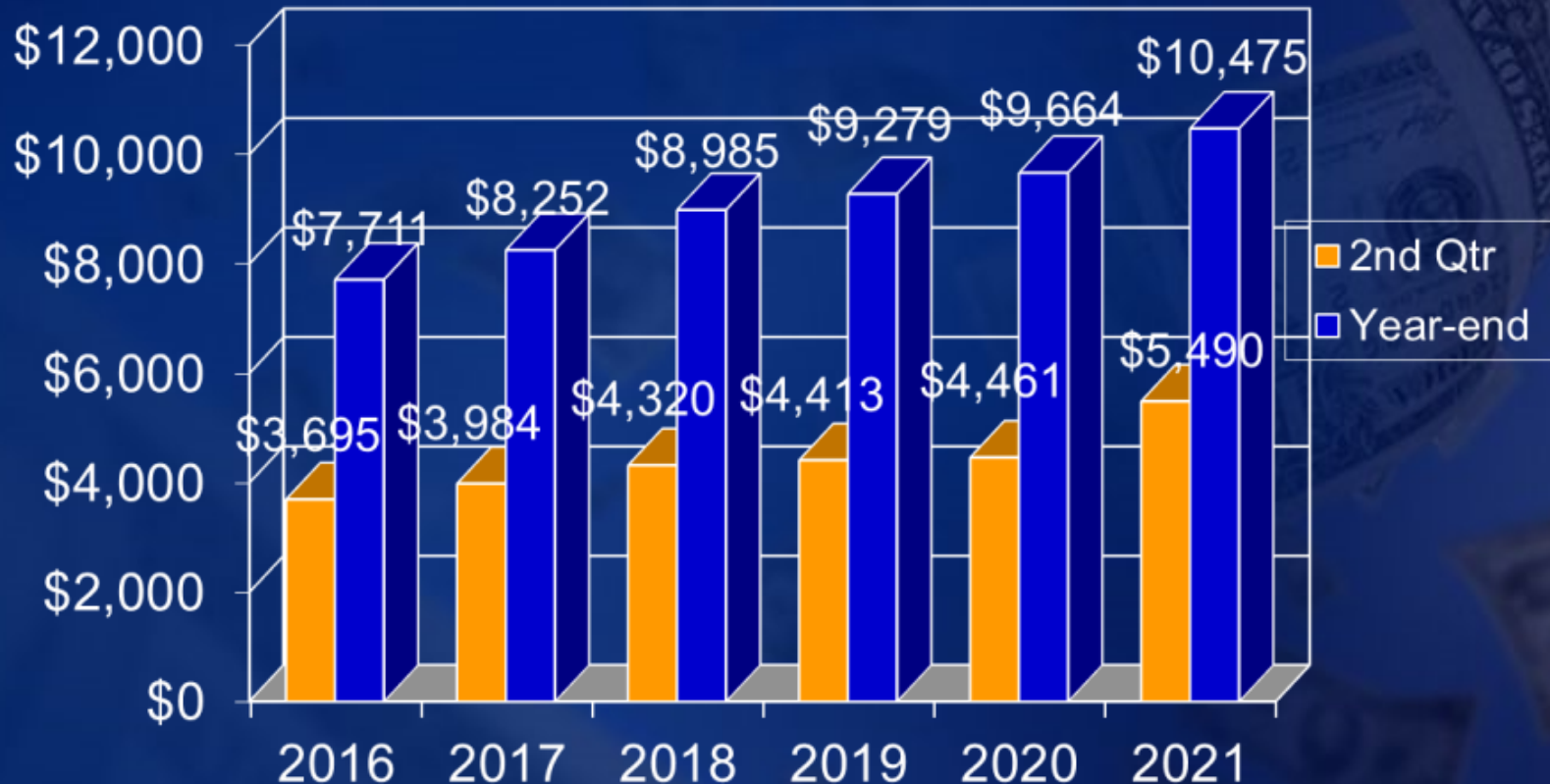


**2021 Budgeted Property Tax = \$9,660,000**

Note: Property taxes in the amount of \$500,000 are dedicated to the Economic Development Fund for the Mint Farm Industrial Park.

# History of Sales Taxes

(in 000's)



**2021 Budgeted Sales Tax = \$9,435,000**

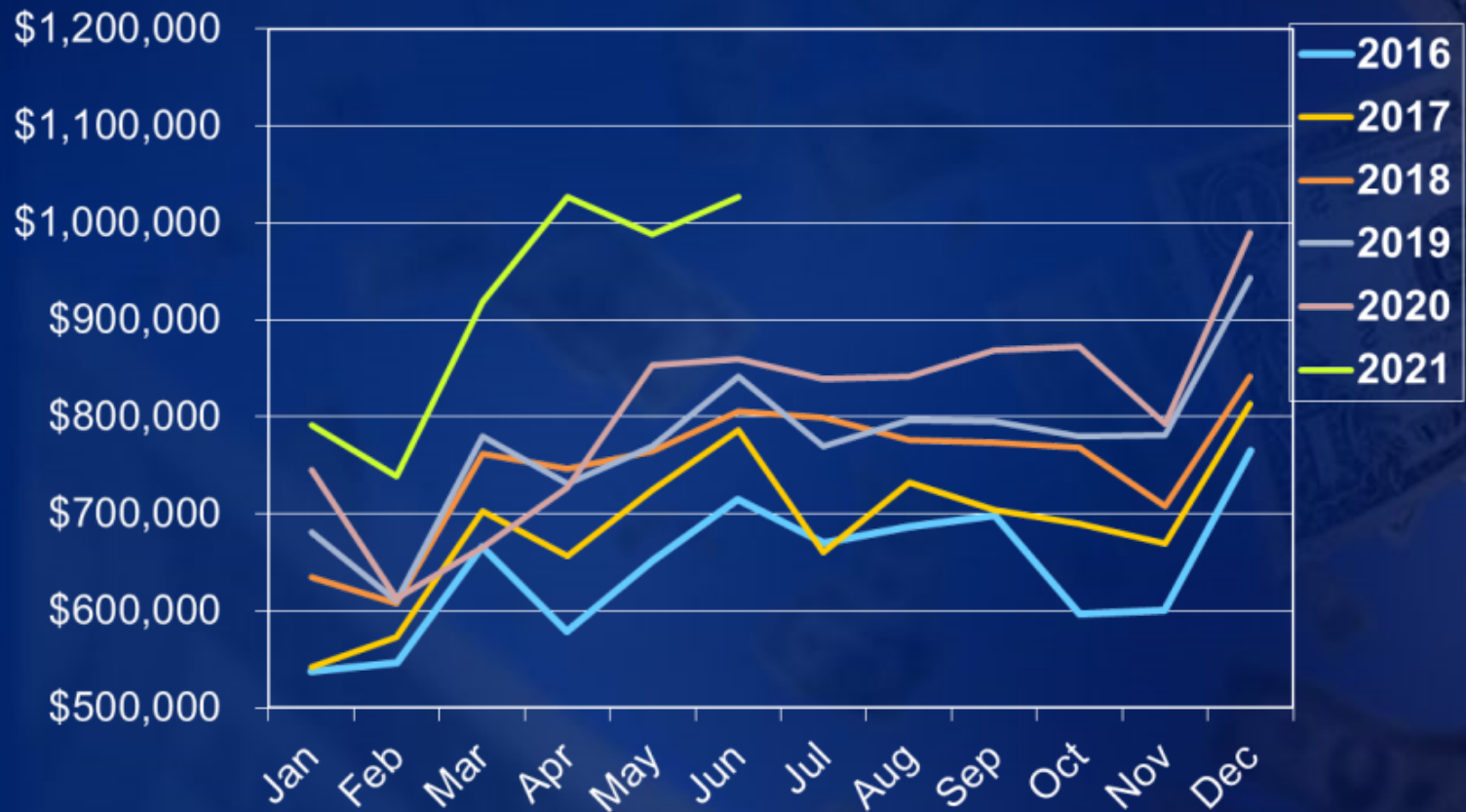
Comment: "As of June 30, 2021, projected 2021 sales tax of \$10.48 million is \$811k, or 8.4% greater than 2020 sales tax revenues of \$9.66 million."

# Sales Tax by Month

| Month | 2016    | 2017    | 2018    | 2019    | 2020    | 2021      |
|-------|---------|---------|---------|---------|---------|-----------|
| Jan   | 537,399 | 541,403 | 634,536 | 680,513 | 744,559 | 790,786   |
| Feb   | 546,677 | 573,260 | 607,722 | 610,185 | 612,429 | 739,042   |
| Mar   | 665,902 | 702,996 | 761,953 | 779,280 | 664,730 | 918,282   |
| Apr   | 578,791 | 656,333 | 745,749 | 731,138 | 727,060 | 1,027,255 |
| May   | 651,357 | 724,231 | 763,706 | 769,799 | 853,084 | 988,592   |
| Jun   | 715,225 | 786,147 | 805,991 | 842,038 | 859,483 | 1,026,184 |
| Jul   | 669,620 | 660,378 | 799,498 | 769,833 | 839,543 |           |
| Aug   | 686,364 | 732,702 | 775,722 | 796,247 | 841,398 |           |
| Sep   | 697,955 | 703,305 | 773,710 | 795,687 | 867,914 |           |
| Oct   | 596,339 | 689,205 | 767,788 | 780,404 | 872,463 |           |
| Nov   | 600,637 | 669,055 | 707,362 | 780,642 | 792,023 |           |
| Dec   | 764,391 | 812,999 | 840,907 | 942,861 | 989,112 |           |

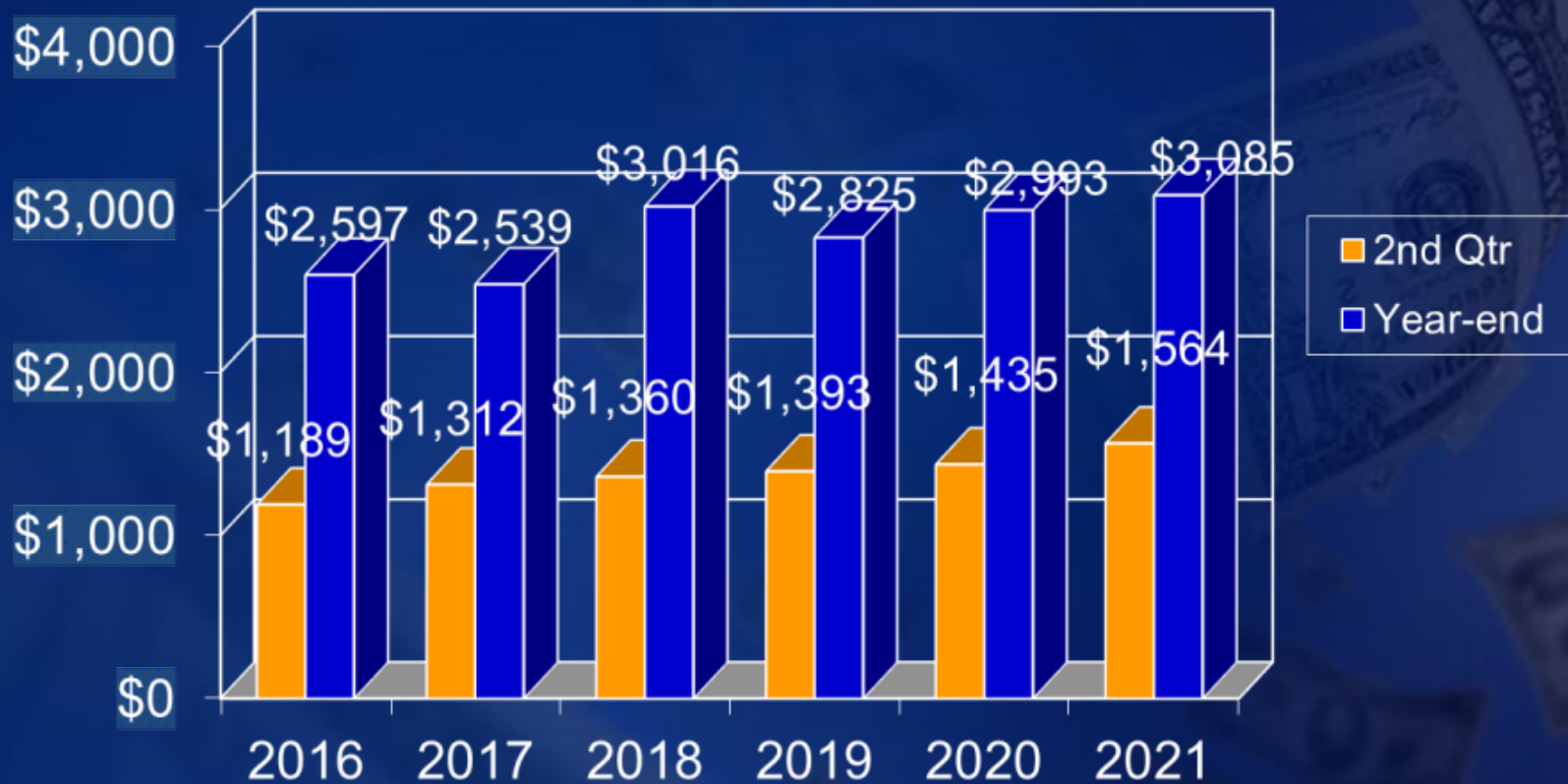


# 2021 Sales Tax by Month



Comment: "2021 June Y-T-D sales tax receipts continue to set new levels."

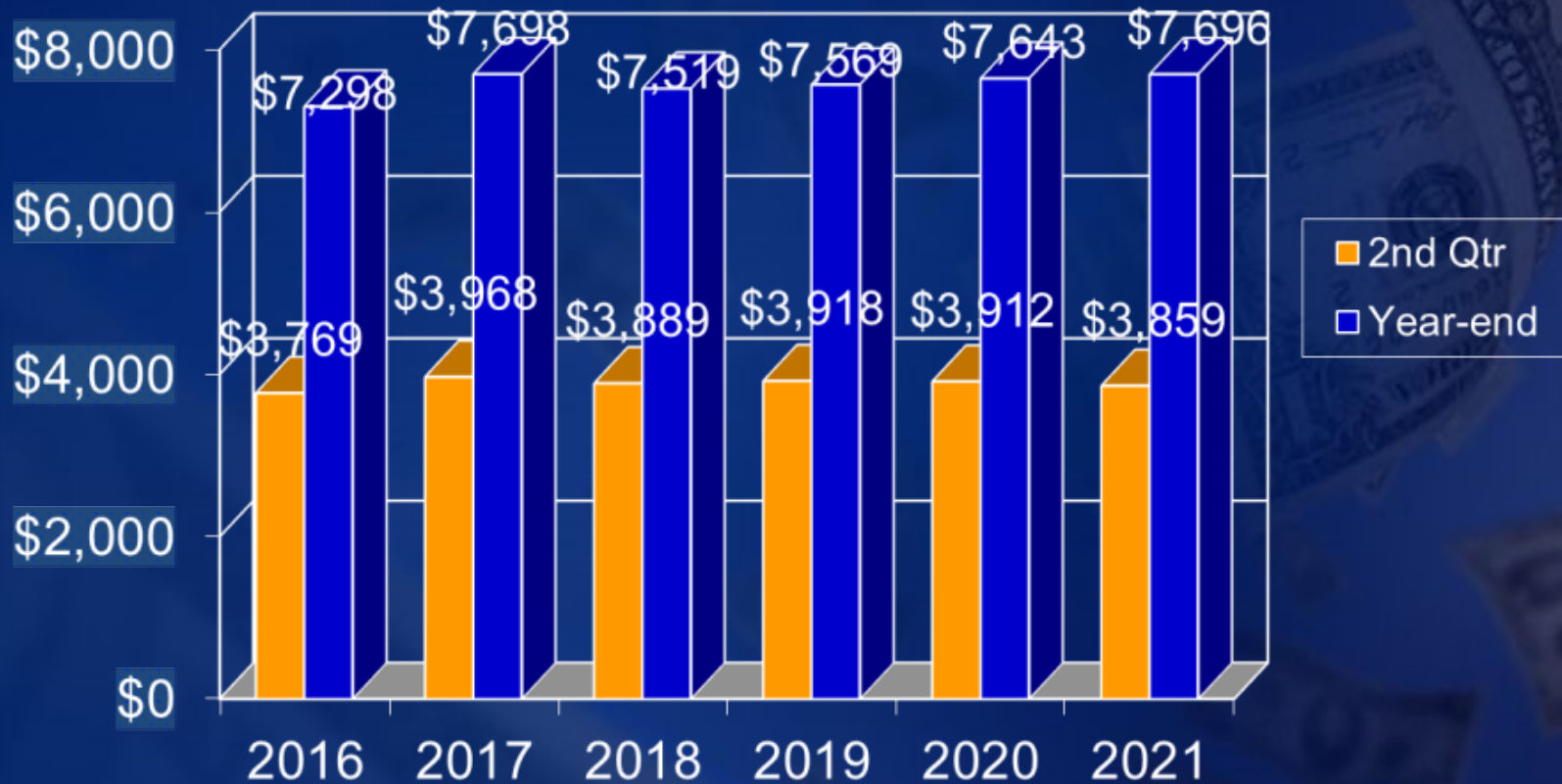
# History of Business B&O Taxes (in 000's)



**2021 Budgeted B&O Tax = \$2,862,750**

Comment: "As of June 30, 2021, projected 2021 Business B&O tax of \$3.085 million is \$92k more than 2020 Business B&O tax collections of \$2.993m and represents a 3.1% increase."

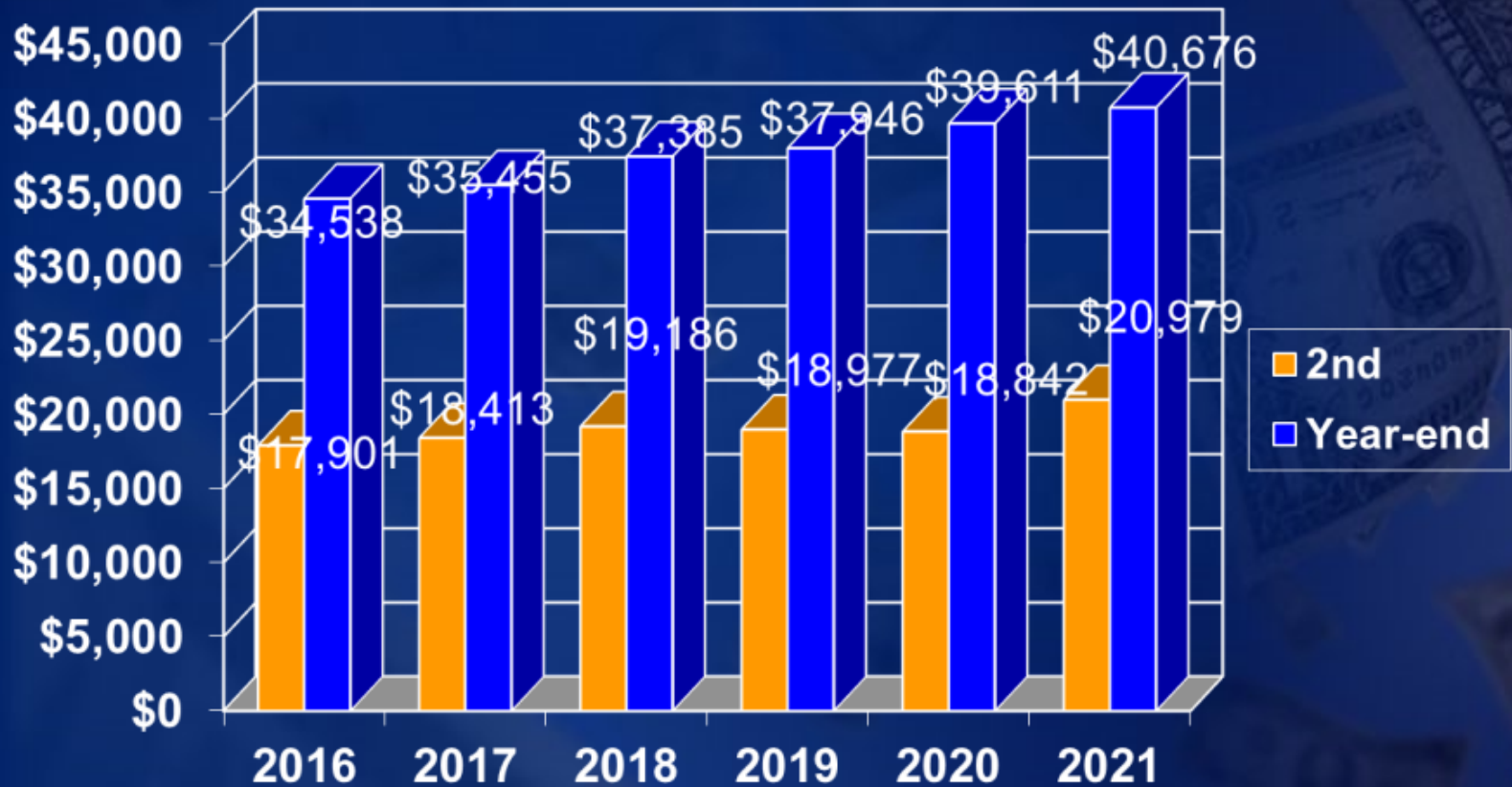
# History of Utility B&O Taxes (in 000's)



**2021 Budgeted Utility B&O Tax = \$7,720,370**

Comment: "As of June 30, 2021, projected 2021 Utility B&O tax of \$7.696 million is \$53k more than 2020 Utility B&O tax collections of \$7.643m and \$24k less than budget."

# General Fund Revenue (in 000's)



**2021 Budgeted Revenue = \$39,143,660**

Comment: "2021 projected General Fund revenue of \$40.676m represents an increase of \$1.065m or 2.7% from 2020 revenue of \$39.611m."

Note: 2021 Revenues exclude ARPA Funds.



# 2021 General Fund Revenue

| Revenue:             | 2021<br>Budget | 2021 Projected<br>Jun 30 | 2020<br>Actual |
|----------------------|----------------|--------------------------|----------------|
| Taxes                | \$30,416,870   | \$31,837,634             | \$30,684,660   |
| Licenses & Permits   | 905,930        | 1,370,350                | 964,410        |
| Intergovernmental    | 3,479,470      | 3,497,569                | 4,035,500      |
| Charges for Services | 3,420,010      | 3,259,489                | 3,069,820      |
| Fines & Forfeits     | 511,850        | 408,791                  | 454,570        |
| Miscellaneous        | 373,530        | 260,304                  | 306,660        |
| Transfers            | <u>36,000</u>  | <u>41,839</u>            | <u>95,160</u>  |
| Total Revenue        | \$39,143,660   | \$40,675,976             | \$39,610,780   |

Comment: "Through June 2021, City is experiencing higher than anticipated sales tax receipts and license & permit revenues. Intergovernmental revenue are down due to one-time CARES Act revenue in 2020. City is seeing an increase in Charges for Services, while Fines & Forfeits and Miscellaneous revenues are coming in below expectations."

# General Fund Expenditures

(in 000's)



**2021 Budgeted Expenditures = \$41,467,230**

Comment: "Projected 2021 General Fund expenditures in the amount of \$40.01 million are \$1.45m or 3.5% less than budget."

# 2021 General Fund Expenditures

| Function:            | 2021<br>Budget   | 2021<br>Projected | 2020<br>Actual   |
|----------------------|------------------|-------------------|------------------|
| General Government   | \$4,240,360      | \$4,125,211       | \$3,785,836      |
| Public Safety        | 24,563,240       | 24,211,535        | 22,609,475       |
| Transportation       | 4,114,000        | 3,648,607         | 2,974,821        |
| Community Developmt  | 920,640          | 765,800           | 738,056          |
| Culture & Recreation | 5,280,540        | 4,830,706         | 4,522,550        |
| Non-Department       | <u>2,348,450</u> | <u>2,435,244</u>  | <u>2,458,486</u> |
| Total Expenses       | \$41,467,230     | \$40,017,103      | \$37,089,224     |

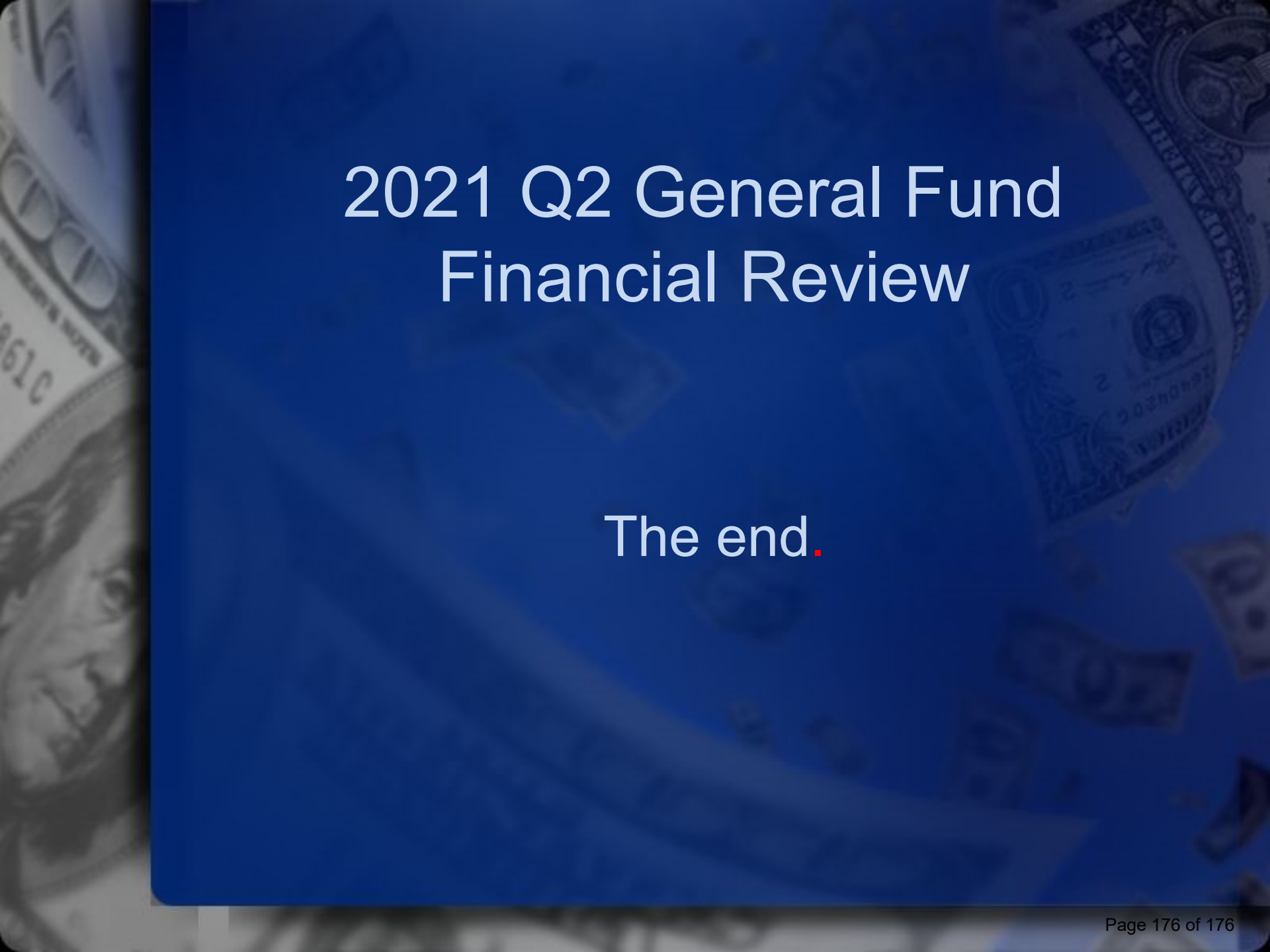
Comment: "City's 2021 year-end expenditures are projected to under-run appropriations across all categories except Non-Department."

# 2021 General Fund Overview

|                       | 2021 Budget      | 2021 Projected  |
|-----------------------|------------------|-----------------|
| Beg Fund Balance      | \$14,049         | \$15,706        |
| Revenue               | <u>\$39,144</u>  | <u>\$40,676</u> |
| Total Revenue         | \$39,144         | \$40,676        |
|                       |                  |                 |
| Expenditures          | <u>\$41,467</u>  | <u>\$40,017</u> |
| Total Expenditures    | \$41,467         | \$40,017        |
| Beg Cash Required     | <u>(\$2,323)</u> | \$659           |
| End Fund Balance      | \$11,726         | \$16,365        |
| % of End Fund Balance | 28.3%            | 40.9%           |





The background of the slide features a collage of US dollar bills. On the left, a portion of a \$100 bill with Benjamin Franklin's face is visible. On the right, a \$1 bill is shown. The bills are slightly out of focus and overlap each other, creating a textured, financial-themed backdrop.

# 2021 Q2 General Fund Financial Review

The end.