City of Longview

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

Agenda

Planning Commission

Wednesday, February 1, 2023 **7:00 PM** **City Hall**

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

1. **ROLL CALL**
2. **APPROVAL OF MINUTES**

   23-000810 PC Minutes of December 7, 2022
3. **PUBLIC HEARINGS**

   23-000841 PC 2022-3 Draft amendments to LMC Chapter 16.24 Electrical Code

   23-000842 PC 2022-5 Driveway pavement requirements, Mylar, Mini-storage code
4. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**
5. **DECLARATION OF EX-PARTE COMMUNICATIONS AND APPEARNESS OF FAIRNESS**
6. **OTHER BUSINESS**
7. **NON-PUBLIC HEARING ITEMS**
8. **PLANNER'S REPORT**
9. **ADJOURNMENT**

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Minutes

Agenda

Planning Commission

Wednesday, December 7, 2022	7:00 PM	City Hall

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1. ROLL CALL

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

***Present**: Member Craig Collins, Member Trey Davis, Member Jeff Rauth, Member Ramona Leber, Member Joanna Lee*
Excused: Member Stacy Dalgarno, Member Kalei LaFave

***Staff Present**: Steve Schuman, Assistant City Attorney; Mac Kosar, Planner; Karl Enyeart, City Engineer, Lisa Vertrees, Administrative Assistant*

2. APPROVAL OF MINUTES

22-000768 Minutes of the October 5, 2022 regular meeting

A motion was made by Member Ramona Leber, seconded by Member Jeff Rauth, to approve the October 5, 2022 regular meeting minutes. The motion carried unanimously.

3. PUBLIC HEARINGS

None at this time.

4. AUDIENCE PARTICIPATION OF CORRESPONDENCE

Correspondence from Enterprise was read into the record.

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

Waived

6. OTHER BUSINESS

22-000773 Introduction of McAllister Kosar

McAllistar Kosar, planner for the City of Longview, introduced himself.

7. NON-PUBLIC HEARING ITEMS

22-000766 PC 2022-3 Draft amendments to LMC Chapter 16.24 Electrical Code

Staff is requesting the Planning Commission initiate amendments to the Electrical Code on the topics of Electric Security Devices and Fences.

Recommended Actions: Review recommended draft code language and set a public hearing, or direct staff elsewise.

Staff memo.
Review of proposed changes that may be brought before the Planning Commission.

A motion was made by Member Jeff Rauth, seconded by Member Joanna Lee, to set a Public Hearing at the February 3, 2023 Planning Commission meeting to review amendments to LMC Chapter 16.24 Electrical code. The motion carried by the following vote:
The motion passed unanimously.

22-000772 PC 2022-5 Proposed zoning code amendments for driveway surface requirements, mini-storage location and development, and map or plat recording on Mylar requirements.

Recommend action: Motion to accept the final code amendments and set a public hearing.

A brief review.

A motion was made by Member Ramona Leber, seconded by Member Jeff Rauth, to approve the final code language and set a public hearing for February 3, 2023,
The motion passed unanimously.

8. PLANNER'S REPORT

** Lenar Homes update*
** Taco Bell by 38th Ave update*
** West End Manufactured mobile home park - binding site plan*
Public Works
** 46th Ave bid opening*
** Archie Anderson park building complete*

9. ADJOURNMENT

The next regular Planning Commission meeting is scheduled for January 3, 2023.

With no further business to discuss, the meeting adjourned at 7:30 p.m.

_____
Lisa Vertrees, Recorder

The City of Longview Washington

Memorandum

January 20, 2022

TO: Longview Planning Commission

FROM: McAllister Kosar, Planner

SUBJECT: PC 2022-3 Draft amendments to LMC Chapter 16.24 Electrical Code

Staff is requesting the Planning Commission initiate amendments to the Electrical Code on the topics of Electric Security Devices and Fences.

Code Sections: 16.24 Electrical Code, 16.24.020 Definitions, 16.24.060 Application.

City of Longview Electric Security Device/Fence Code Amendments

Code chapter to be amended: LMC 16.24 Electrical Code

Proposed amendment to section: 16.24.060 Application.

5) Electric Fences. ~~Except where expressly permitted in the zoning ordinances of the city,~~ It is unlawful for any person to install, use or maintain within the city any fence, barrier, partition or obstruction which is electrically charged or connected with any electrical source in such a manner as to transmit an electrical charge to persons, animals, or things which might come in contact therewith, except electrified security devices.

6) Electrified security devices that meet all the following requirements may be permitted where able to meet the following requirements:

a) Located in a Commercial, Industrial, or Residential Area *(*Allowed Zoning pending Public Hearing February 1st, 2023)*
b) Equipment has been approved and labeled by a Nationally Recognized Testing Laboratory (NRTL)

c) Installed and used per the intended design and use of the manufacturer.
d) Located atop or behind an existing barrier, fence or wall, at least 5 feet in height
e) Minimum installed height is height of existing barrier
f) Maximum installed height is either 10 feet or two feet higher than the existing perimeter barrier.
g) Distance between Electrified security devices and perimeter barrier shall be 4 to 8 inches except for on the gates (2-3 inches).

7) Electrified security devices shall require a low voltage electrical permit.

Proposed amendment to section: 16.24.020 Definitions.

"Alteration" means any change made in an existing electrical installation, including any additions thereto, changes of circuits, panels, subpanels, service conduit or feeder wires, or loads added to the existing electrical system.

"Appliance repair" or "service dealer" means a person engaged in the business of repairing or servicing electrical appliances and whose work in the electrical field shall be limited to said repair and servicing of electrical appliances unless he carries a valid electrical contractor's license.

"Authority having jurisdiction" means the organization, office, or individual responsible for approving equipment, materials, an installation, or a procedure.

"Chief electrical inspector" means an electrical inspector who either is the authority having jurisdiction or is designated by the authority having jurisdiction and is responsible for administering the requirements of this chapter.

"Consumer" means any person, persons, customer, firm, association, municipal corporation or corporation that uses electricity, including residential, commercial, industrial and public users.

Commented [CB1]: Subsection 6 d): An existing barrier may not have been permitted due to height or other reasons, so we request that the term "permitted" be removed. We also suggest adding the language in parenthesis because there my be instances where the barrier is a low concrete style wall. This just adds clarity and possibly flexibility here.

Commented [CB2]: Subsection 6 e): We request that "permitted" be removed, referencing the earlier comment that the existing barrier may not have been permitted due to height or other reasons.

Commented [CB3]: Subsection 6 f): We request that "permitted" be removed, referencing the earlier comment that the existing barrier may not have been permitted due to height or other reasons.

Commented [CB4]: New Subsection 6 g): We are requesting the addition of this language to conform with national standards related to electrified security devices. This provides guidance on separation and spacing.

Commented [CB5]: New Section 7: We are requesting this additional language to clarify that this is a low-voltage system, and should not require installation by a fully certified master electrician. This is consistent with state Labor and Industry standards and helps make clear there is no difference between the city code and state rule for such installations.

"Electrical contractor" means any person who establishes themselves in any phase of, or who advertises in any manner, that he or she is engaged in the business of installation, repair, alteration, or maintenance of electrical wiring, equipment, fixtures, appliances or accessories for another person; provided, however, that any person engaged in the business of repairing or servicing electrical appliances on the owner's premises or in their place or places of business shall not be included within this definition, with respect to such repair or service.

"Electrical inspector" means an individual meeting the requirements of LMC 16.24.210 and authorized to perform electrical inspections.

"Electrical utility company" or "utility" means any person, firm or corporation holding and exercising a franchise, permit or license to distribute electricity within the city limits.

"Electrified security device" means an alarm system that consists of a fence structure and an energizer that produces an electric charge on contact with the fence structure"

"Premises" means the property of the consumer up to the property line and including any buildings or structures thereon.

"Structure" means a combination of materials to form a construction that is safe and stable, including, among others, stadiums, gospel or circus tents, receiving stands, platforms, staging, observation towers, radio towers, water tanks and towers, trestles, piers, wharves, sheds, coal bins, fences and display signs. (Ord. 2941 § 1, 2005).

Discussion: Staff from both the planning and electrical side of the City have heard concerns about the ability to provide safety for their businesses. Electrified security devices do have national standards and are being included in this recommendation. The recommendations made are also in line with State Labor and Industry standards.

If you have any questions or concerns, please contact me at 360-442-5083 or by email at mcallister.kosar@ci.longview.wa.us .

Cc: Ann Rivers, Community Development Director
Jim McNamara, City Attorney
Christopher Eastwood, Assistant City Attorney
Ken Hash, City Engineer/PW Director
Wayne Wagner, Electrical Inspector

Part C – Permits and fees.

WAC 296-46B-901 General — Electrical work permits and fees.

General.

(1) When an electrical work permit is required by chapter 19.28 RCW or this chapter, inspections may not be made, equipment must not be energized, or services connected unless:
- (a) A valid electrical work permit is obtained and posted per subsection (5) of this section;
- (b) The classification or type of facility to be inspected and the exact scope and location of the electrical work to be performed are clearly shown on the electrical work permit;
- (c) The address where the inspection is to be made is clearly identifiable from the street, road or highway that serves the premises; and
- (d) Driving directions are provided for the inspectors' use.

(2) Except as allowed for annual permits and two-family dwellings, an electrical work permit is valid for only one specific job site address.

Permit - Responsibility for.

(3) Each person, firm, partnership, corporation, or other entity must furnish a valid electrical work permit for the installation, alteration, or other electrical work performed or to be performed by that entity.

When the original purchaser is replaced, another entity may request, in writing, written approval from the chief electrical inspector to take responsibility for the work of the original installing entity under the original permit. If permission is not granted, the entity must obtain a new permit for the remaining work.

Two or more entities may never work under the same permit.

Each electrical work permit application must be signed by the electrical contractor's administrator (or designee) or the person, or authorized representative of the firm, partnership, corporation, or other entity that is performing the electrical installation or alteration. Permits purchased electronically do not require a handwritten signature. An entity designated to sign electrical permits must provide written authorization of the purchaser's designation when requested by the department or city that is authorized to do electrical inspections.

(4) Permits to be obtained by customers. Whenever a serving electrical utility performs work for a customer under one of the exemptions in WAC 296-46B-925 and the work is subject to inspection, the customer is responsible for obtaining all required permits.

(5) Except as allowed for Class B permits, where an electrical work permit is required, the work permit must be obtained and posted at the job site or the electrical work permit number must be conspicuously posted and identified as the electrical work permit number on or adjacent to the electrical service or feeder panel supplying power to the work prior to beginning any electrical work and at all times until the electrical inspection process is completed.

Exceptions:
- (a) For an owner, an electrical work permit for emergency like-in-kind repairs to an existing electrical system(s) must be obtained no later than the next business day after the work is begun.
- (b) For an electrical contractor, in a city's jurisdiction where the city is authorized to do electrical inspections and does not have a provisional permit system, an electrical work permit for emergency like-in-kind repairs to an existing electrical system(s) must be obtained and posted per the city's requirements at the job site no later than the next business day after the work is begun.

(6) Fees must be paid in accordance with the inspection fee schedule in Part C of this chapter. The amount of the fee due is calculated based on the fee effective at the date payment is made. If the project is required to have an electrical plan review, the plan review fees will be based on the fees effective at the date the plans are received by the department for review. In a city where the department is doing inspections as the city's contractor, a supplemental fee may apply.

Permit - Requirements for.

(7) As required by chapter 19.28 RCW or this chapter, an electrical work permit is required for the installation, alteration, or maintenance of all electrical systems or equipment except for:
- (a) Travel trailers;
- (b) Class A basic electrical work which includes:
  - (i) The like-in-kind replacement of lamps; a single set of fuses; a single battery smaller than 150 amp hour; contactors, relays, timers, starters, circuit boards, or similar control components; one household appliance; circuit breakers; single-family residential luminaires; a maximum of

five snap switches, dimmers, receptacle outlets, thermostats, heating elements, luminaire ballasts or drivers/power supplies for single LED luminaires with an exact same ballast or driver/power supply; component(s) of electric signs, outline lighting, or skeleton neon tubing when replaced on-site by an appropriate electrical contractor and when the sign, outline lighting or skeleton neon tubing electrical system is not modified; one ten horsepower or smaller motor.

For the purposes of this section, "circuit breaker" means a circuit breaker that is used to provide overcurrent protection only for a branch circuit, as defined in NEC 100.

(ii) Induction detection loops described in WAC 296-46B-300(2) and used to control gate access devices;

(iii) Heat cable repair; and

(iv) Embedding premanufactured heat mats in tile grout where the mat is listed by an approved testing laboratory and comes from the manufacturer with preconnected lead-in conductors. All listing marks and lead-in conductor labels must be left intact and visible for evaluation and inspection by the installing electrician and the electrical inspector.

(v) The disconnection of electrical circuits from their overcurrent protection device for the specific purpose of removing the electrical wiring or equipment for disposal.

Unless specifically noted, the exemptions listed do not include: The replacement of an equipment unit, assembly, or enclosure that contains an exempted component or combination of components (e.g., an electrical furnace/heat pump, industrial milling machine, etc.) or any appliance/equipment described in this section for Class B permits.

In the department's jurisdiction, a provisional electrical work permit label may be posted in lieu of an electrical work permit. If a provisional electrical work permit label is used, an electrical work permit must be obtained within two working days after posting the provisional electrical work permit label. See WAC 296-46B-907(2) for provisional label requirements.

(c) The following types of systems and circuits are considered exempt from the requirements for licensing and permitting described in chapter 19.28 RCW. The electrical failure of these systems does not inherently or functionally compromise safety to life or property.

(i) Low-voltage thermocouple derived circuits

(ii) Low-voltage circuits for residential garage doors and built-in vacuum systems;

(iii) Low-voltage circuits for underground: landscape sprinkler systems, landscape lighting, and antennas for wireless animal containment fences;

For these types of systems and circuits to be considered exempt, the following conditions must be met:

(A) The power supplying the installation must be derived from a listed Class 2 power supply;

(B) The installation and termination of line voltage equipment and conductors supplying these systems is performed by appropriately licensed and certified electrical contractors and electricians;

(C) The conductors of these systems do not pass through fire-rated walls, fire-rated ceilings or fire-rated floors in other than residential units; and

(D) Conductors or luminaires are not installed in installations covered by the scope of Article 680 NEC (swimming pools, fountains, and similar installations).

(8) An electrical work permit is required for all installations of telecommunications systems on the customer side of the network demarcation point for projects greater than ten telecommunications outlets. All backbone installations regardless of size and all telecommunications cable or equipment installations involving penetrations of fire barriers or passing through hazardous locations require permits and inspections. For the purposes of determining the inspection threshold for telecommunications projects greater than ten outlets, the following will apply:

(a) An outlet is the combination of jacks and mounting hardware for those jacks, along with the associated cable and telecommunications closet terminations, that serve one workstation. In counting outlets to determine the inspection threshold, one outlet must not be associated with more than six standard four-pair cables or more than one twenty-five-pair cable. Therefore, installations of greater than sixty standard four-pair cables or ten standard twenty-five-pair cables require permits and inspections. (It is not the intent of the statute to allow large masses of cables to be run to workstations or spaces serving telecommunications equipment without inspection. Proper cable support and proper loading of building structural elements are safety concerns. When considering total associated cables, the telecommunications availability at one workstation may count as more than one outlet.)

Final Edits to Driveway pavement requirements, Mylar, Mini-storage code

1. **Driveway pavement requirements:**

19.78.060 Surface requirements.

Every off-street automobile parking and truck loading and unloading space and necessary means of access to such space, such as driveways, shall be made permanently available for such purpose and shall be improved with asphaltic or Portland cement concrete or other approved alternatives including permeable pavements and pavers, for the first 50 feet of distance starting where it connects to a public road, and be well maintained.

2. **Mylars:**

19.68.070 Recording.

If the proposed boundary line adjustment is approved:

(1) The applicant shall cause a survey map to be prepared and recorded with the Cowlitz County auditor's office measuring at least 18 inches by 22 inches. Full surveys are not required for boundary line adjustments when a single property line is involved. At a minimum, the survey map shall contain the following information:

19.67.040 Final short plat approval.

(4) Signing the Plat. Once approved, two copies will be submitted for signature and shall include:

3. **Mini-Storage:**

Definition for Reference: 19.09.015 Accessory use – Accessory building. "Accessory use" or "accessory building" means a subordinate use or subordinate building customarily incidental to and located upon the same lot occupied by the main use or principal building.

The zoning table edits are below:

Table 19.58.020-1. Permitted uses in industrial zones.			
Use			
	LI-A & B	**HI**	**C/I**
Manufactured home sales	P		P

Table 19.58.020-1. Permitted uses in industrial zones.			
Use			
	LI-A & B	**HI**	**C/I**
Mini-storage and RV storage	P[x(8)]		P[x(8)]
Heavy equipment and truck sales, service, and repair	P	P	P
Motor vehicle dealers, new and used, including auto, motorcycle, truck trailer, boat, recreational vehicles and equipment			P
Vehicle towing and storage services	P		P

Notes:

P[x(8)] : Mini-storage is permitted to have a maximum of 50' feet of frontage along Ocean Beach Highway and must be set back 100' feet from the Ocean Beach property line unless accessory (19.09.015 Definitions Accessory use – Accessory building) to another permitted use in the zone.

Table 19.44.020-1. Permitted uses in commercial zones.

Miscellaneous	**D-C**	**CBD**	**RC[1]**	**NC[2]**	**GC**	**O/C**
Day care facilities for the care of more than 12 children	SPU	P		P	P	P
Commercial off-street parking lots and garages	SPU	P			P	P
Self-service storage (mini warehouses)					P[x]	SPU

Notes:

P[x(15)] : Mini-storage is permitted to have a maximum of 50' feet of frontage along Ocean Beach Highway and must be set back 100' feet from the Ocean Beach property line unless accessory (19.09.015 Definitions Accessory use – Accessory building) to another permitted use in the zone.

*Mini-storage is allowed in light industrial zones and the general commercial zone which is where the majority of buildable industrial/commercial land exists. The use is allowed as a special property use in the Office/Commercial District.

Allow mini-storage as an accessory use only in Commercial and Industrial zones. Require mini-storage developments to be accessory to a different primary use allowed in the zone. In commercial zones retail, food or lodging buildings may have mini-storage built behind the primary use. In industrial areas warehouses, shops, manufacturing uses, or office buildings may incorporate mini-storage as a part of the overall development. With a binding site plan mini-storage could be one parcel of a larger development with multiple lots that could still be bought and sold independently.

Limit the amount of street frontage mini-storage uses can have on Ocean Beach Hwy:

New footnote added: “Mini-storage is permitted to have a maximum of 50’ feet of frontage along Ocean Beach Highway and must be set back 100’ feet from the Ocean Beach property line unless accessory to another permitted use in the zone.”