



City of Longview

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

Agenda

Planning Commission

Wednesday, March 6, 2024

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.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82348037864>

Webinar ID: 823 4803 7864

Telephone Options (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

International numbers available: <https://us02web.zoom.us/j/82348037864>

1. ROLL CALL

2. APPROVAL OF MINUTES

24-00205 PC Minutes of February 7, 2024

3. AUDIENCE PARTICIPATION OF CORRESPONDENCE

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

5. PUBLIC HEARINGS

6. NON-PUBLIC HEARING ITEMS

7. OTHER BUSINESS

24-00197 MT SOLO PLACE SUBDIVISION PHASE 5 FINAL PLAT

RECOMMENDED ACTION: FORWARD A RECOMMENDATION FOR APPROVAL TO CITY COUNCIL AND HAVE THE CHAIR SIGN THE FINAL PLAT

24-00196 HOUSING INVENTORY - WASHINGTON CENTER FOR REAL ESTATE RESEARCH

RECOMMENDED ACTION: CONSIDER INFORMATION IN PLACE OF REQUESTING NEW HOUSING INVENTORY FROM CITY COUNCIL OR CONTINUE WITH REQUEST

24-00198 CRYPTOCURRENCY MINING/DATA CENTERS MINIMUM STANDARDS UPDATE

RECOMMENDED ACTION: NONE REQUIRED, UTILITIES RESEARCH CONTINUING, MRSC PERFORMING SURVEY

24-00199 SENATE BILL 5363 AN ACT RELATING TO CANNABIS RETAILER ADVERTISING
RECOMMENDED ACTION: DISCUSSION

8. PLANNER'S REPORT

24-00200

- Recent Planning Commission Recommendations approved by City Council (Totem Ln Rezone, 5024 Ocean Beach Hwy, Shared Driveways Ordinance.
- 636 California Way received Special Property Use Permit to operate structure as apartments with a checklist from staff bringing it into conformance

9. ADJOURNMENT



City of Longview

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Minutes

Agenda

Planning Commission

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7:00 PM

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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, Member Alison Moss

Absent:

Staff Present: Mac Kosar, Planner; Sam Barham, City Engineer

2. **APPROVAL OF MINUTES**

24-00135 Planning Commission minutes of January 3, 2024

Corrections to previous minutes: Insert space between "passed" and "unanimously". Motion should read: "The motion passed by majority, with Member Alison Moss abstaining as a new member to the Planning Commission." Under Planner's Report section, correct "a" to "at" regarding the Fill and Grade permit item.

A motion was made by Member Ramona Leber, seconded by Member Jeff Rauth, to approve the minutes of the January 3, 2024 Planning Commission meeting with corrections as noted. The motion passed unanimously.

3. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

None at this time.

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

Waived

5. PUBLIC HEARINGS

None at this time.

6. NON-PUBLIC HEARING ITEMS**24-00128 Data Center Developments Minimum Standards**

Recommended Action: Discussion, bring back Public Works/Utility Minimum Standards at next PC meeting

Mr. Kosar reviewed the draft standards, highlighting the updates.

As per Council direction, cryptocurrency mining, etc. is not permitted in, or as part of, a data center.

19.53.030 - correct "residential" to "industrial".

Discussion and recommendations of cryptocurrency definitions, code language.

Item will be brought back to the Commission after Public Works/Utilities recommendations.

7. OTHER BUSINESS**24-00127 Buildable Lands Inventory - CWCOC**

Recommended Action: Discussion

Mr. Kosar introduced the Buildable Lands Inventory (BLI) produced by CWCOC. This provides more data than just vacancy status.

Mr. Barham provided more information.

Staff is working to get the BLI inventory maps added to the GIS system.

Member Leber previously referred to a housing inventory study and is not sure the BLI will answer those questions, but the BLI is really good information. The vacancy rate data needs updating.

Member Lee mentioned the state and local relator associations may have the vacancy rate data.

Member Leber revisited House Bill 5363 regarding cannabis advertising noting it is now in House Committee. She feels the Planning Commission should possibly consider a moratorium on signage, advertising, etc. to deal with the impacts of the signed bill, as a pre-emptive measure.

Does the House bill override the City of Longview sign code? Staff will check with the legal department for clarification.

8. PLANNER'S REPORT

** Shared driveway draft approved by Council. The Ordinance will go before Council February 8, 2024*

** 5024 Ocean Beach Hwy and Totem Lane re-zones will go before Council February 8, 2024*

** A lot of pre-applications are being submitted*

Public Works

** Projects are still underway*

** Flashing beacons being installed at various crosswalks*

** Washington Way project pre-con has been scheduled*

9. ADJOURNMENT

The next regular Planning Commission meeting is scheduled for March 6, 2024 at 7 p.m.

With no further business to discuss, Chairman Collins adjourned the meeting at 7:55 p.m.

Lisa Vertrees, Recorder



Memorandum

TO: Longview Planning Commission

FROM: McAllister Kosar, Planner

MEETING DATE: March 6th, 2024

SUBJECT: Case No. PC 2023-13 - Final Plat for Mt. Solo Place Phase 5

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

The Longview City Engineer has indicated they are ready to sign the final plat when public improvements are complete.

- The staff report and the conditions of approval for phase's 1-3 preliminary plat (Now including phases 3B, 4, 5, and 6 are attached to the agenda. Phasing has been revised as to include 6 total phases, with phase 6 to be final platted still.
- The Longview Municipal code provides the approval process below: 19.80.160 Final plat procedure. The full process is below. The Planning Commission section requires:

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

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

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

- Phase 5 of this project is an extension of Melody Way and Henderson Way, which will loop and connect to Branch Creek Drive and the existing subdivision ‘Village at Mt. Solo’. Kayla Ct will also be created off Henderson Way. A total of 38 lots will be created.

- Phase 5 does include a 5-acre Open Space Tract “A” as well as a 20’ Trail Access Easement.
- The attached final plat maps have been found to conform with the original proposal and will result in 38 lots for homes as approved under the preliminary plat.

Staff Recommendation:

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

- All underground utilities are complete, tested, and accepted by Engineering.
- Final pavement is installed per City Standards.
- Developer to bond sidewalk, street trees, and other minor improvements outside the street that is part of the approved Civil Engineering Plans.
- Developer to provide the City of Longview copies of any HOA/Maintenance agreements.

Attachments:

- A. Application for Final Subdivision Plat Phase V
- B. Redlined Phase 5 Plat
- C. Revised Phase 4&5 Phasing Plan
- D. Phase 5 Construction Schedule
- E. City Council Preliminary Plat Approval
- F. Staff Report Mt Solo Place Phase 4-5 Preliminary Plat

LMC 19.80.160 Final plat procedure

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

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

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

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

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

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

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



Final Subdivision Plat Application

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

Application for a Final Subdivision Plat LMC 19.80.160 Application Number: PC 2023-13 Preliminary Plat Application Number: PC 2021-6	THIS SECTION FOR OFFICE USE ONLY:
Name of Subdivision: Mt. Solo Place Estate Phase V	
Applicant: SOLO, LLC _____ (Print All Information) Contact Name: Nikole Hinton _____ nikole@hintondevelopment.com Mailing Address: 14010-A NE 3 rd Court _____ (Street or PO Box) City: Vancouver _____ State: WA _____ Zip: 98685 _____	
Property Owner: same as applicant _____ (Print All Information) Contact Name: _____ Mailing Address: _____ City: _____ State: _____ Zip: _____	
Represented By: Jaima Johnson, Krista Harrington, Deanna Haake _____ (If Different From Above) Mailing Address: 655 W Columbia Way, #200 _____ City: Vancouver _____ State: WA _____ Zip: 98660 _____	
Relationship to Owner: Title Company – Fidelity National Title _____	
Applicant's Engineer: SGA Engineering – Jason Mattos _____ Mailing Address: 2005 Broadway _____ City: Vancouver _____ State: WA _____ Zip: 98663 _____	

Signature of Engineer or Surveyor: _____	
Total Acreage of Site: _____ Total Number of Lots: 38 _____ Buildable: 38 _____ Common: _____	
<u>FILING FEE:</u> Base Fee: \$1,738 + Number of Lots (38) times \$81.00 fee per lot \$3078.00 _____ Total Fee: \$4,816.00 _____ Comments: _____	
<u>SUPPLEMENTARY MATERIALS PER LMC 19.80.160(2) INCLUDING:</u> Two copies of the final plat on Mylar material: _____ Copy of Deed Restrictions and Restrictive Covenants (CCR's): _____ Title Report: _____ As-Built Plans: _____ Complete Survey and Field Computation Notes: _____ Plat Performance Bond: Amount _____ All items listed under LMC 19.80.160(2): _____ _____ Comments: _____	
<u>LONGVIEW PLANNING COMMISSION:</u> Public Hearing Scheduled: Date: _____ 7:00 PM Comments: _____ _____	

LONGVIEW CITY COUNCIL:

Public Hearing Scheduled: Date: _____ 7:00 PM

Comments: _____

FOR STAFF USE ONLY:

- _____ A short description/narrative addressing how each site specific and standard condition of approval has been complied with. Documentation showing compliance with conditions of approval that can be complied with prior to submittal of the final plat application, so shall be provided with this application or the application shall be deemed incomplete and will not be processed.
- _____ 15 full size set of Construction plans per LMC 19.80.150 *and/or* engineering staff guidance
- _____ One 8½ x 11 reproducible copy of the Final Plat
- _____ Final plat drawings per LMC 19.80.170 for recording: Two reproducible (mylar) sets and one electronic copy of the final engineering construction drawings (as-builts) showing street, sidewalk, sewer, pump station, irrigation facilities, street trees, and any other public improvements.
- _____ Supplementary Materials per LMC 19.80.160 (2) The original hard copy drawing of the final plat shall be accompanied by:
 - At least two copies of the final plat on Mylar material;
 - A minimum of 10 additional paper copies of the final plat, on 11-inch by 17-inch copy;
 - A copy of any deed restrictions and restrictive covenants proposed by the applicant;
 - A title report issued by a title insurance company issued within the last 60 days, showing all parties whose consent is necessary and their interest in the premises and listing all encumbrances;
 - “As-built” plans of such required improvements as have been completed, unless other arrangements are made to guarantee that “as-built” plans will be submitted;
 - A lot closure report;
 - If required improvements have not been completed, plat performance bond or other security conforming to LMC 19.80.210;
 - If a local improvement district is proposed, a petition for creation of the district, unless the city council in approving the preliminary plat indicated it would create a district by resolution;
 - Payment of any inspection and final application fees as required by this chapter and Chapter 19.06 LMC;
 - Bill of sale for all infrastructure as applicable;
 - Quit claim deed for all public real property and dedication deeds as required;
 - Affidavit of no liens;
 - Maintenance bond and warranty deeds; and
 - Three copies of operations and maintenance manuals for all mechanical components installed.

Comments: _____

NOTES TO APPLICANT/SUBDIVIDER:

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

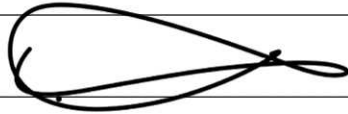
Comments: _____

SIGNATURES:

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

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

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

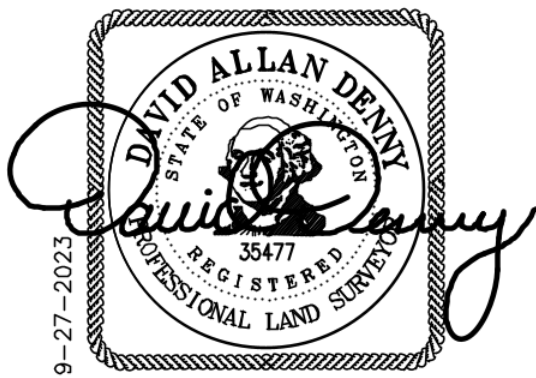
Signature of Applicant:  _____ Date: 9/27/2023

Signature of Property Owner: _____ Date: _____

Signature of Property Owner: _____ Date: _____

MT. SOLO PLACE PHASE 5

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 5



LEGEND:

- INDICATED MONUMENT FOUND AS NOTED

SURVEY REFERENCE:

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

DEED REFERENCE:

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

ACKNOWLEDGMENTS:

STATE OF WASHINGTON
COUNTY OF COWLITZ

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 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

SIGNED

(v) APPROVED THIS DAY OF, 20

CITY ENGINEER

(vi) APPROVED THIS DAY OF, 20

CHAIRMAN, ATTEST, SECRETARY
LONGVIEW PLANNING COMMISSION

(vii) APPROVED THIS DAY OF, 20

MAYOR, CITY OF LONGVIEW ATTEST, CITY CLERK

SURVEYOR'S CERTIFICATE:

I, DAVID ALLAN DENNY, A PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT THIS PLAT OF "MT. SOLO PLACE PH. 5" CORRECTLY REPRESENTS A SURVEY AND SUBDIVISION OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 3 EAST, WILLAMETTE MERIDIAN, MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AND THE WASHINGTON UNIFORM COMMON INTEREST OWNERSHIP ACT; THAT THE DISTANCES, COURSES, AND ANGLES ARE SHOWN HEREON CORRECTLY AND THAT MONUMENTS AND LOT CORNERS HAVE BEEN SET ON THE GROUND AS SHOWN ON THE PLAT.

DATED:
DAVID ALLAN DENNY, PROFESSIONAL LAND SURVEYOR, PLS NO. 35477

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.

NOTICE:

NO OCCUPANCY PERMIT WILL BE GRANTED FOR ANY HOME UNTIL PUBLIC SANITARY SEWER SERVICE IS FUNCTIONAL.

NOTES:

- 1) TRACT "A" OPEN SPACE IS DEDICATED TO CONSOLIDATED DIKING IMPROVEMENT DISTRICT #1 WITH THIS PLAT PER AFN
- 2) ALL LOTS SHALL BE GRADED TO SLOPE TOWARDS THE STREETS AND REAR LOT EASEMENT SUCH THAT THERE SHALL BE NO STANDING WATER OR DRAINAGE ACROSS ADJOINING PROPERTIES. ALL STORMWATER AREA DRAINS SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS.
- 3) A PRIVATE EASEMENT IS HEREBY RESERVED UNDER AND UPON THE REAR TEN (10) FEET OF ALL LOTS IN THE INTEREST OF THE MT. SOLO PLACE HOMEOWNERS ASSOCIATION FOR ACCESS AND MAINTENANCE OF PRIVATE REAR LOT STORMWATER CONVEYANCES. NO STRUCTURES OR OTHER IMPROVEMENTS MAY BE CONSTRUCTED IN THE PRIVATE STORMWATER EASEMENT UNLESS APPROVED BY THE MT. SOLO PLACE HOMEOWNERS ASSOCIATION IN ADVANCE, AND SHALL NOT DAMAGE, DISRUPT OR IMPEDE THE PRIVATE STORMWATER LINE OR CONVEYANCE OF STORMWATER THROUGH THE EASEMENT TO A DISCHARGE POINT.
- 4) SIDEWALK CONSTRUCTION AND PLANTING STRIP TREES AND LANDSCAPING APPROVAL FROM THE CITY ARE 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 LOTS CONTAINING PADMOUNT TRANSFORMERS ARE SUBJECT TO THE MINIMUM CLEARANCES AS DEFINED BY COWLITZ COUNTY PUBLIC UTILITY DISTRICT CONSTRUCTION STANDARDS.
- 6) A TRAIL ACCESS EASEMENT IS DEDICATED TO THE CITY OF LONGVIEW WITH THIS PLAT.

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

PROTECTIVE COVENANTS:
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. DECLARANT DECLARATION: PHASE 1 (AF#3667549) CC&R (AF#3667547) AND BYLAWS (AF#3667548)

BY: PRINTED SIGNED TITLE DATE

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

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DULY COMMISSIONED AND SWORN, PERSONALLY APPEARED TO ME KNOWN TO BE THE OF

THE ENTITY THAT EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAID INSTRUMENT TO BE THE FREE AND VOLUNTARY ACT AND DEED OF THE SAID ENTITY, FOR THE USES AND PURPOSES THEREIN MENTIONED, AND ON OATH STATED THAT

IS/ARE AUTHORIZED TO EXECUTE THE SAID INSTRUMENT ON BEHALF OF THE SAID ENTITY.

WITNESS MY HAND AND SEAL HERETO AFFIXED ON THIS DAY OF 2022.

SIGNED

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: 1"=150'
JOB NO: 20-487
DWG NO: PLAT-3
DATE: 9-27-2023
CALC BY: DAD
DRAWN BY: DED
CHECKED BY: DAD
SHEET 1 OF 5

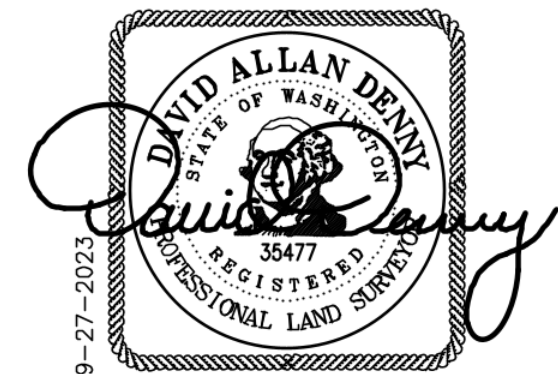
MT. SOLO ESTATES PHASE 5

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 3 OF 5

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 36°57'03" E	33.83'
L3	S 36°57'03" W	26.28'
L4	S 37°16'31" W	3.34'
L5	N 53°44'09" W	56.24'
L6	N 79°28'39" E	48.73'
L7	N 50°44'00" E	10.21'
L8	S 20°03'48" E	20.98'

LEGEND:

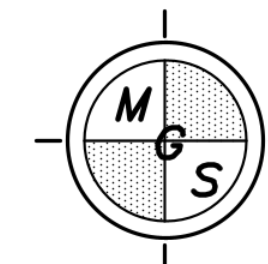
- INDICATES FOUND 1/2" REBAR ROD WITH YELLOW PLASTIC CAP INSCRIBED "D. DENNY 35477"
- ⊙ INDICATES 1/2" x 24" REBAR WITH YELLOW PLASTIC CAP INSCRIBED "D. DENNY 35477", SET
- + INDICATES ROCK NAIL WITH BRASS WASHER INSCRIBED 35477 SET AT THE EXTENSION OF LOT LINE IN THE CURB, FOR THE PURPOSE OF WITNESS CORNER



9-27-2023

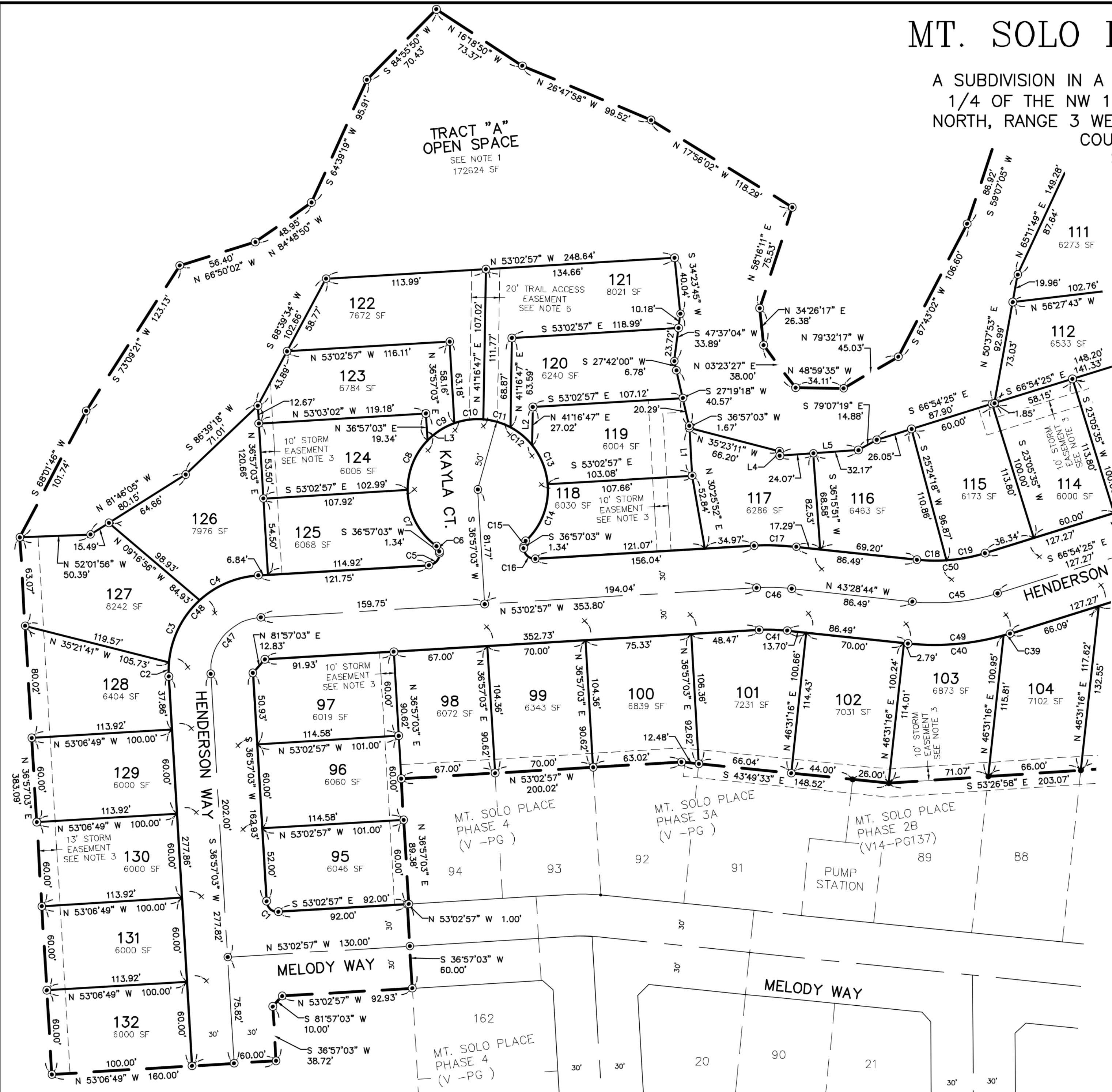
DAVID ALLAN DENNY
STATE OF WASHINGTON
REGISTERED
PROFESSIONAL LAND SURVEYOR
35477

50 25 0 50 75 100
SCALE 1 INCH = 50 FEET



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

SCALE: 1"=40'
JOB NO: 20-487
DWG NO: PLAT-3
DATE: 9-27-2023
CALC BY: DAD
DRAWN BY: DED
CHECKED BY: DAD
SHEET 3 OF 5



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 ESTATES PHASE 5

Place

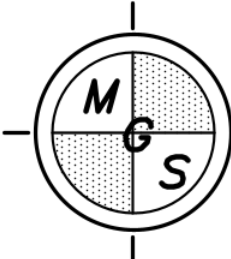
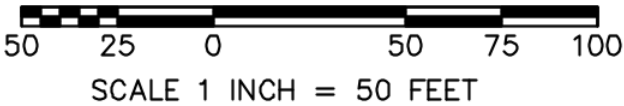
A SUBDIVISION IN A PORTION OF THE NW 1/4 AND NE 1/4 OF THE NW 1/4 OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 3 WEST, WILLAMETTE MERIDIAN, COWLITZ COUNTY, WASHINGTON.
SHEET 4 OF 5

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 36°57'03" E	33.83'
L3	S 36°57'03" W	26.28'
L4	S 37°16'31" W	3.34'
L5	N 53°44'09" W	56.24'
L6	N 79°28'39" E	48.73'
L7	N 50°44'00" E	10.21'
L8	S 20°03'48" E	20.98'

- LEGEND:
- INDICATES FOUND 1/2" REBAR ROD 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



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

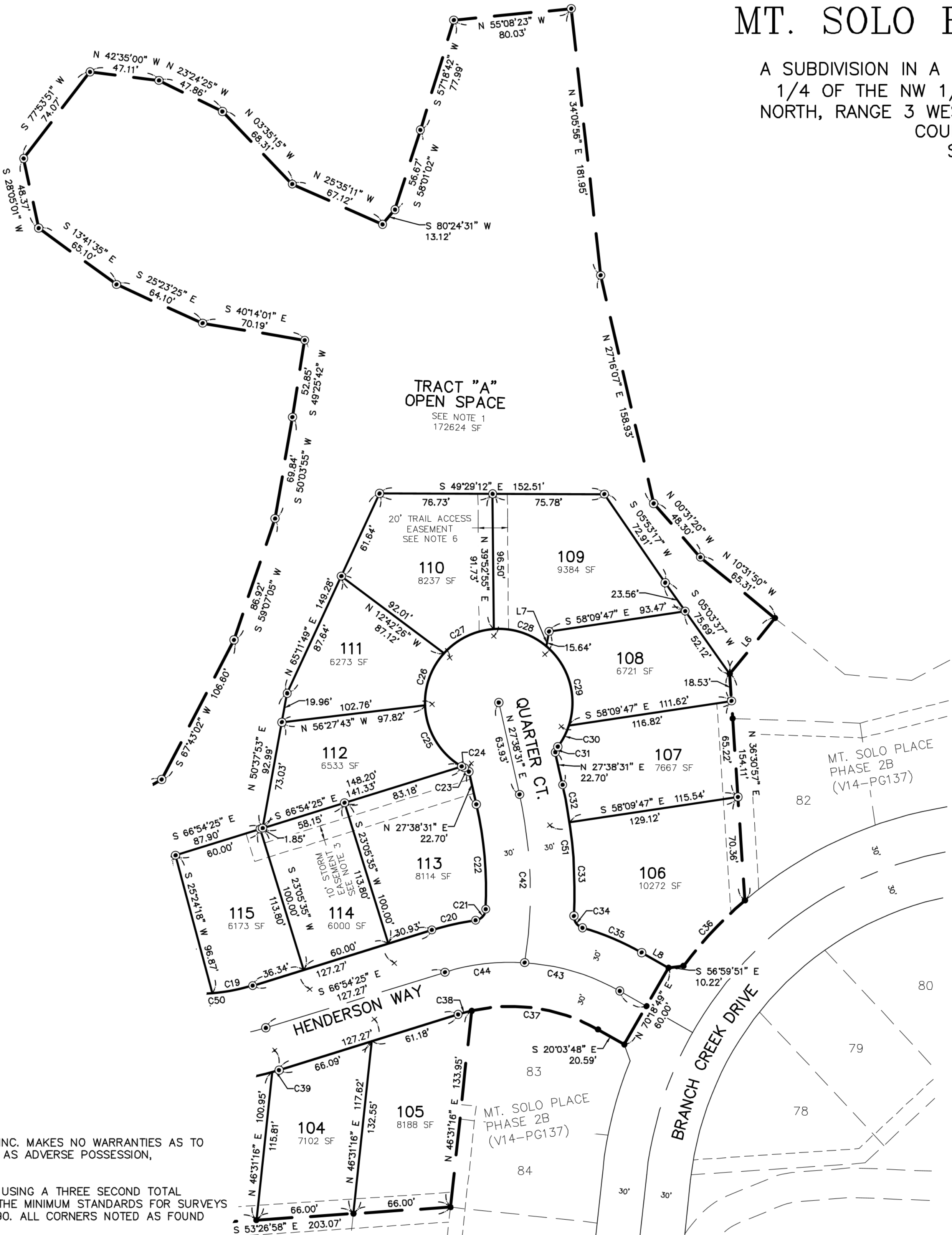


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SHEET 4 OF 5

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MT. SOLO ESTATES PHASE 5

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 5 OF 5

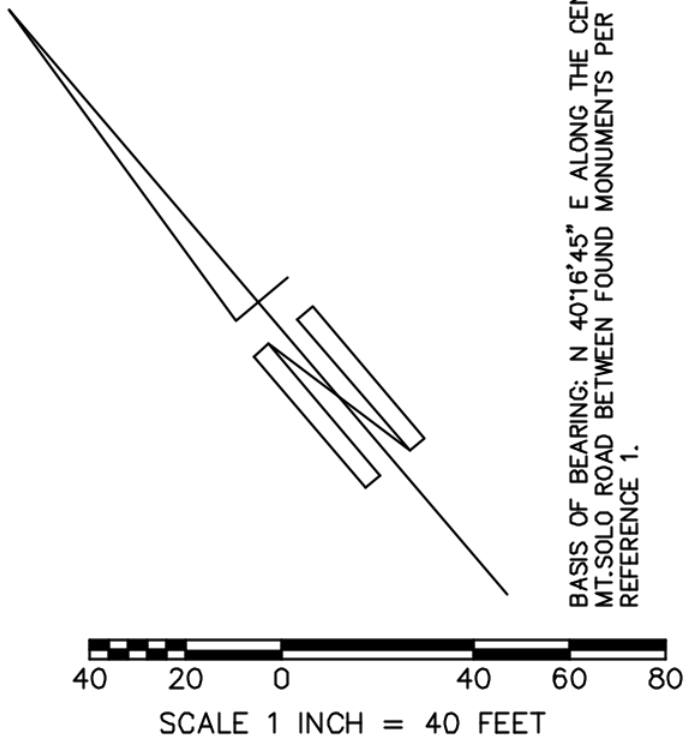
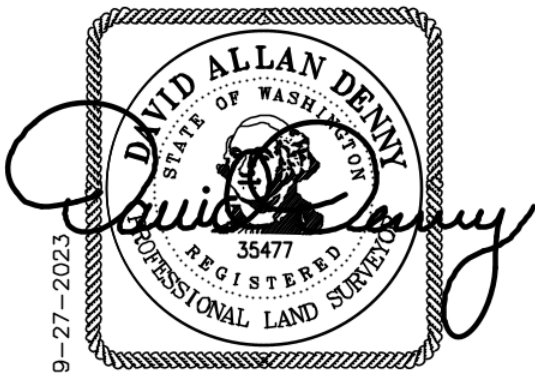
CURVE TABLE					
CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C1	8.00'	90°00'00"	12.57'	S 08°02'57" E	11.31'
C2	68.00'	8°23'49"	9.97'	S 41°08'57" W	9.96'
C3	68.00'	42°42'27"	50.69'	S 66°42'05" W	49.52'
C4	68.00'	38°53'44"	46.16'	N 72°29'49" W	45.28'
C5	8.00'	90°00'00"	12.57'	N 81°57'03" E	11.31'
C6	5.00'	50°28'44"	4.41'	N 11°42'41" E	4.26'
C7	50.00'	53°36'46"	46.79'	S 13°16'42" W	45.10'
C8	50.00'	44°25'23"	38.77'	S 62°17'47" W	37.80'
C9	50.00'	26°29'22"	23.12'	N 82°14'51" W	22.91'
C10	50.00'	23°56'34"	20.89'	N 57°01'52" W	20.74'
C11	50.00'	23°04'26"	20.14'	N 33°31'22" W	20.00'
C12	50.00'	23°04'26"	20.14'	N 10°26'56" W	20.00'
C13	50.00'	35°01'19"	30.56'	N 18°35'57" E	30.09'
C14	50.00'	51°19'10"	44.78'	N 61°46'11" E	43.30'
C15	5.00'	50°28'44"	4.41'	S 62°11'25" W	4.26'
C16	8.00'	90°00'00"	12.57'	S 08°02'57" E	11.31'
C17	180.00'	9°34'13"	30.07'	N 48°15'51" W	30.03'
C18	120.00'	10°08'42"	21.25'	S 48°33'05" E	21.22'
C19	120.00'	13°16'59"	27.82'	S 60°15'56" E	27.76'
C20	180.00'	9°39'49"	30.36'	N 62°04'31" W	30.32'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C21	8.00'	79°54'56"	11.16'	N 82°47'55" E	10.28'
C22	270.00'	15°11'56"	71.62'	N 35°14'29" E	71.41'
C23	10.00'	23°36'59"	4.12'	N 10°00'29" W	4.09'
C24	50.00'	2°23'07"	2.08'	S 20°37'26" E	2.08'
C25	50.00'	57°51'53"	50.50'	S 09°30'04" W	48.38'
C26	50.00'	44°02'55"	38.44'	S 60°27'28" W	37.50'
C27	50.00'	44°02'55"	38.44'	N 75°29'37" W	37.50'
C28	50.00'	44°02'55"	38.44'	N 31°26'42" W	37.50'
C29	50.00'	67°50'08"	59.20'	N 24°29'49" E	55.80'
C30	50.00'	18°41'08"	16.31'	N 67°45'28" E	16.23'
C31	10.00'	23°36'59"	4.12'	S 65°17'32" W	4.09'
C32	330.00'	4°29'02"	25.83'	N 29°53'02" E	25.82'
C33	330.00'	11°04'13"	63.76'	N 37°39'40" E	63.66'
C34	8.00'	77°06'36"	10.77'	S 04°38'29" W	9.97'
C35	180.00'	13°51'02"	43.51'	N 26°59'19" W	43.41'
C36	280.00'	12°29'15"	61.03'	S 83°35'47" W	60.90'
C37	120.00'	42°18'22"	88.61'	N 41°12'58" W	86.61'
C38	120.00'	4°32'16"	9.50'	N 64°38'17" W	9.50'
C39	180.00'	1°30'16"	4.73'	S 66°09'17" E	4.73'
C40	180.00'	21°55'25"	68.87'	S 54°26'27" E	68.46'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC DIST.	CHORD BEARING	CHORD DIST.
C41	120.00'	9°34'13"	20.04'	N 48°15'51" W	20.02'
C42	300.00'	21°55'22"	114.79'	N 38°36'12" E	114.09'
C43	150.00'	25°56'35"	67.92'	N 33°02'05" W	67.34'
C44	150.00'	20°54'03"	54.72'	N 56°27'24" W	54.42'
C45	150.00'	23°25'41"	61.33'	S 55°11'35" E	60.91'
C46	150.00'	9°34'13"	25.05'	N 48°15'51" W	25.03'
C47	38.00'	90°00'00"	59.69'	S 81°57'03" W	53.74'
C48	68.00'	90°00'00"	106.81'	S 81°57'03" W	96.17'
C49	180.00'	23°25'41"	73.60'	S 55°11'35" E	73.09'
C50	120.00'	23°25'41"	49.07'	S 55°11'35" E	48.73'
C51	330.00'	15°33'16"	89.59'	N 35°25'09" E	89.31'

LEGEND:

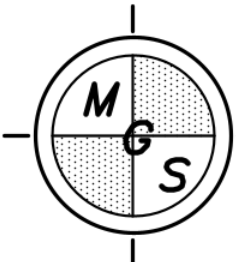
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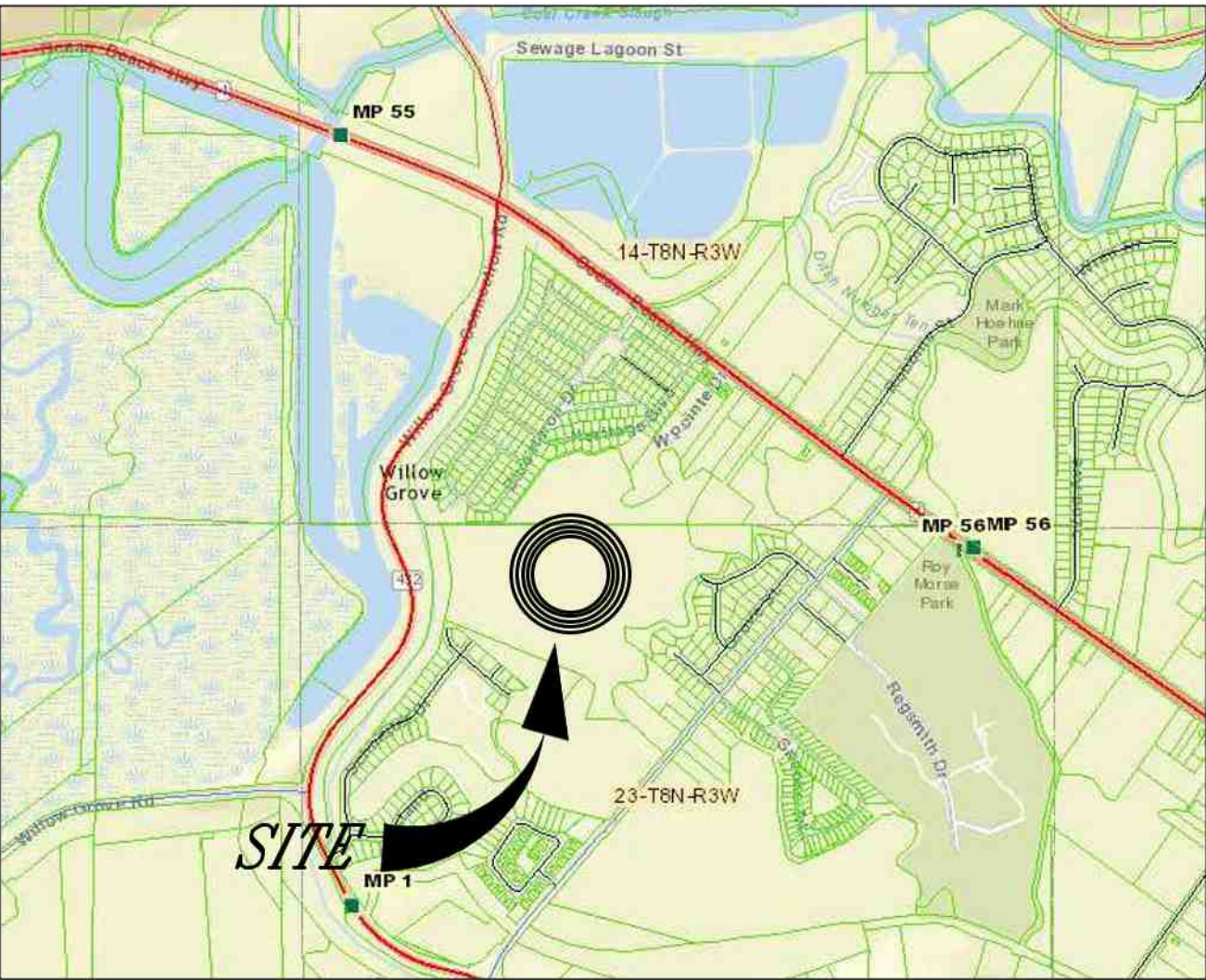
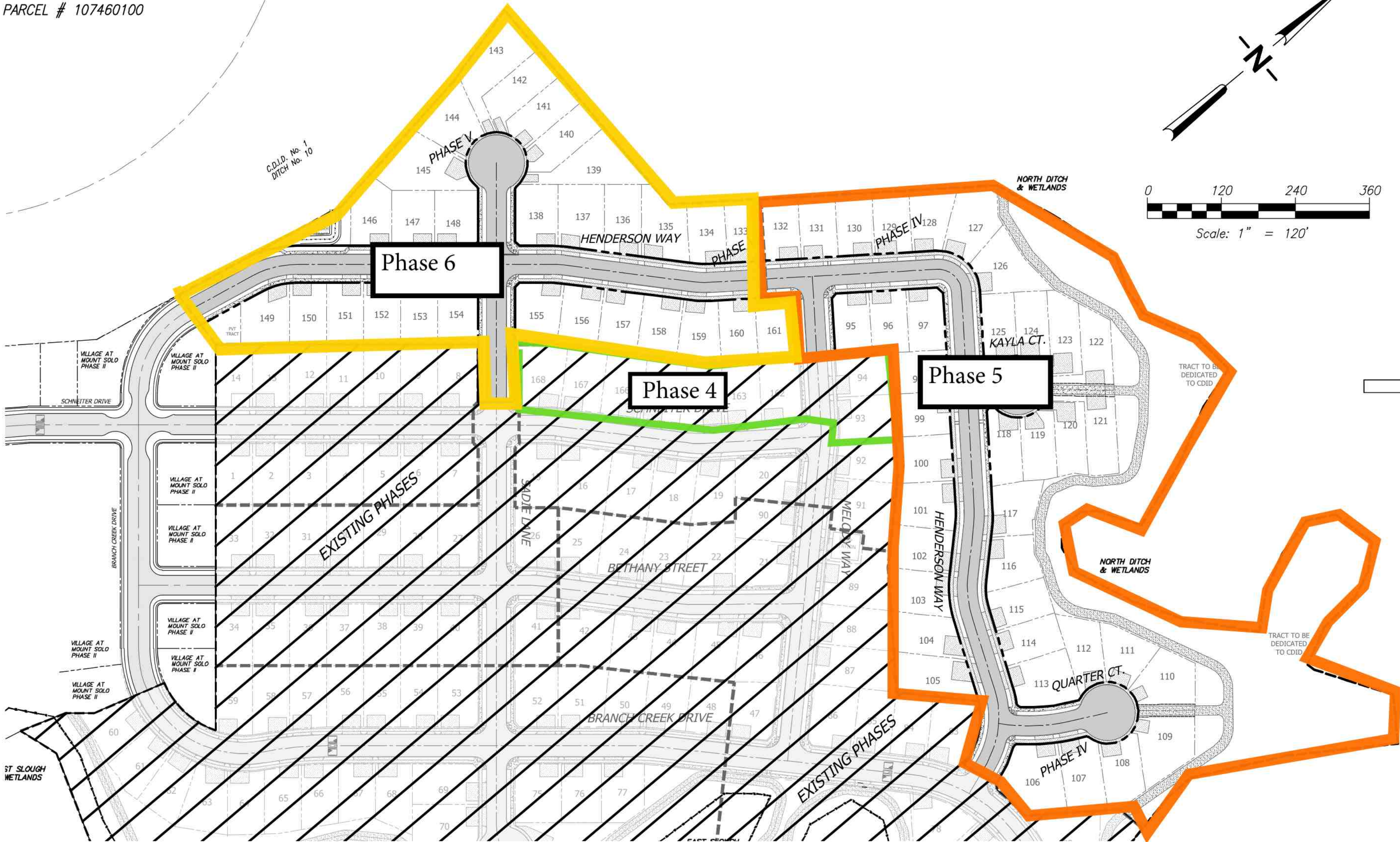
MINISTER-GLAESER
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CALC BY: DAD
DRAWN BY: DED
CHECKED BY: DAD
SHEET 5 OF 5

MT. SOLO PLACE PHASES IV & V

CITY OF LONGVIEW, WASHINGTON

BEING A PORTION OF SECTIONS 14 AND 23, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN COWLITZ COUNTY, WASHINGTON.
PARCEL # 107460100



VICINITY MAP
NTS

VERTICAL DATUM:
NAVD 88

BENCH MARK:
F202
3" DISK NW BAKER CORNER STORE
ELEVATION = 5.77'; $\frac{29}{16}$ DATUM

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C2.0	EXISTING CONDITIONS
C3.0	GRADING & EROSION CONTROL SHEET 1
C3.1	GRADING & EROSION CONTROL SHEET 2
C3.2	GRADING & EROSION CONTROL SHEET 3
C4.0	STREET CONSTRUCTION SHEET 1
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C4.2	STREET CONSTRUCTION SHEET 3
C5.0	STORMWATER PLAN SHEET 1
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C5.3	STORMWATER DETAILS SHEET 1
C5.4	STORMWATER DETAILS SHEET 2
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E2	PHOTOMETRIC LIGHTING PLAN SHEET 2
E3	PHOTOMETRIC LIGHTING PLAN SHEET 3
E4	PHOTOMETRIC LIGHTING PLAN SHEET 4

LEGEND

EXISTING:

- SAN LATERAL
- SAN CLEANOUT
- SAN MANHOLE
- SAN MAIN
- WAT METER
- WAT MAIN
- WAT BLOWOFF
- FIRE HYDRANT
- STM CATCHBASIN
- STM MANHOLE
- STM AREA DRAIN
- STM MAIN
- CENTERLINE
- FENCE
- 5' CONTOUR
- 1' CONTOUR
- PAVEMENT
- CONCRETE
- PHASE LINE

PROPOSED:

- SAN LATERAL
- SAN CLEANOUT
- SAN MANHOLE
- SAN MAIN
- WAT METER
- WAT MAIN
- WAT BLOWOFF
- FIRE HYDRANT
- THRUST BLOCK
- WAT FITTING
- WAT VALVE
- STM CATCHBASIN
- STM MANHOLE
- STM AREA DRAIN
- STM MAIN
- CENTERLINE
- FENCE
- 5' CONTOUR
- 1' CONTOUR
- PAVEMENT
- CONCRETE

OWNER/DEVELOPER

HINTON DEVELOPMENT CORP.
14010-A NE 3RD COURT, SUITE 106
VANCOUVER, WA 98685
PHONE: (360) 546-1220
ATTN: ROB HINTON
EMAIL: ROB@HINTONDEVELOPMENT.COM

CONTACT/ENGINEER

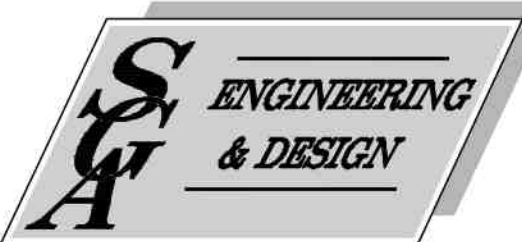
SGA ENGINEERING, PLLC
2005 BROADWAY
VANCOUVER, WASHINGTON 98663
PHONE: (360) 993-0911
FAX: (360) 993-0912
EMAIL: JMATTOS@SGAENGINEERING.COM

GEOTECHNICAL ENGINEER

COLUMBIA WEST ENGINEERING, INC.
11917 NE 95TH STREET
VANCOUVER, WA 98682
PHONE: (360) 823-2900
ATTN: DANIEL LEHTO, P.E.

SURVEYOR

MINISTER-GLAESER SURVEYING INC.
2200 E. EVERGREEN BLVD.
VANCOUVER, WASHINGTON 98661
PHONE: (360) 694-3313
ATTN: DANIEL RENTON
EMAIL: DAR@MGSURVEY.COM



CIVIL ENGINEERING ~ LAND PLANNING
DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE

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



COVER SHEET

MT. SOLO PLACE
PHASES IV & V

WASHINGTON

CITY OF LONGVIEW

APPROVED

REVISIONS

② REVISED PHASING AS SHOWN ON THIS SHEET 7-8-23

DESIGNED BY: NAW
DRAWN BY: NAW
CHECKED BY: JTM
SCALE: AS SHOWN

JOB NUMBER
0802

SHEET
C1.0

MT. SOLO PHASES 5 PRELIMINARY SCHEDULE FEBRUARY 13, 2024

ID		Task Mode	Task Name	Duration	Start	Finish	Predecessors	24					Feb 18, '24				
								T	W	T	F	S	S	M	T	W	
1			PHASE 5														
2			EROSION CONTROL	30 days	Mon 2/12/24	Fri 3/22/24											
3			PIPE TESTING	10 days	Mon 2/12/24	Fri 2/23/24											
4			DRY UTILITIES	15 days	Mon 2/12/24	Fri 3/1/24											
5			WATER	5 days	Mon 3/4/24	Fri 3/8/24	4										
6			SIDEWALK	5 days	Mon 3/4/24	Fri 3/8/24	4										
7			LANDSCAPING	4 days	Mon 3/11/24	Thu 3/14/24	6										
8			ASPHALT	3 days	Wed 3/13/24	Fri 3/15/24											
9			FINAL CLEANUP	5 days	Mon 3/18/24	Fri 3/22/24	8										
10			CURRENTLY UNDER SURCHARGE. GEO TECH NEEDS TO APPROVE REMOVAL	30 days	Mon 2/12/24	Fri 3/22/24											

MT. SOLO PHASES 5 PRELIMINARY SCHEDULE FEBRUARY 13, 2024																																					
Feb 25, '24									Mar 3, '24								Mar 10, '24							Mar 17, '24						Mar 24, '24							
T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S



September 13, 2021

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

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

SGA Engineering
2005 Broadway Street
Vancouver, WA 98663

Re: Notice of Decision for Mt. Solo Place Subdivision Preliminary Plat, Phases IV-V,
Case No. PC 2021-6

Dear Ms. Duke,

At their September 9, 2021 regular meeting, the Longview City Council considered and unanimously accepted the following Longview Planning Commission recommendations:

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 and is granted.

Thus, the preliminary plat for Mt. Solo Place Phases 4-5 has been approved by the City subject to the conditions given above. The approval was effective on September 9, 2021. Attached is an application for Final Plat approval. Please don't hesitate to contact City staff regarding Final Plan submittal requirements and City of Longview standards.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Trimble', with a long horizontal flourish extending to the right.

Adam Trimble
Planning Manager

AT

cc: Ken Hash, Interim Community Development Director/Public Works Director/City Engineer.
Jim McNamara, City Attorney
File copy: PC 2021-6



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. <u>East:</u> Mt. Solo Place phases 1-3, single family residential subdivision <u>South:</u> Mt. Solo Place phases 1-3, single family residential subdivisions, single family homes on large lots and vacant land. <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%
<i>Seismic Liquefaction:</i>	Site has potential to liquefy in a seismic event
<i>Critical Area Recharge Areas:</i>	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	
	R-1
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) ³	15

Standard	
	R-1
Rear yard setback ⁴ (feet)	15
Side yard setback ⁵ (feet)	5
Side yard (street) setback – corner lot, street flanking (feet)	15
Maximum building height – residential (feet)	35
Maximum building height – accessory building (feet) ⁷	20
Maximum impervious area of lot ⁸	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 sprt 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: July 30, 2021

City Webpage - <https://www.mylongview.com/937/Washington-Center-for-Real-Estate-Resear>

Washington Center for Real Estate Research Housing Affordability Indexes:

Go to <https://wcrer.be.uw.edu/> and select the Housing Market Data tab and you can find data for Longview under each of the following:

- City House Price Data - <https://wcrer.be.uw.edu/housing-market-data-toolkit/house-prices/>
- City Apartment Data - <https://wcrer.be.uw.edu/housing-market-data-toolkit/rental-market/>
- Subsidized Rental Housing Inventory - <https://wcrer.be.uw.edu/housing-market-data-toolkit/subsidized-rental-housing-profile/>
- Permits and Completions - <https://wcrer.be.uw.edu/housing-market-data-toolkit/permits-and-completions/>
- Housing Affordability Indexes - <https://wcrer.be.uw.edu/housing-market-data-toolkit/affordability-index/>

Main Page Housing Market Data Washington Center for Real Estate Research - <https://wcrer.be.uw.edu/housing-market-data-toolkit/>

REPORT TO THE LEGISLATURE

Housing Market Data Toolkit

As required under RCW 36.70A.610

November 22, 2022

ACKNOWLEDGMENTS

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This report and the associated data are available from the Washington Center for Real Estate Research at <https://wcrer.be.uw.edu/>. Questions about the report and its content should be directed to:

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EXECUTIVE SUMMARY

This report is presented in response to RCW 36.70A.610, which requires the Washington Center for Real Estate Research (WCRER) at the University of Washington to compile housing supply and affordability metrics for each city planning under RCW 36.70A.040 with a population of 10,000 or more. The Washington State Department of Commerce has contracted with the WCRER to produce these data. Although not required by the legislation, the data are provided (where possible) for all cities with populations of 10,000 or more and, in some cases, for counties. The data are presented in the [Housing Market Data Toolkit](#) hosted on WCRER's web site.

Additional data relevant to housing affordability is provided in the [Housing Market Reports and Apartment Market Reports](#) produced by WCRER under contract with the Washington State Department of Licensing. These reports provide median prices, affordability indexes for home buyers, average rents, and other data at the county level.

This current compilation reflects WCRER's efforts to improve the quality, timeliness, and usefulness of the information provided. In addition, the WCRER now plans to update the data regularly throughout the year as significant new information becomes available, which will also increase the timeliness and usefulness of the data.

In addition to the data provided in response to RCW 36.70A.610, the WCRER is completing an inventory of subsidized rental housing for cities and counties. The Department of Commerce is required to prepare such an inventory under RCW 43.185B.040 in coordination with the Affordable Housing Advisory Board. This will also be updated periodically as the source data are updated.

These data will provide a wide range of information for jurisdictions to use in assessing affordable housing supply and demand for both the general market as well as for targeted income and demographic groups. This analysis may include updates for housing elements in comprehensive plans required under RCW 36.70A.070, or the development of housing needs assessments as part of housing action plans described in RCW 36.70A.600. The data will also be useful to the state's Affordable Housing Advisory Board (AHAB) in their ongoing work. The elements of the Toolkit are:

- Census Data
- City House Price Data
- Rental Housing Markets
- City Housing Affordability Indexes
- Permits and Completions
- Subsidized Rental Housing

INTRODUCTION

During the 2019 legislative session, affordable housing and housing supply issues were a primary issue of concern. Inward population migration, economic growth, and shortage of new housing supply were contributing to rapidly rising house prices and rents. In that context, HB 1923 was adopted to encourage local governments to take actions that would increase the stock of affordable housing. Local governments were offered grants to adopt options from of a list of potential actions in RCW 36.70A.600, or adopt a Housing Action Plan that would facilitate development of housing affordable at all income levels and across housing tenures. Alignment of market conditions with growth targets and development of housing strategies using data resources emerged as a key issue. Many local governments sought data resources so that housing needs could be objectively identified in a consistent manner.

In the same year, Department of Commerce's Housing Memorandum (2019) identified the need for coordinated resources to measure the relationship between different house types, density, land use, and housing affordability. A major issue arising from these discussions was accounting for housing inventory, capacity, and output in a coordinated way. The Washington Center for Real Estate Research (WCRER) was chosen by the legislature to compile and maintain data resources and assist in accounting for the impacts of actions taken by local governments to increase the supply of affordable housing.

While funding for this work is provided through a contract with the Department of Commerce, the data elements, measurement criteria, and supply frameworks were developed by the WCRER in consultation with the Department of Commerce and other agencies, including the Washington State Housing Finance Commission and the Washington State Office of Financial Management. The data elements were introduced through the initial set of reports and were revised and updated in the current report. Subsequent reports call for the development of housing and land inventory metrics as well as housing capacity measurement through the buildable lands reports prepared under RCW 36.70A.215. The ongoing series of reports will align these inventory, output, and capacity metrics to provide a more complete set of data needed for local housing needs assessments, planning, and evaluation.

LEGISLATION

RCW 36.70A.610 as amended requires the Washington Center for Real Estate Research (WCRER) at the University of Washington to produce a series of reports compiling housing supply and affordability metrics for each city planning under RCW 36.70A.040 with a population over 10,000 persons.

1. The Washington center for real estate research at the University of Washington shall produce a series of reports as described in this section that compiles housing supply and affordability metrics for each city planning under RCW 36.70A.040 with a population of ten thousand or more.
 - a. The initial report, completed by October 15, 2020, must be a compilation of objective criteria relating to income, employment, housing and rental prices, and other metrics relevant to assessing housing supply and affordability for all income segments, including the percentage of cost-burdened households of each jurisdiction. This report may also include city-specific median income data for those cities implementing the multifamily tax exemption program under chapter 84.14 RCW.
 - b. The report completed by October 15, 2021, must include an analysis of the private rental housing market for each area outlining the number of units, vacancy rates, and rents by unit type, where possible. This analysis should separate market rate multifamily rental housing developments and other smaller scale market rate rental housing. This analysis should also incorporate data from the Washington state housing finance commission on subsidized rental housing in the area consistent with the first report under this subsection.
 - c. The report completed by October 15, 2022, must also include data relating to actions taken by cities under chapter 348, Laws of 2019 as well as detailed information on development regulations, levies and fees, and zoning related to housing development.
 - d. The report completed by October 15, 2024, and every two years thereafter, must also include relevant data relating to buildable lands reports prepared under RCW 36.70A.215, where applicable, and updates to comprehensive plans under this chapter.
2. The Washington center for real estate research shall collaborate with the Washington housing finance commission and the office of financial management to develop the metrics compiled in the series of reports under this section.
3. The series of reports under this section must be submitted, consistent with RCW 43.01.036, to the standing committees of the legislature with jurisdiction over housing issues and this chapter.

Note that the information required under 1.c. above is currently being compiled and will be submitted as a separate report.

HOUSING MARKET DATA TOOLKIT

Because gathering the data to assess housing needs can be time consuming and complex, the legislature mandated that the WCRER should compile relevant data. Quality housing market information is required to adequately address important aspects driving affordable housing outcomes in a comprehensive planning framework.

With these issues in mind, the Housing Market Data Toolkit has been developed. This toolkit is designed to be a place to access key data sets to help jurisdictions assess housing need and develop strategies to address those needs.

This update of the Housing Market Data Toolkit is divided into six areas based upon data sources and type of information provided. These are described below; additional technical details are provided in the notes that accompany the data on the WCRER website. Note that the data are provided for all cities with populations of at least 10,000 (except as noted). County-level data, when provided, are for all 39 counties.

In addition to the data published on its website, WCRER has calculated revised Area Median Incomes (AMIs) for the cities participating in the Multi-Family Housing Property Tax Exemption (MFTE) Program (RCW 84.14). County and regional AMIs published by the U.S. Department of Housing and Urban Development (HUD) do not necessarily reflect economic conditions within the cities located within those areas, particularly cities with lower family incomes. These data have been provided to the Department of Commerce for use in administering the MFTE Program. They will be updated annually when HUD updates its AMI estimates.

The Housing Market Data Toolkit can be accessed [HERE](#).

Census Data

Data profiles are provided for each city and for all counties. The most recent data come from the U.S. Census Bureau's American Community Survey (ACS) 2016-2020 5-year estimates. The ACS 2017-2021 data are scheduled to be released in December 2022, and the WCRER website will be updated at that time. There are four profiles for each jurisdiction: Demographic, Economic, Housing, and Social. These profiles contain a wide variety of data of interest to housing planners, including the following metrics:

Demographic – Information on total population, population by age cohort, and population by race.

Economic – Information on the distribution of household income, median household income, median family income, employment characteristics, workers by industry classification, and commuting patterns.

Housing – Information on housing costs by tenure of householder, including monthly owner costs and estimated rents. The number of cost burdened households is provided. Information is also available for length of housing tenure, vehicles available, and age of housing unit, as well as other housing-related information.

Social – Information on households by type (family, non-family), average household size, veteran status, disabled population characteristics, grandparents as caregivers, and residence location one year ago.

City House Price Data

A new feature of the Housing Market Data Toolkit is quarterly median house prices for most of the cities, starting with Q1 2021 and continuing up through Q3 2022. These data are obtained from regional Multiple Listing Services. Overall medians are provided for each city as well as by type of structure (single-family, condominium, and manufactured) and number of bedrooms. We plan to update these data quarterly. Note that county-level house price data are provided separately in WCRER's Housing Market Reports.

Rental Housing Markets

Another new feature of the Toolkit is quarterly rental apartment data for all of the cities that have reportable information. Currently, WCRER reports these data for Q3 2022. This includes average market rate rents and square footages, as well as vacancy rates. These data are sourced from the commercial property information company CoStar. The Center is currently exploring the possibility of providing more detailed data in the future, such as statistics by number of bedrooms.

City Housing Affordability Indexes

Now that the WCRER is collecting data on current house prices and apartment rents by city, it is possible to calculate current affordability indexes for most of the cities. Two homeownership and two rental indexes have been published for Q3 2022. The homeownership indexes follow a methodology similar to that of the National Association of Realtors. There is an index for home buyers with median incomes, first-time buyers with lower incomes, apartment renters with median incomes, and apartment renters with lower incomes. The WCRER is currently evaluating the possibility of providing additional affordability metrics. These data will be updated quarterly.

Permits and Completions

WCRER is now providing monthly residential building permit data, starting with January 2019 (for most of the cities) and continuing through September 2022. These data are from the U.S. Census Bureau's Building Permit Survey, which is updated monthly. The Center plans to update this quarterly. Estimated completions (i.e., changes in the housing stock) were calculated based upon the Washington State Office of Financial Management's (OFM's) annual estimates of housing units by type for each year. These data will be updated annually when OFM updates their estimates.

Subsidized Rental Housing

This part of the report is currently being developed, but data should be available by early 2023. This will be an inventory of the supply of multi-family rental housing receiving subsidies from the main sources, including federal subsidies (project-based rental assistance, loan subsidies and guarantees, grants, and Low-Income Housing Tax Credits) and state subsidies (property tax exemptions for multi-family housing, Housing Trust Fund subsidies, and bond funding). The data are obtained from the US Department of Housing and Urban Development, US Department of

Agriculture's Rural Housing Service, Washington State Housing Finance Commission, and Washington State Department of Commerce. The aim is to measure housing units benefiting from subsidies from all of the major programs designed to increase the supply of affordable housing. Projects receiving subsidies from multiple sources are identified so that a true measure of the number of subsidized units can be calculated. Details about the types of subsidies received from each source will be provided to the extent possible given the information available from the organizations listed above. Profiles will be published for cities and counties and project-level data for cities and counties will be made available upon request. The profiles will be updated periodically as significant new data are published by the funding sources.

LIST OF CITIES FOR WHICH DATA ARE PROVIDED

RCW 36.70A.610 requires this report to include information for all Washington cities planning under the Growth Management Act with a population over 10,000 people. The WCRER has included all cities with populations of at least 10,000 as well as additional cities that are growing and which may fall within the mandate of the GMA in the future. Data are also provided for all 39 counties in Washington where available and appropriate.

Aberdeen	Issaquah	Pullman
Airway Heights	Kelso	Puyallup
Anacortes	Kenmore	Redmond
Arlington	Kennewick	Renton
Auburn	Kent	Richland
Bainbridge Island	Kirkland	Ridgefield
Battle Ground	Lacey	Sammamish
Bellevue	Lake Forest Park	SeaTac
Bellingham	Lake Stevens	Seattle
Bonney Lake	Lakewood	Sedro-Woolley
Bothell	Liberty Lake	Shelton
Bremerton	Longview	Shoreline
Burien	Lynden	Snohomish
Burlington	Lynnwood	Snoqualmie
Camas	Maple Valley	Spokane
Centralia	Marysville	Spokane Valley
Cheney	Mercer Island	Sumner
Covington	Mill Creek	Sunnyside
Des Moines	Monroe	Tacoma
DuPont	Moses Lake	Tukwila
East Wenatchee	Mount Vernon	Tumwater
Edgewood	Mountlake Terrace	University Place
Edmonds	Mukilteo	Vancouver
Ellensburg	Newcastle	Walla Walla
Enumclaw	Oak Harbor	Washougal
Everett	Olympia	Wenatchee
Federal Way	Pasco	West Richland
Ferndale	Port Angeles	Woodinville
Fife	Port Orchard	Yakima
Gig Harbor	Port Townsend	Yelm
Grandview	Poulsbo	

Regulated Substances & Gaming Committee

ESB 5363

Brief Description: Concerning cannabis retailer advertising.

Sponsors: Senators MacEwen and Stanford.

Brief Summary of Engrossed Bill

- Modifies restrictions and requirements for advertising signs for licensed cannabis retailers.
- Places the regulation of trade name signs for licensed cannabis retailers under the authority of local jurisdictions.

Hearing Date: 2/15/24

Staff: Matt Sterling (786-7289).

Background:

Cannabis Retailer Signage.

The Liquor and Cannabis Board (LCB) regulates the adult-use, recreational cannabis system in Washington. State statutes and rules adopted by the LCB specify requirements of cannabis signage and advertising.

Except for the use of billboards authorized under state law, licensed cannabis retailers may not display any signage outside of the licensed premises, other than two signs identifying the retail outlet by the business or trade name that state the location and identify the nature of the business. Each sign must be no larger than 1,600 square inches, be permanently affixed to a building or other structure, and is subject to other requirements and restrictions established in

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

law, including restrictions on depicting cannabis plants or products, images that might be appealing to children, or the use of commercial mascots in proximity to the licensed premises.

The LCB rules specify the text and images permissible on outdoor advertising. Outdoor advertising and billboards are prohibited in specified locations, such as arenas, stadiums, and shopping malls. Cannabis licensees may not utilize transit advertisements for the purpose of advertising the business or product line. Advertising signs within the premises of a retail cannabis business that are visible to the public from outside the premises are subject to the same requirements applicable to outdoor signs, with certain exceptions.

A city, town, or county may adopt rules of outdoor advertising by licensed cannabis retailers that are more restrictive, and must enforce its own restrictions.

In 2019, the King County Superior Court held in *Plausible Products, LLC d/b/a Hashtag Cannabis v. Washington State Liquor and Cannabis Board*, that certain restrictions on signs for cannabis retailers were unconstitutional.

Summary of Bill:

Advertising Signage.

The number of advertising signs permitted outside a cannabis retailer's licensed premises is increased to four signs and does not include trade name signs or billboards. Advertising signs are permitted to be affixed to the building or hanging in the windows of the licensed premises. Signs less than 512 square inches are not considered advertising signs if the signs do not include any brand names, trade names, or images of any cannabis product and only include limited information, such as the hours of operation. The use of other signage that does not represent cannabis or cannabis products, the business trade name, nature of the business, or contains only general information not related to the products or services of the cannabis business is not restricted.

Trade Name Signage.

Separate trade name signs that display the business name as it appears on the license issued to the licensee are allowed provided they comply with local regulations related to the size and number of signs. The enforcement of trade name sign requirements is the responsibility of the local government. Trade name signs may only reflect the trade name of the licensed business and may not contain cannabis products or product brand names.

Advertising Restrictions and Requirements.

Signs and advertising content may not relate to alcohol, tobacco, or motor vehicles. Cannabis advertising is prohibited in liquor licensees, vapor product licensees, or cigarette or tobacco licensees businesses. Advertisements indicating that only persons 21 years and older may purchase the products must be in text of a reasonable size to consumers. The advertisement requirements and restrictions for licensed cannabis retailers do not apply to adopt-a-highway signs erected by the Washington Department of Transportation (Department) under a valid

sponsorship with the Department.

Except for any sales made for a product designated for medical cannabis use by qualifying patients, cannabis licensees may not advertise, offer for sale, or sell cannabis for less than the acquisition cost.

Definitions are provided for "commercial mascot," "trade name," and "transit advertisements."

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

SENATE BILL REPORT

ESB 5363

As Passed Senate, February 6, 2024

Title: An act relating to cannabis retailer advertising.

Brief Description: Concerning cannabis retailer advertising.

Sponsors: Senators MacEwen and Stanford.

Brief History:

Committee Activity: Labor & Commerce: 1/30/23, 2/13/23 [DP].

Floor Activity: Passed Senate: 3/8/23, 49-0; 2/6/24, 48-1.

Brief Summary of Engrossed Bill

- Modifies signage laws for licensed cannabis retailers.
- Places the regulation of trade name signs for licensed cannabis retailers under the authority of local jurisdictions.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; Braun, MacEwen, Robinson, Schoesler and Stanford.

Staff: Susan Jones (786-7404)

Background: The Liquor and Cannabis Board (LCB) regulates the adult-use, recreational cannabis system in Washington. State statutes, and regulations adopted by LCB specify requirements of cannabis signage and advertising.

Cannabis Retailer Signage. Outdoor Signage. Except for the use of billboards authorized under state law, licensed cannabis retailers may not display any signage outside of the

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

licensed premises, other than two signs identifying the retail outlet by the business or trade name, stating the location of the business, and identifying the nature of the business. Each sign must be no larger than 1600 square inches, be permanently affixed to a building or other structure, and is subject to other requirements and restrictions established in law, including, without limitation, restrictions on depicting cannabis plants or products, or images that might be appealing to children. LCB rules specify the text and images permissible on outdoor advertising. Outdoor advertising and billboards are prohibited in specified locations, such as arenas, stadiums, and shopping malls.

Indoor Signage. Advertising signs within the premises of a retail cannabis business visible to the public from outside the premises are subject to the same requirements applicable to outdoor signs, with certain exceptions.

Local Jurisdictions. A city, town, or county may adopt rules of outdoor advertising by licensed cannabis retailers that are more restrictive, and must enforce its own restrictions.

Summary of Engrossed Bill: Except for the use of trade name signs and billboards, the number of advertising signs outside a cannabis retailer's licenses premises is increased to four signs. The allowable sign locations are affixed to the building or hanging in the windows of the licensed location. Signs less than 512 square inches are not considered advertising if they only include limited information, such as the hours of operation. Advertisements indicating that only persons 21 years and older may purchase the products must be in text of a reasonable size to consumers. Advertisements may not offer cannabis at less than the acquisition costs.

Separate trade names only signs are allowed provided they comply with local regulations. Enforcement of those signs is the responsibility of the local government. Trade name signs may only reflect the trade name of the licensed business and may not contain cannabis products or product brand names.

Signs and advertising content may not relate to alcohol, tobacco, or motor vehicles. Cannabis advertising is prohibited in liquor licensees, vapor product licensees, or cigarette or tobacco licensees businesses.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This seeks to return signage to local control and allow them to regulate this more or less robustly as they see fit. This is a narrow issue

and is limited to allowing local jurisdictions to oversee signage. Under current law, a cannabis store in a strip mall cannot put a sign on the totem. This bill would modernize regulating signage. This bill would put state law in line with a 2019 King County Superior Court decision, holding that LCB's strict signage rules violated the First Amendment. This is about normalization of cannabis.

CON: Many cannabis signs appeal to youth and we want to make sure the regulations stay in place.

OTHER: Advertising to youth is a high priority of the prevention community, and this bill goes against that.

Persons Testifying: PRO: Senator Drew MacEwen, Prime Sponsor; Vicki Christophersen, Washington CannaBusiness Association; Adan Espino Jr, Craft Cannabis Coalition; Burl Bryson, The Cannabis Alliance.

CON: Linda Thompson, Washington Association for Substance Misuse and Violence Prevention (WASAVP).

OTHER: Hailey Croci.

Persons Signed In To Testify But Not Testifying: No one.