



City of Longview

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

Agenda

Planning Commission

Wednesday, October 2, 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.

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1. **ROLL CALL**

2. **APPROVAL OF MINUTES**

24-00925 PC Minutes September 4, 2024

3. **AUDIENCE PARTICIPATION OF CORRESPONDENCE**

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

5. **PUBLIC HEARINGS**

24-00926 PC 2024-3 Comprehensive Plan and Zoning Amendment for 2262 46th Ave.

6. **NON-PUBLIC HEARING ITEMS**

24-00927 24-00389 Data Centers Minimum Standards Ordinance

Recommended Action: Schedule a Public Hearing for November 6, 2024 to consider forwarding language to City Council and take public feedback.

24-00390 Cryptocurrency Mining Ordinance

Recommended Action: Schedule a Public Hearing for November 6, 2024 to consider forwarding language to City Council and take public feedback.

7. **OTHER BUSINESS**

8. **PLANNER'S REPORT**

9. **ADJOURNMENT**



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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 Amy Norquist, Member Alison Moss

Absent:

Staff Present: Ken Hash, Interim Community Development Director; Nick Little, Community Development Director; Irene Rutikanga, Planner; Sam Barham, City Engineer; Lisa Vertrees, Administrative Assistant

2. **APPROVAL OF MINUTES**

A motion was made by Member Ramona Leber, seconded by Member Amy Norquist, to approve the Minutes of May 1, 2024. The motion carried unanimously.

24-00686 Minutes of May 1, 2024

3. **AUDIENCE PARTICIPATION OR 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**

24-00687 Interim Zoning Regulation

- **Recommended Action: Hold a public hearing September 25, 2024 to consider zoning changes.**

Mr. Hash reviewed the staff report.

According to Mr. Hash, the effective date of the new ordinance from City Council, with a 60-day window, ends on September 30, 2024. Therefore, the Planning Commission needs to set a public hearing prior to that date to consider a moratorium, recommend zone changes, etc.

Member Ramona Leber is concerned with the ability to get more information in a tight timeline, and the parking code.

Developers are waiting for a decision.

A motion was made by Member Ramona Leber, seconded by Member Amy Norquist, to set a public hearing on the topic of the interim zoning regulation for Wednesday, September 25, 2024 at 7 p.m. The motion passed unanimously.

24-00688 101 Fishers Lane Rezone Discussion

- **Recommended Action: None required. Staff to bring research, findings and lead a discussion of possible zoning changes for 101 Fishers Lane, parcel numbers 10397, 10401, and 10613.**

Mr. Hash reviewed the staff report.

Staff is looking for direction in order to bring back relevant information to the Planning Commission. All current community forum suggestions fall within current zoning.

Member Alison Moss would like a discussion on traffic, and mentioned a new zone or modification of the GC zone.

Member Trey Davis suggested commercial uses are in decline.

Member Amy Norquist would consider public access and enjoyment of the Cowlitz River.

Citizen Mike Wallin asked the Planning Commission to consider the Riverfront zone.

Discussion also included deed restrictions, a single zone, limiting the number of commercial uses, design standards.

24-00689 2262 46th Avenue Zoning Change

- **Recommended Action: Hold a public hearing October 2, 2024 to consider zoning changes.**

Mr. Hash reviewed the staff report.

A motion was made by Member Ramona Leber, seconded by Member Alison Moss, to set a public hearing for October 2, 2024 to consider the 2262 46th Ave rezone from R1 to R2.

The motion passed unanimously.

24-00690 The Vale at Overlook

Consider a request for a 2-year extension of the preliminary plat approval.

- **Recommended Action: Review the extension request. If approved by the Planning Commission, then forward to City Council for consideration at its September 12, 2024 meeting.**

Mr. Hash reviewed the staff report.

The Vale at Overlook 5-year plat is expiring. There has been zero construction to date. A 2-year extension is being requested.

A motion was made by Member Alison Moss, seconded by Member Jeff Rauth, to recommend approval of a 2-year extension of preliminary plat for the Vale at Overlook, Phases I and II to City Council, stipulating construction plans need to be approved and a Public Improvement Permit obtained by December 31, 2024.

The motion passed unanimously.

7. OTHER BUSINESS

Brief review of past topics including cryptocurrency mining and data centers, Comprehensive Plan update, etc. New staff will be looking into that.

Introductions from Nick Little, the new Community Development Director and Irene Rutikanga, the new Planner.

8. PLANNER'S REPORT

PW: Busy on the streets with bike lanes, etc.

9. ADJOURNMENT

The upcoming Special Planning Commission meeting is scheduled for September 25, 2024 at 7 p.m. The next regular Planning Commission meeting is October 2, 2024.

With no further business to discuss, Chairman Collins adjourned the meeting at 8:07 p.m.

Lisa Vertrees, Recorder



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Minutes

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Planning Commission

Wednesday, September 25,
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City Hall

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1. **ROLL CALL**

Vice-Chair Leber called the meeting to order at 7:00 p.m.

Present: Member Jeff Rauth, Member Ramona Leber, Member Joanna Lee, Member Alison Moss

Absent: Chairman Collins, Member Trey Davis, Member Amy Norquist

Staff Present: Nick Little, Community Development Director; Irene Rutikanga, Planner; Sam Barham, City Engineer; Lisa Vertrees, Administrative Assistant

2. **APPROVAL OF MINUTES**

24-00918 Approval to be at the next regular meeting.

3. **AUDIENCE PARTICIPATION OR 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**

24-00919 Workshop discussing Ordinance 3541 Interim Zoning Regulations for the Highlands Area

Mr. Little provided a PowerPoint presentation for the workshop.

The areas in the Highlands zoned R4 are the areas under the interim zoning regulations.

Findings resulting in the interim regulations are based on reported impacts from the additional density of multi-family housing 4-plexes. City Council enacted the interim zoning regulations as a stop-gap to halt further multi-family housing projects, instructing the Planning Commission to work on the issue.

Vice-Chair Leber invited public comment. The following citizens spoke:

Robert Tracy - developer

Mr. Tracy built 4 of the multi-family units. He referenced current boarded-up single family dwellings and the cost-effectiveness of rebuilding single family vs. multi-family units. He feels there have been no issues, including potential parking issues. He would like to continue to build multi-family units as the city needs housing.

Desiree - tenant

Feels the 4-plexes benefit the community.

Elizabeth Solomon - tenant

She moved from Portland and felt the area was being revitalized. Parking is no worse than anywhere else.

Sarah Lane - tenant

After being denied for other housing, Donnie got her in a unit in about a week. It's a community, her kids have friends.

Trent Cassidy - tenant

A letter of referral from previous landlord allowed Donnie to get his family in a unit quickly. No parking issues.

Sahara Cassidy - tenant

Feels this is a good time to learn from any mistakes. Maybe just 2 units to allow more parking/yard space. A little more screening of potential tenants - it's a lot of people in one space. Maybe more space between units. 20th Ave. is parking on only one side.

Bob Brunell - developer

Has a 4-plex on 15th Ave. Has plans for a 4-plex on 23rd. Only so many lots available in the Highlands. Cost effectiveness.

Donnie - owner/developer

Previously discussed infrastructure with Ken Hash. Feels it makes sense to reinstate the R4 zoning code. Sees no parking issues. Questioned timeline of interim regulations going in to effect and the current situation continuing into November and possibly longer.

Ralph Alexander - tenant

Without Donnie we'd have nothing. Let them keep building.

No other speakers came forward.

The Planning Commission continued discussion.

Mr. Barham mentioned the infrastructure is sufficient and a parking study was done in that area recently.

The Planning Commission requested a copy of the study.

Items discussed:

**Parking code*

**Fact finding*

**Making 20th Ave a one-way street to allow parking on both sides*

**Fire/Police input*

**Abandoned vehicles*

**Enforcement*

**Public safety concerns*

The Planning Commission explained no multi-family construction can take place during the interim regulations.

7. **OTHER BUSINESS**

None at this time.

8. **PLANNER'S REPORT**

Deferred to next regular meeting.

9. **ADJOURNMENT**

The next regular Planning Commission meeting is scheduled for Wednesday, October 2, 2024 7 p.m.

With no further business to discuss, Vice-Chair Leber adjourned the meeting at 8:23 p.m.

Lisa Vertrees, Recorder



Staff Report

TO: Longview Planning Commission

FROM: Irene Rutikanga, Planner

HEARING

DATE: October 2nd, 2024

TYPE OF

DECISION: Quasi-judicial (Planning Commission Recommendation, City Council Approval)

APPLICANT: Wallin Solo 401 K Plan Trust

PROPOSAL: Rezone request and comprehensive plan amendment application for 1 parcel, approximately 1.4 acres of land. Under the proposal, the Comprehensive Plan classification will change from Low Density Residential to Medium Density Residential and the zoning will change from R-1 Residential District to R-2 Residential District. As shown in the attached map [Exhibit B & C].

ADDRESS: 2262 46th Ave. Parcel No 02951.

BACKGROUND

The applicant, Wallin Solo 401 K Plan Trust has applied for a site-specific comprehensive plan amendment and rezone of their single parcel to change the Comprehensive Plan designation from low density residential to medium density residential; and the zoning designation from R-1 to R-2. The R-2 zone permits Duplexes, Triplexes, Fourplexes, Multifamily, Townhouse (single-family attached dwelling) and Accessory Dwelling Units among other residential permissions in LMC 19.20.020 'Uses'.

The property is about 1.46 Acres (63,597sf) and mostly flat raw land. The site is bounded by Lower Columbia CAP's Single Family Residential, Windermere street subdivision to the North, 46th Ave to the west, CDID cut off Slough/Coal Creek Slough to the East, and Single Family residential homes, and an auto related storage facility to the South.

The applicant states in the submitted rezone application that the R-2 zoning district would allow the applicant's preferred development vision, which is a mix of one-level accessible detached single-family homes and attached single family (duplexes/possibly condos) housing with garages, as well as a neighborhood park area, playground, dog park, and garden space.

The application is attached as Exhibit A and maps showing the existing site and vicinity are attached as Exhibit B. Maps showing the existing and proposed zoning and future land use map classifications are attached as Exhibit C.

Ownership

SOLO 401 K PLAN TRUST

Existing Land Uses

Undeveloped land

Adjacent Land Uses

East: CDID cut off slough

South: Single Family Residences

West: 46th Ave, Single Family Residence

North: Single-Family Residence

Comprehensive Plan

The 2019 Longview Comprehensive Plan currently classifies the parcel as Low Density Residential. The Comprehensive Plan classifications for the adjoining properties is also Low Density Residential. South of the parcel across Ocean Beach Hwy are districts zoned for Community Commercial.

Current Zoning

The subject property and all adjoining properties are zoned R-1 Residential District.

The purpose statement for the Residential Districts (all) is given below (LMC 19.20.010):

“It is the city’s intent that residential neighborhoods and uses be developed and preserved against intrusions by incongruous land uses. These zone classifications are established, in order to permit a variety of housing and population densities with minimum conflict. Protection is provided against hazards, objectionable influences, traffic and building congestion, undue strain on municipal services, and lack of light, air and privacy. Certain essential and compatible public service facilities and institutions are permitted in these districts.

There are five primary residential zoning districts established for the city, including two lower density designations (R-1, TNR), one medium density designation (R-2) and two high density zones (R-3, R-4). More limited (secondary) residential development is allowed in some commercial zone designations as provided for in other chapters. This chapter provides standards for residential land use and development and is based on the following principles:

- (1) Promote the orderly expansion and improvement of neighborhoods;
- (2) Make efficient use of land and public services and implement the Longview comprehensive plan;
- (3) Designate land for the range of housing types and densities needed by the community, including owner-occupied and rental housing;
- (4) Provide flexible lot standards that encourage compatibility between land uses, efficiency in site design, and environmental compatibility;
- (5) Provide for compatible building and site design at an appropriate neighborhood scale; provide standards that are in character with the landforms and architecture existing in the community;
- (6) Apply the minimum amount of regulation necessary to ensure compatibility with existing residences, schools, parks, transportation facilities, and neighborhood services. Reduce reliance on the automobile for neighborhood travel and provide options for walking, bicycling, and transit use; and
- (7) Provide direct and convenient access to schools, parks and neighborhood services. (Ord. 3122 § 14, 2010)”.

Availability of Utilities

Sanitary sewer, water and fire protection are available to the subject property. Any future development will require compliance with the City of Longview Storm Water regulations for retention/detention and water quality.

SEPA Determination

An Environmental Checklist for the proposed Comprehensive Plan Map and Zoning Map revisions was reviewed pursuant to the State Environmental Policy Act and a determination of non-significance was issued on July 24, 2024. [E 2023-14 SEPA checklist]

The comment period for the SEPA checklist ended on July 23, 2024. SEPA documents are attached as Exhibit D.

Traffic

A traffic analysis has not been completed. Traffic analysis and additional environmental review may be required depending on future development proposal.

Critical Areas and Shorelines

Geologic Hazards: None
Shoreline Designation: NA
Floodplains: Zone X – areas protected by levees from 100-year flood
Wetlands: None Identified
Critical Aquifer Recharge Areas; None
Habitat Areas: None None

Additional Information

Pursuant to Chapter 19.81 of the Longview Municipal Code, legal notice was published in the Longview Daily News on September 11, 2024. Notice of the public hearing was posted on the property on September 29, 2024.

Citizen Correspondence

None as of the date of this report. Any additional public comments received will be relayed to the Planning Commission in advance of the hearing.

COMPREHENSIVE PLAN POLICIES AND DISCUSSION

The relevant Comprehensive Plan goals and policies and map intent statements are given below.

Goal LU-B Ensure that the location and design of new development is appropriate in type, density, and location considering existing land-use patterns, capacity, of public facilities, natural characteristics of the land, and community preferences.

Staff comment: The proposed rezone from R-1 district to R-2 district will result in the creation of new zoning district that allows for more density than allowed for the adjoining R-1 zoned uses, however the site to be rezoned has adequate public facilities while also still allowing residential uses permitted in the R-1 district.

Policy LU-A.1.1 Provide a variety of residential zoning districts at different densities to meet the needs of all economic segments of Longview's population.

Staff comments: The proposed rezone will create an R-2 residential zone that allows for a variety of residential uses at different densities. The applicant preferred vision includes a mix of single-family homes and duplexes, which will meet the needs of all economic segments.

Policy LU-A.1.5 Facilitate redevelopment of existing developed land when appropriate. Encourage infill development on vacant or underdeveloped land within the City.

Staff comments: The proposed rezone will allow for infill development of an existing undeveloped property that is in a developed area near existing resources and infrastructure.

Policy HO-A.1.4 Promote efficient use of land and infrastructure by encouraging infill development in neighborhoods and redevelopment activities.

Staff comments: The proposed rezone will allow for infill development of an undeveloped site that contains infrastructure necessary for development activities and promotes efficient of land use through the greater densities allowed in the R-2 zoning district.

Intent Statements

The Comprehensive Plan Map Intent Statement for the Medium Density Residential classification is given below.

Medium Density Residential

This classification provides for a mixture of housing unit types, including single-, two-, three-, and four-family dwellings; townhouses; or clusters thereof. The classification is also intended to apply to planned unit developments having a mixture of housing unit types and limited commercial land uses. Development should incorporate safe, attractive, and continuous connections and walkways for travel and access by foot at a human scale as an integral part of its overall layout and design. Development adjacent to lower density uses should incorporate elements in the site design and building design to soften its impact and to result in a compatible transition. Multi-family development should incorporate provisions for transit service and pedestrian and bicycle access. Manufactured housing parks designed according to firm standards for screening, buffering, parking, recreational areas, distance between units, and other matters may be appropriate when deemed compatible with adjacent property by the City or County planning commissions and local legislative bodies. Home occupations may be acceptable. The recommended density is up to 18 dwelling units per gross acre.

Finding/Discussion: The proposed rezone and comprehensive plan amendment will result in the creation of an R-2 zoning district, under the Medium Density Residential Comprehensive Plan classification which allows for a mix of housing types at different densities. The rezone will allow for infill development of the subject undeveloped property that is presently provide with adequate public infrastructure.

While the rezone does not directly match the surrounding area zoning designation, the change to the zoning and Comprehensive Plan maps, supported by the above-mentioned policies, and will address a key land use issue identify in the Comprehensive Plan.

ZONING CRITERIA AND DISCUSSION

Longview Municipal Code section 19.81.090 provides criteria for the City's review of site-specific rezone applications:

19.81.090 Approval criteria for site-specific rezones.

In its review of an application for rezoning, the city shall consider subsections (1) through (5) of this section. No single factor is controlling; instead, each must be weighed in relation to the other standards. The city shall not consider any representations made by the petitioner that if the change is granted the rezoned property will be used for only one of the possible range of uses permitted in the requested zoning designation. Rather, the city shall consider whether the entire range of permitted uses in the requested designation is more appropriate than the range of uses in the existing designation.

(1) The proposal is in accordance with the adopted city of Longview comprehensive plan, any relevant sub-area plans, and the purpose section of the proposed zoning district.

Staff comments: The City of Longview's comprehensive plan emphasizes promoting a range of housing options to meet the community's diverse needs, while ensuring orderly growth and maintaining neighborhood character. The proposed rezone from low-density residential (R-1) to medium-density residential (R-2) supports several goals in the comprehensive plan, including:

- **Housing Diversity:** *The shift to an R-2 zoning district allows for a broader range of housing types, including duplexes, triplexes, fourplexes, and townhomes. This increase in housing variety aligns with the plan's goal to offer affordable, accessible housing options for residents of different incomes, ages, and abilities.*
- **Increased Density in Strategic Areas:** *The rezone would increase residential density while remaining within a medium-density range, which supports the city's objectives to manage growth efficiently and promote more compact development patterns.*
- **Sustainable and Walkable Communities:** *The applicant development vision includes public amenities such as a neighborhood park, playground, dog park, and garden space. These elements align with the comprehensive plan's focus on creating livable, walkable neighborhoods with access to green space and recreational opportunities, enhancing overall quality of life.*

The purpose of the R-2 medium-density residential district, as outlined in Longview comprehensive plan is to:

- *Provide for a variety of housing types, including single-family detached, duplexes, triplexes, fourplexes, and multifamily units.*
- *Accommodate moderate-density residential development in a way that ensures compatibility with surrounding land uses.*
- *Encourage efficient use of land while maintaining desirable living environments with access to necessary infrastructure and services.*

The proposed rezone will create a zoning district that permits a broader range of housing option that is needed in the city of Longview. As indicated in the city

comprehensive plan, rent in the county has seen a twenty percent increase since 2007 but incomes have only increased by five percent. With the surge in rent increases, it is imperative to create more diverse and affordable housing options to combat the rising rent increase. The rezone to R-2 district would allow for those various housing options, such as duplexes, triplexes, fourplexes and townhomes that address housing affordability.

(2) The proposal must bear a substantial relationship to the public health, safety, morals, or general welfare, or protect and preserve historical and cultural places and areas. The rezone may be justified, however, if a substantial public need or purpose exists, and this is so even if the private owner(s) of the land will also benefit.

Staff comments: The R-2 zone permits a range of housing types including duplexes, triplexes and townhomes and accessory dwelling units, which promotes housing variety and affordability. This can help address housing needs in the city of Longview and support general welfare by providing diverse housing opportunities for different income levels and family sizes.

Additionally, the R-2 zone encourages development to incorporated safe, attractive and continuous connections and walkways for travel access by foot at human, which directly supports public health by encouraging outdoor recreation, physical activity, and social interactions.

(3) The property and affected area are presently provided with adequate public facilities, services, and transportation networks to support the zoning designation, or such facilities, services and transportation networks can be adequately provided in an efficient and timely manner (or are planned to be provided within six years).

Staff comments: The subject property is within an area fully served with public facilities and transportation networks.

(4) The proposal shall not have a substantial adverse impact upon neighboring lands. Lots shall not be rezoned in a way that is substantially inconsistent with the uses of the surrounding area, whether more or less restrictive.

Staff comments: The subject property and adjoining properties are currently zoned R-1 which allows for low density development typically limited to detached single family homes. The applicant proposal to rezone the property to R-2 Medium density residential, which would allow for a broader range of housing types with greater density. The R-1 district allows for a maximum of six units per acre, while the R-2 district allows for maximum of 30 units per acre. With a property size of 1.4 acres, the R-1 district would yield a maximum of 6 units total. In comparison, the R-2 district would yield a maximum of 30 units total based on the property size. An increase in density typically leads to greater traffic generated and intensity of uses that would be not accustomed to by the surrounding properties. Much of the traffic generated by future development of this parcel would likely be accessing Ocean Beach Highway just offsite to the South rather than through the surrounding neighborhood to the North.

(5) Whether conditions in the area for which comprehensive plan change/zoning amendment is requested have changed or are changing to such a degree that it is in the public interest to encourage a change in land use for the area.

Staff comments: The housing market and need for different types of housing has drastically changed since the time the area was first zoned. Need for housing in Longview grows yearly, especially diverse housing options and this rezone would address that need. Therefore, it is in the public interest to encourage a change in land use for the area as there is substantial need for housing in Longview.

STAFF FINDINGS

The proposed rezone is consistent with goals and policies of the city of Longview's comprehensive plan, particularly in fostering housing diversity, promoting efficient land use, providing community amenities and ensuring accessible and inclusive development.

It is crucial to recognize the housing market has changed from the initial time the area was originally zoned. The need for diverse affordable housing options is much greater than any other time and the proposed rezone would address that need. The proposed rezone will create a zoning district that permits a broader and more diverse range of housing option. As indicated in the city comprehensive plan from 2019, rent in the county has seen a twenty percent increase since 2007 but incomes have only increased by five percent. With the surge in rent increases, it is imperative to create more diverse and affordable housing options to combat the rising rent increase. The rezone to R-2 district would allow for those various housing options, such as duplexes, triplexes, fourplexes and townhomes that address housing affordability.

Furthermore, while the rezone will result in the creation of a zone that allows for higher density than much of the surrounding area, it nonetheless remains a residential use, albeit at a higher density. The R-1 zone allows for a maximum of six units per acre, while R-2 allows for maximum of 30 units per acre, which can increase the use of public infrastructure. City staff has indicated that the existing facilities are adequate to handle the increased density and use. Both the R-1 and R-2 zones are designated by the comprehensive plan to allow for residential uses, so the primary change will be in terms of density.

The City's findings are as follows:

1. The proposed Comprehensive Plan amendment would change the classification of the property from Low-Density Residential to Medium-Density Residential.
2. The proposed zoning amendment would change the designation of the property from R-1 to R-2.
3. The proposed zoning change substantially meets the review criteria outlined in LMC 19.81.090.
4. The proposal substantially meets the 2019 Longview Comprehensive plan Goals, Policies and Objectives, and addresses key housing issues identify in the comprehensive plan.

5. Any future development on the property will be reviewed and required to comply with all requirements of the R-2 zoning district designation, LMC chapter applicable development standards, building, fire, stormwater, engineering and environmental codes at the time of development.
6. The proposed rezone will allow for a mixture of housing types that provide a variety of affordable housing options.
7. The property is presently served by adequate public facilities, services, and transportation networks to support the R-2 zoning designation.
8. The primary change in use is related to density; both zoning designations are restricted to residential uses as outlined in LMC 19.20.030.
9. The housing market and need for affordable housing options has increased across the City.
10. The proposed zoning and Comprehensive Plan changes serve the public interest by providing options for diverse affordable housing.

STAFF RECOMMENDATION

Staff recommends APPROVAL of the Wallin 401K Solo Trust Comprehensive plan and Zoning Amendment, case No. PC2024-3, based on the findings and conclusion made as part of this staff report.

EXHIBITS

- A. Application
- B. Map showing proposed Comprehensive Plan map amendment
- C. Map showing proposed zoning map amendment
- D. SEPA documents.
- E. Public Comment letter

Staff Report Date: September 25th, 2024



Rezone Request Application

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

Application to Rezone Property

LMC 19.81.040

Case Number: PC 2024-3

Related Case Number: _____

THIS SECTION FOR OFFICE USE ONLY:



To the City of Longview Planning Commission and City Council:

We, the undersigned, hereby petition to **Rezone** and/or change the **Zoning District** for the following property or properties:

From: R-1 To: R-2
Present Zoning District Requested Zoning District

Applicant: Wallin Solo 401 K Plan Trust Phone: 360-560-3636
(Print All Information)

Contact Name: Michael Wallin, Trustee Fax: _____

Mailing Address: PO Box 2191
(Street or PO Box)

City: Longview Email: michaelwallin @

State: WA Zip: 98632 hotmail.com

Address of Property/Properties: 2262 46th Ave. Longview, WA 98632

Assessor's Parcel Number(s): 02951

Description of Property: Legal Description Attached

Name of Subdivision: _____ Lot(s): 1

Block(s): _____

Location: Section _____ Township & Range _____ Willamette Meridian
(Attach additional sheets as necessary)

REQUIRED SUBMITTAL MATERIALS

Have you had a pre-application conference with City staff? Yes Date: 04/31/2024

- ✓ Maps or Plans Showing Affected Property.
- ✓ Completed Environmental Checklist (SEPA).
- ✓ Narrative Explaining Reason for Zone Change Classification Requested (below).
- ✓ Legal Description of Property.
- ✓ Acceptable Proof of ownership such as notarized petitions, deed, or title report.
- ✓ One copy of the property deed; and, if the applicant is not the owner, a notarized statement (affidavit of legal interest) from the owner stating the applicant is authorized to submit this application.
- NA Certificate of Appropriateness issued by the Historic Preservation Commission, if applicable.

Comments: _____

Explain the reason(s) for the Zone Change Classification Requested: _____

The preferred development vision is a mixture of One-Level Accessible Detached Single Family Homes and Attached Single Family (Duplexes/possibly condos) housing with garages, Quality planned neighborhood with neighborhood park area, playground, dog park and garden space. R-2 would allow one "duplex" per lot in addition to the single family homes.

(Attach additional sheets as necessary)

GENERAL SITE CHARACTERISTICS

Property Size: Gross Acres: 1.4915 Square Feet: 64,970

Comprehensive Plan Designation: Low Density Residential

Does this Rezone also require a Comprehensive Plan Designation change? Possibly,

Low Density to Med Density MAP Change.

Is the site vacant? Vacant, Raw Land.

Current Use of the Land

Describe geographical features and note any structures: _____

Mostly flat, level, raw land abutting 46th Ave to the West and CDID Cut Off Slough to the East.

Water and Sewer stubbed in Fall of 2023

Lot corners survey and marked Spring of 2024

Lot cleared of boats, trash, debris, rubbish, dangerous trees and brush Spring 2024.

Current Sewerage System: City Sanitary Sewer On-Site. Also, City Water Supply is On-Site.

Street System serving area: 46th Avenue.

ZONE CHANGE PETITION

The owner or owners of any property located within the City may submit a request for a change of zoning classification on that property. This request will be considered by the Planning Commission. The change in the zoning classification of a property or properties must be signed by the owner or owners of not less than fifty-one (51%) percent of the area of property for which a change in zoning classification is sought.

[Photocopy this page and attach as many pages as is needed]

Name: <u>Michael Wallin, Trustee</u> <u>Wallin Solo 401 K Plan Trust</u> (Please Print All Information) Mailing Address: <u>2262 46th Ave.</u> (Street or PO Box) City: <u>Longview</u> State: <u>WA</u> Zip: <u>98632</u> Phone: <u>360-560-3636</u>	Description/use of Property: _____ <u>Vacant, Raw Land.</u> _____ _____ _____ _____
Name: _____ (Please Print All Information) Mailing Address: _____ (Street or PO Box) City: _____ State: _____ Zip: _____ Phone: _____	Description/use of Property: _____ _____ _____ _____ _____
Name: _____ (Please Print All Information) Mailing Address: _____ (Street or PO Box) City: _____ State: _____ Zip: _____ Phone: _____	Description/use of Property: _____ _____ _____ _____ _____
Name: _____ (Please Print All Information) Mailing Address: _____ (Street or PO Box) City: _____ State: _____ Zip: _____ Phone: _____	Description/use of Property: _____ _____ _____ _____ _____

FILING FEES:

Public Hearing Fee:.....	\$2,173.00
SEPA Review Fee:.....	\$543.00
Total Fees:.....	\$2,716.00
Comments: _____	

NOTES TO APPLICANT/OWNER:

1. Community Development Staff will review this application for completeness and will contact you if additional information is needed. Incomplete applications will not be scheduled for a hearing before the Planning Commission.
2. If the City Council, Planning Commission or Community Development 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.
3. All items shall be completed as determined by the Community Development Department prior to the application being deemed complete for processing.
4. The applicant may be required to conduct studies, such as a traffic study, and have the studies reviewed by the City prior to any public hearing on the application. The cost of all required studies shall be borne by the applicant.
5. All fees required by the City in reviewing this application shall be paid prior to any public hearings.
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 Property Owner: John A. Walker, Trustee Date: 5/1/2009

Signature of Applicant: John A. Walker, Trustee Date: 5/1/2009

Below is for Staff Use Only:

Longview Planning Commission:

Public Hearing Scheduled: _____ Date: _____
_____ 7:00 pm

Comments: _____

Longview City Council:

Public Hearing Scheduled: _____ Date: _____
_____ 7:00 pm

Comments: _____

2262 46th Ave
Parcel 02951
Land Use Zoning Options

Project Location

- The subject property is located at 2262 46th Avenue in Longview, up 46th Avenue just North of Cole's Appliances, Exxon Gas /Short Stop Mini Mart up 46th Avenue from Guadalajara Grill and Cantina Restaurant.
- The parcel is # 02961, it's a 1.46 acre parcel.
- The site is bounded by Lower Columbia CAP's Single Family Residential Windermere Street Subdivision to the North, 46th Avenue to the West, CDID Cut Off Slough / Coal Creek Slough to the East and Singe Family Residential Homes as well as a Commercial Auto Related Storage Facility to the South.



Existing Conditions

- Water and Sewer stubbed in Fall of 2023
- Lot corners survey and marked Spring of 2024
- Lot cleared of boats, trash, debris, rubbish, dangerous trees and brush Spring 2024.

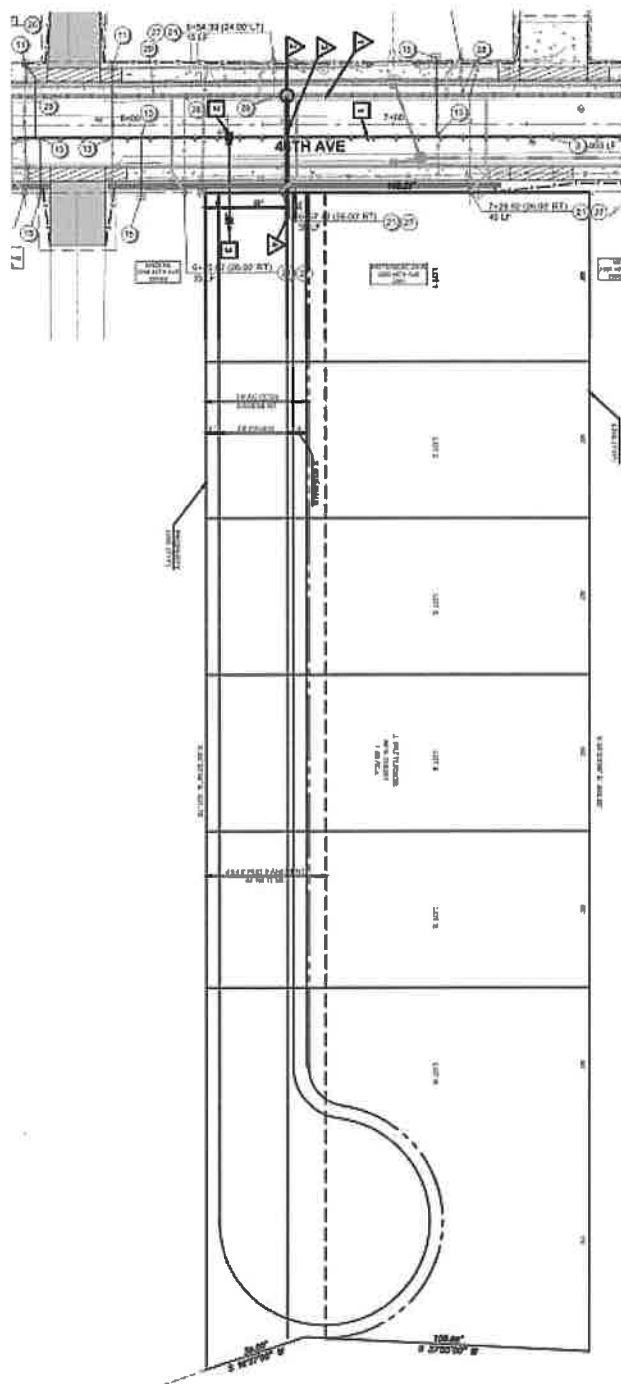


Preferred Vision

- A mixture of One-Level Accessible Detached Single Family Homes and Attached Single Family (Duplexes/possibly condos) housing with garages,
- Quality planned neighborhood with neighborhood park area, playground, dog park and garden space.

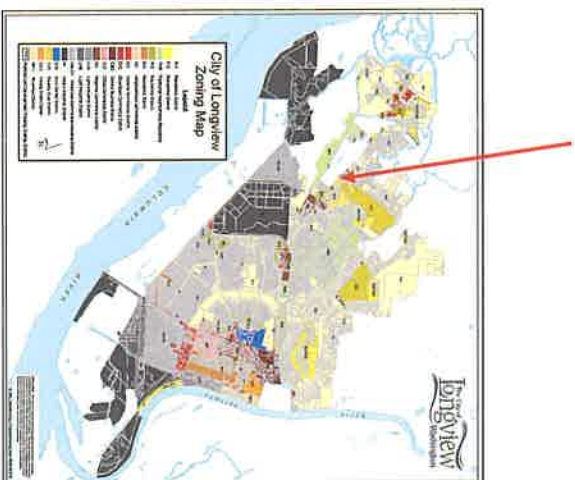
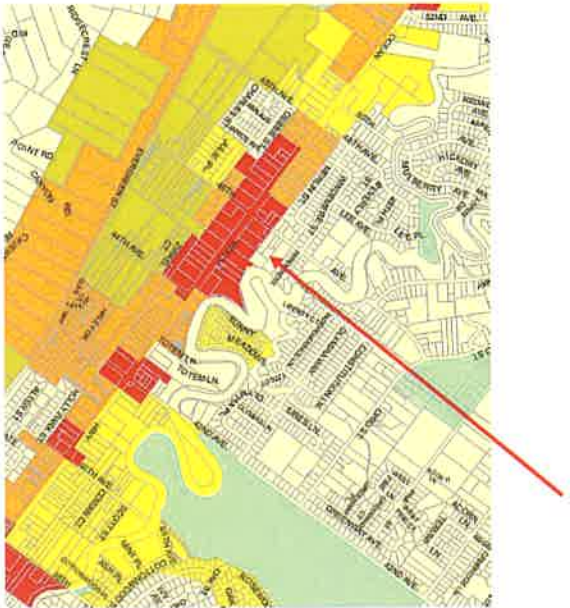


Possible Future Subdivision Concept



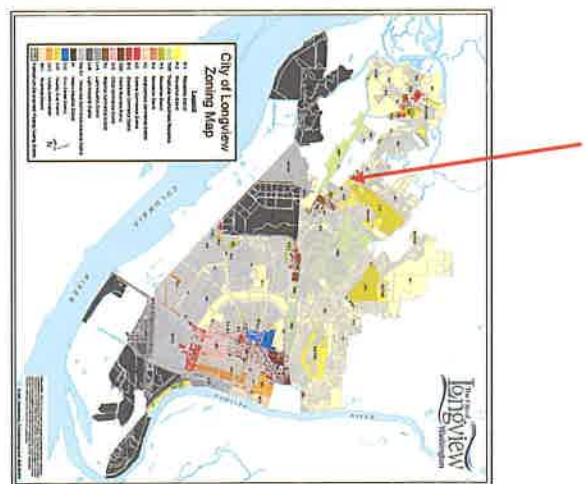
Current Land Use Planning

- Currently Longview Comprehensive Plan Low Density Residential Designation
- Near Future High Density Residential and Community Commercial Designation
- Currently R-1 Zoning, Abuts R-1 Zoning, Near R-2 and R-3 and near TNR Zoning.



Requested Land Use Planning

- Re-Zone to R-2
 - R-2 would allow one “duplex” per lot in addition to the single family homes.



Wallin Sewer & Water Extension

Located in the NE 1/4 of Section 24, T8N, R3W, W.M.
Longview, Washington

SITE



GENERAL NOTES

DEVELOPER:
Mike Wallin
PO Box 2181
Longview, WA 98832

ENGINEER:
Three Rivers Land Services
Contact: Tim Wines, PE
1000 1st Avenue, Suite 200
Kelso, WA 98828
PH: (360) 431-8868
tim@threerivers.com

SITE LOCATION:
Located at the east side of 48th
Avenue approximately 200' south
of the intersection with
Highway 101
Latitude: 46.445201
Longitude: -122.898886
GPR: N46°55.75'
WT22°59.56"

SITE ADDRESS:
2282 48th Avenue
Longview, WA 98832
Parcel Number: 02851
Section: 24, T8N, R3W,
W.M. Longview, WA

WATER NOTES

1 EXISTING 12" DIAMETER
SANITARY

2 INSTALL 12" DIAMETER SLEEVE WITH
12" DIAMETER SANITARY
12" DIAMETER SLEEVE WITH
12" DIAMETER SANITARY

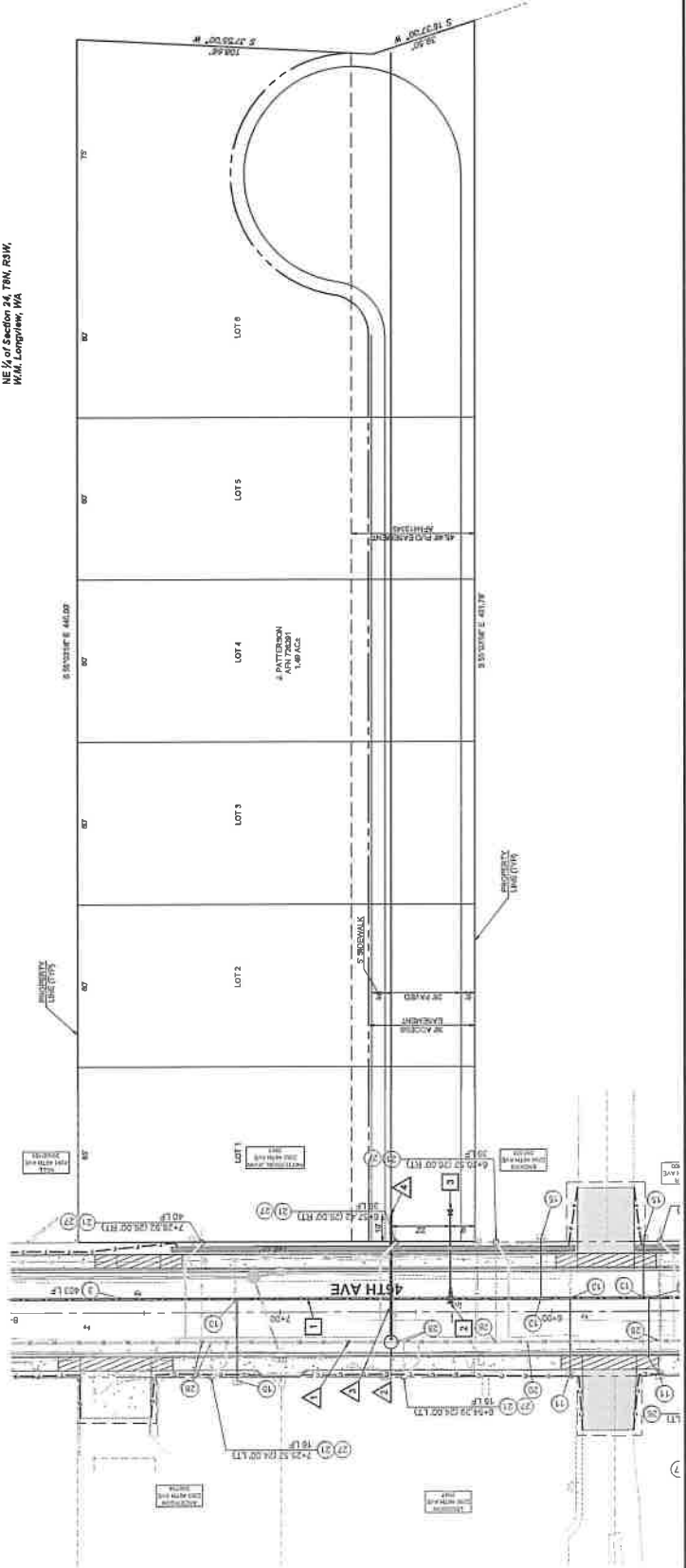
3 INSTALL 12" DIAMETER
SANITARY

SANITARY SEWER NOTES

1 EXISTING 12" DIAMETER
SANITARY

2 INSTALL 12" DIAMETER SLEEVE WITH
12" DIAMETER SANITARY
12" DIAMETER SLEEVE WITH
12" DIAMETER SANITARY

3 INSTALL 12" DIAMETER
SANITARY



Wallin Sewer & Water Extension

Project No. 1300	8/31/23
Scale: 1" = 40'	
Drawn By: J. Wines	
Checked By: J. Wines	
Reviewed By: J. Wines	
Approved By: J. Wines	



3739070

08/16/2023 11:26:31 AM Pages: 2 \$204.50
Deed
CASCADE TITLE COMPANY OF COWLITZ COUNTY
eRecorded at Cowlitz County, WA

When recorded return to:

Wallin Solo 401 K Plan Trust
P.O. Box 2191
Longview, WA 98632

\$2,902.50 EXCISE TAX
AFFIDAVIT NO: 33634
COWLITZ COUNTY TREASURER
08/16/2023 DEPUTY JD

STATUTORY WARRANTY DEED

CTL20491

The Grantor, **John William Patterson Jr.**, an unmarried man, individually and as the surviving spouse of **Rhoda A. Patterson, deceased**, for and in consideration of **Ten Dollars and other valuable consideration** in hand paid, conveys, and warrants to **Wallin Solo 401 K Plan Trust**, * the following described real estate, situated in the County of Cowlitz, State of Washington:
* *Michael K. Wallin, Trustee of the Solo 401K Plan Trust*
See attached for legal description

Abbreviated Legal: **CVG 3 BLK 32 LOT 2A**
Tax Parcel Numbers(s): **02951**

SUBJECT TO covenants, conditions, restrictions, reservations, easements and agreements of record, if any.

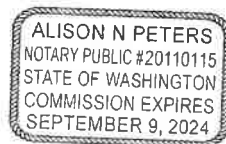
Dated: **8/15/2023**


John William Patterson Jr.

STATE OF WASHINGTON
COUNTY OF COWLITZ

) ss.

This record was acknowledged before me on 8/15/2023 by John William Patterson Jr..




ALISON N. PETERS
Notary Public Residing: Castle Rock
My commission expires: 9-9-2024

Exhibit A

**THAT PORTION OF LOT 2, BLOCK 32, COLUMBIA VALLEY GARDENS NO. 3, AS
RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF COWLITZ COUNTY,
WASHINGTON, DESCRIBED AS FOLLOWS:**

**BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 32, COLUMBIA VALLEY
GARDENS NO. 3, AS RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF SAID
COUNTY;
THENCE SOUTHERLY ALONG THE EASTERLY LINE OF 46TH AVENUE 146.01 FEET;
THENCE EASTERLY ALONG A LINE PARALLEL TO AND 146.01 FEET SOUTHERLY FROM
THE NORTHERLY LINE OF SAID LOT 2 TO THE EASTERLY LINE OF SAID LOT 2;
THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID LOT 2 TO THE NORTHEAST
CORNER THEREOF;
THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF
BEGINNING.**

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON

**TITLE RESOURCES GUARANTY COMPANY
ALTA 2006 STANDARD OWNERS POLICY**

SCHEDULE A

FILE NO.: **CTL20491**

POLICY NO.: **2388-O-CTL20491**

ADDRESS

REFERENCE: **2262 46TH AVE
LONGVIEW, WA 98632**

AMOUNT OF

INSURANCE: **\$215,000.00**

PREMIUM: **\$904.00**

DATE OF POLICY: **AUGUST 16, 2023 AT 11:27 AM**

1. NAME OF INSURED:

MICHAEL K. WALLIN, TRUSTEE OF THE SOLO 401K PLAN TRUST

2. THE ESTATE OR INTEREST IN THE LAND WHICH IS COVERED BY THIS POLICY IS:

FEE SIMPLE

3. TITLE TO THE ESTATE OR INTEREST IN THE LAND IS VESTED IN:

THE NAMED INSURED

4. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

SEE ATTACHED EXHIBIT "A"

5. THIS POLICY INCORPORATES BY REFERENCE THOSE ALTA ENDORSEMENTS LISTED BELOW:

NONE

This policy valid only if Schedule B is attached.

**TITLE RESOURCES GUARANTY COMPANY
ALTA 2006 STANDARD OWNERS POLICY**

FILE NO.: **CTL20491**

POLICY NO.: **2388-O-CTL20491**

SCHEDULE B

EXCEPTIONS FROM COVERAGE

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE, AND THE COMPANY WILL NOT PAY COSTS, ATTORNEYS' FEES OR EXPENSES THAT ARISE BY REASON OF:

General Exceptions:

- A. RIGHTS OR CLAIMS DISCLOSED ONLY BY POSSESSION, OR CLAIMED POSSESSION, OF THE PREMISES.
- B. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES.
- C. EASEMENTS, PRESCRIPTIVE RIGHTS, RIGHTS-OF-WAY, STREETS, ROADS, ALLEYS OR HIGHWAYS NOT DISCLOSED BY THE PUBLIC RECORDS.
- D. ANY LIEN, OR RIGHT TO A LIEN, FOR CONTRIBUTIONS TO EMPLOYEES BENEFIT FUNDS, OR FOR STATE WORKERS' COMPENSATION, OR FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, ALL AS IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- E. UNDERGROUND EASEMENTS, SERVITUDES OR INSTALLATIONS OF WHICH NO NOTICE IS OF RECORD.
- F. GENERAL TAXES NOT NOW PAYABLE; MATTERS RELATING TO SPECIAL ASSESSMENTS AND SPECIAL LEVIES, IF ANY, PRECEDING THE SAME BECOMING A LIEN.
- G. ANY SERVICE, INSTALLATION, CONNECTION, MAINTENANCE, OR CONSTRUCTION CHARGES FOR SEWER, WATER, ELECTRICITY, NATURAL GAS OR OTHER UTILITIES OR GARBAGE COLLECTION AND DISPOSAL.
- H. RESERVATIONS OR EXCEPTIONS IN UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF.
- I. INDIAN TRIBAL CODES OR REGULATIONS, INDIAN TREATY OR ABORIGINAL RIGHTS, INCLUDING EASEMENTS OR EQUITABLE SERVITUDES.
- J. WATER RIGHTS, CLAIMS OR TITLE TO WATER.

This policy valid only if Schedule A is attached.

**TITLE RESOURCES GUARANTY COMPANY
ALTA 2006 STANDARD OWNERS POLICY**

FILE NO.: CTL20491

POLICY NO.: 2388-O-CTL20491

SPECIAL EXCEPTIONS:

1. EASEMENT AND RIGHT OF WAY FOR DIKE AND DRAINAGE ACQUIRED BY COWLITZ COUNTY FOR THE BENEFIT OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1, BY DECREE ENTERED NOVEMBER 16, 1923, IN COWLITZ COUNTY SUPERIOR COURT CAUSE NO. 5362.
2. ANY CHANGE IN THE BOUNDARY OR LEGAL DESCRIPTION OF THE REAL PROPERTY, OR TITLE TO THE ESTATE INSURED, THAT MAY ARISE DUE TO THE SHIFTING AND CHANGING IN THE COURSE OF THE SLOUGH.
3. RESERVATIONS, RESTRICTIONS AND CONDITIONS AND CONDITIONS CONTAINED IN THE DEDICATION OF THE PLAT OF COLUMBIA VALLEY GARDENS NO. 3, REFERENCE TO WHICH RECORD IS MADE FOR FURTHER PARTICULARS; AMENDED UNDER AUDITOR'S FILE NOS. 544163, 544247 AND 854114. INTERNATIONAL PAPER COMPANY RELEASED, WAIVED, RESCINDED AND RELINQUISHED ANY RIGHTS IT MAY HAVE IN SAID PLAT RESTRICTIONS BY INSTRUMENT RECORDED JANUARY 20, 1993, UNDER AUDITOR'S FILE NO. 930120100.
4. BUILDING LIMIT LINES AS DELINEATED ON THE FACE OF THE PLAT OF COLUMBIA VALLEY GARDENS NO. 3.
5. RESTRICTIONS IMPOSED BY INSTRUMENT RECORDED ON AUGUST 7, 1935, UNDER AUDITOR'S FILE NO. 133108.

END OF SCHEDULE B EXCEPTIONS.

DD/MC

This policy valid only if Schedule A is attached.

EXHIBIT "A"

**THAT PORTION OF LOT 2, BLOCK 32, COLUMBIA VALLEY GARDENS NO. 3, AS
RECORDED IN VOLUME 7 OF PLATS, PAGE 9, RECORDS OF COWLITZ COUNTY,
WASHINGTON, DESCRIBED AS FOLLOWS:**

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CORNER THEREOF;
THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 2 TO THE POINT OF
BEGINNING.**

SITUATE IN THE COUNTY OF COWLITZ, STATE OF WASHINGTON

City of Longview



9/25/2024, 4:36:32 PM

World Transportation 2022 Aerial Leaf Off

- Red: Band_1
- Green: Band_2
- Blue: Band_3

World Imagery

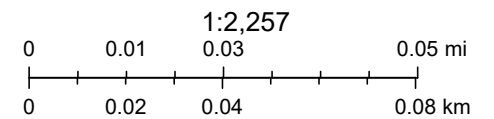
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

60cm Resolution Metadata



Esri, HERE, Garmin, (c) OpenStreetMap contributors, Cowlitz County GIS Department, Cowlitz County Assessor, Sources: Esri, HERE, Garmin,

Disclaimer: The City of Longview does not guarantee the accuracy, timeliness, adequacy, completeness or usefulness of any information. The City of Longview provides this information on an "as-is" basis without warranty of any kind.

City of Longview



9/25/2024, 4:36:32 PM

World Transportation

2022 Aerial Leaf Off

- Red: Band_1
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World Imagery

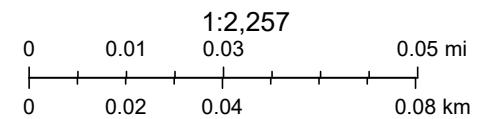
Low Resolution 15m Imagery

High Resolution 60cm Imagery

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60cm Resolution Metadata



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SEPA¹ Environmental Checklist

Purpose of checklist

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

Instructions for applicants

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

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

Instructions for lead agencies

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

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in “Part B: Environmental Elements” that do not contribute meaningfully to the analysis of the proposal.

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

A. Background

[Find help answering background questions²](https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background)

1. Name of proposed project, if applicable:

2262 46th Ave. Longview, WA 98632 Re-Zone

2. Name of applicant:

Michael Wallin, Trustee, Wallin Solo 401 K Plan Trust

3. Address and phone number of applicant and contact person:

Michael Wallin, Trustee, Wallin Solo 401 K Plan Trust, PO Box 2191 Longview, WA 98632 (360) 560-3636

4. Date checklist prepared:

04/30/2024

5. Agency requesting checklist:

City of Longview, WA

6. Proposed timing of schedule (including phasing, if applicable):

2024 Calendar Year.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Potential subdivision and potential future residential subdivision construction.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

None known.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

None known.

10. List any government approvals or permits that will be needed for your proposal, if known.

Re-zone change approval, possibly comprehensive plan map change approval, if needed.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Rezone Parcel from R-1 to R-2 Zoning.

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section,

² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

2262 46th Ave. Longview, WA 98632, Legal Description and Map Included

B.Environmental Elements

1. Earth

Find help answering earth questions³

a. General description of the site:

Mostly flat, cleared, raw land.

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

Mostly flat, cleared, raw land.

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

Almost non existent slope except at the street at 46th Ave. of about 10 degrees and then at the diking ditch of about 40 degrees or so.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Largely undisturbed mud dirt with a little blackberries and other brush.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

None known.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

None known.

f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

None at this time.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Unknown at this time, possibly less than 50% at some future prospective date.

³ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

As needed at the time.

2. Air

Find help answering air questions⁴

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

Unknown at this time. No immediate construction plans.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

None known.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

As needed at the time.

3. Water

Find help answering water questions⁵

- a. Surface:**

Find help answering surface water questions⁶

- 1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

There is an abutting CDID Cut Off Slough.

- 2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.**

Yes possibly, the CDID Cut Off Slough abuts the subject property to the East.

- 3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.**

None.

⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

- 4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.**

None known.

- 5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.**

No.

- 6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.**

No.

b. Ground:

Find help answering ground water questions⁷

- 1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.**

No.

- 2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.**

No.

c. Water Runoff (including stormwater):

- 1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.**

There may be runoff. An agreement for discharge will be made with CDID for access to the abutting ditch when needed.

- 2. Could waste materials enter ground or surface waters? If so, generally describe.**

No.

- 3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.**

Possibly a future prospective development may improve drainage patterns in the vicinity.

⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

- d. **Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:**

As needed at the time when needed.

4. Plants

Find help answering plants questions

- a. **Check the types of vegetation found on the site:**

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

- b. **What kind and amount of vegetation will be removed or altered?**

None at this time.

- c. **List threatened and endangered species known to be on or near the site.**

None.

- d. **Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.**

Landscaping upon future residential development one day.

- e. **List all noxious weeds and invasive species known to be on or near the site.**

None.

5. Animals

Find help answering animal questions⁸

- a. **List any birds and other animals that have been observed on or near the site or are known to be on or near the site.**

Examples include:

None observed.

⁸ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

- **Birds:** hawk, heron, eagle, songbirds, other:
- **Mammals:** deer, bear, elk, beaver, other:
- **Fish:** bass, salmon, trout, herring, shellfish, other:

b. List any threatened and endangered species known to be on or near the site.

None.

c. Is the site part of a migration route? If so, explain.

No.

d. Proposed measures to preserve or enhance wildlife, if any.

Possible enhancement one day with prospective residential development.

e. List any invasive animal species known to be on or near the site.

None.

6. Energy and natural resources

Find help answering energy and natural resource questions⁹

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electric and natural gas energy sources.

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

Unknown at this time.

7. Environmental health

Health Find help with answering environmental health questions¹⁰

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.

No.

⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

¹⁰ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

1. Describe any known or possible contamination at the site from present or past uses.

None.

2. Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

None.

3. Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

None.

4. Describe special emergency services that might be required.

None.

5. Proposed measures to reduce or control environmental health hazards, if any.

No environmental health hazards to be created.

b. Noise

1. What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Maybe equipment and construction noise possibly one day.

2. What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?

Short term none. Long term maybe equipment and construction noise one day.

3. Proposed measures to reduce or control noise impacts, if any:

Unsure at this time, but perhaps during construction one day the working hours can be limited.

8. Land and shoreline use

Find help answering land and shoreline use questions¹¹

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Subject: Vacant, raw land. Adjacent properties: residential.

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

Unknown. Previously had situated a single family residential structure on the site.

¹¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

NA

- 1. Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

No.

- c. Describe any structures on the site.**

None for quite some time.

- d. Will any structures be demolished? If so, what?**

No.

- e. What is the current zoning classification of the site?**

R-1

- f. What is the current comprehensive plan designation of the site?**

Low density residential.

- g. If applicable, what is the current shoreline master program designation of the site?**

NA

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify.**

No.

- i. Approximately how many people would reside or work in the completed project?**

Unknown at this time.

- j. Approximately how many people would the completed project displace?**

None.

- k. Proposed measures to avoid or reduce displacement impacts, if any.**

NA

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.**

Communication with City Planners.

- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:**

Not aware of any impacts.

9. Housing

Find help answering housing questions¹²

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

As many as 12 units low density single family and attached (duplex) single family dwellings possibly one day.

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

None exist at this site.

- c. **Proposed measures to reduce or control housing impacts, if any:**

None known needed at this time.

10. Aesthetics

Find help answering aesthetics questions¹³

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

Unknown at this time.

- b. **What views in the immediate vicinity would be altered or obstructed?**

None.

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

None known at this time.

11. Light and glare

Find help answering light and glare questions¹⁴

- a. **What type of light or glare will the proposal produce? What time of day would it mainly occur?**

None known at this time.

- b. **Could light or glare from the finished project be a safety hazard or interfere with views?**

No.

- c. **What existing off-site sources of light or glare may affect your proposal?**

Street lighting possibly, if any. Not likely.

- d. **Proposed measures to reduce or control light and glare impacts, if any:**

Unknown at this time.

¹² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

¹³ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

¹⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

12. Recreation

Find help answering recreation questions

- a. **What designated and informal recreational opportunities are in the immediate vicinity?**

Nearby City parks, playgrounds, golf courses, tennis, trails, ballfields and more.

- b. **Would the proposed project displace any existing recreational uses? If so, describe.**

No.

- c. **Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:**

None known.

13. Historic and cultural preservation

Find help answering historic and cultural preservation questions¹⁵

- a. **Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.**

No.

- b. **Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.**

No.

- c. **Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.**

Historic records searched. No records or evidence of concerns found.

- d. **Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.**

Subject property provides no evidence for any reason for concern.

¹⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

14. Transportation

Find help with answering transportation questions¹⁶

- a. **Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.**

Adjacent to 46th Avenue accessed from a traffic light at Ocean Beach Hwy.

- b. **Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?**

River City Transit Route 33 and 44 at Ocean Beach Hwy approximately 600 feet away.
This proposal could be considered transit oriented as its less than 1/4 mile to transit.

- c. **Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).**

Possibly a new private driveway one day.

- d. **Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.**

No.

- e. **How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?**

Unknown at this time. Maybe as many as 10 trips per day per household one day if there was residential development completed according to national study averages.

- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No.

- g. **Proposed measures to reduce or control transportation impacts, if any:**

None known at this time.

15. Public services

Find help answering public service questions¹⁷

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

Possibly so, but not at this time. Perhaps one day upon completion of residential development and occupancy.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

None at this time.

¹⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

¹⁷ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

16. Utilities

Find help answering utilities questions¹⁸

- a. Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:

Longview Water and Sewer are both available and stubbed into the subject property. Cowlitz PUD Electrical and Cascade Natural Gas are available near the property.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None at this time. Residential development will require water, sewer, electrical and possibly gas utility services.

C. Signature

Find help about who should sign¹⁹

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

x  Trustee
Wallin 5210 401 Le Plun Trust

Type name of signee:

Position and agency/organization:

Date submitted:

D. Supplemental sheet for nonproject actions

Find help for the nonproject actions worksheet²⁰

Do not use this section for project actions.

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

¹⁸ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

¹⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

²⁰ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

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

- 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**

Potential residential subdivision. Very low impact.

- **Proposed measures to avoid or reduce such increases are:**

Work with City Planners and CDID to reduce impacts.

- 2. How would the proposal be likely to affect plants, animals, fish, or marine life?**

None.

- **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

Improvements to landscaping to improve the site for plants and birds and others.

- 3. How would the proposal be likely to deplete energy or natural resources?**

Residential development will have low impact and no depletion.

- **Proposed measures to protect or conserve energy and natural resources are:**

Future residential development construction to modern building codes.

- 4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

No impact.

- **Proposed measures to protect such resources or to avoid or reduce impacts are:**

Site improvements one day may provide new habitat opportunities.

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

None.

- **Proposed measures to avoid or reduce shoreline and land use impacts are:**

None. Work with CDID as needed.

- 6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

Low impact.

- **Proposed measures to reduce or respond to such demand(s) are:**

Development potential is less than 1.4 mile from transit, this could be considered transit oriented.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

None.



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

Final SEPA Threshold Determination (DNS)

Date of determination: July 24, 2024

Lead agency: The City of Longview

Agency Contact: Ken Hash, Director of Community Development,

ken.hash@ci.longview.wa.us, 360.442.5202

Responsible Official: Ken Hash, Community Development Director, ken.hash@ci.longview.wa.us
360-442-5202

Agency File Number: 2024-5

Applicant: Michael Wallin, Trustee, Wallin Solo 401 K Plan Trust

Phone: 360-560-3636

Location of proposal: 2262 46th Avenue, Parcel Number(s) 02926, Longview, WA 98632.

Dear Mr. Wallin,

The City of Longview Community Development Department has completed the environmental review for your proposal. The proposed project that is covered under this SEPA application is to rezone the parcel from R-1 to R-2.

After review of the SEPA Environmental Checklist, the City as lead agency, issued a determination of non-significance (DNS) with a 14-day review period on July 9th, 2024. The agency comment period concluded on July 23rd, 2024.

Under the SEPA Rules, the responsible official is required to consider all timely comments received on a DNS. The lead agency may then choose to retain the DNS, issue a revised DNS, or – if significant adverse impacts have been identified – they may withdraw the DNS and issue a determination of significance (DS).

The City did receive comments the Department of Ecology, and one concerned citizens and they are attached as “E 2024-5 2262 46th Ave rezone comments”.

Please be aware that the SEPA Environmental Checklist submitted is for only the proposal identified in the Environmental Checklist. Additional proposals or future developments on this site may require additional environmental review under the SEPA rules, and submittal of another Environmental Checklist for agency review.

The City, via this letter, is issuing a final (Confirmation of) determination of non-significance (CDNS) SEPA threshold determination for the project identified in the Environmental Checklist application E 2023-3. Environmental Review under SEPA for the project identified in the Environmental Checklist is complete.

An environmental impact statement (EIS) is not required under RCW 43.21C.030.

Appeal process: RCW 43.21C.060 allows an appeal to a local legislative body of any decision by

a local nonelected official conditioning or denying a proposal under authority of SEPA. 17.20.220 Substantive Authority (5) Except for permits and variances issued pursuant to LMC 17.60.010, adopting the Cowlitz County Shoreline Management Master Program, when any proposal or action not requiring a decision of the city council is conditioned or denied on the basis of SEPA by a nonelected official, the decision shall be appealable to the city council; provided, however, that for those actions involving a city sponsored project or city owned land, the decision shall be appealed to the hearing examiner. Such appeal may be perfected by the proponent or any aggrieved party by giving notice to the responsible official within 10 days of the decision being appealed. Review by the city council or hearing examiner shall be on a de novo basis. (Ord. 3364 § 1, 2017; Ord. 2786 § 1, 2000).

Please contact me at (360) 442-5202 if you have any additional questions regarding the SEPA process for this proposal.

Ken Hash,
Community Development Director

Signature  Date 7-24-24
(Agency Contact)

Signature  Date 7-24-24
(Responsible Official)



Chapter 19.53

DATA CENTER MINIMUM STANDARDS

Sections:

<u>19.53.010</u>	<u>Title.</u>
<u>19.53.020</u>	<u>Purpose and intent.</u>
<u>19.53.030</u>	<u>Applicability.</u>
<u>19.53.040</u>	<u>Authority and administration.</u>
<u>19.53.050</u>	<u>Development standards and requirements.</u>
<u>19.53.060</u>	<u>Enforcement.</u>
<u>19.53.070</u>	<u>Severability.</u>

19.53.010 Title.

This chapter shall be known and may be cited as the “City of Longview Data Center Minimum Standards Ordinance.” [Ord. XXXX]

19.53.020 Purpose and intent.

It is the intent of this chapter to:

- A. Support the city’s goals for economic development and associated businesses;
- B. Encourage the efficient use of land in areas of existing public services;
- C. Provide diverse business options;
- D. Encourage affordability, creativity and variety in business design and site development;
- E. Promote a variety of business choices to meet the needs of a population with a variety of individual needs;

19.53.030 Applicability.

The regulations contained in this chapter shall apply in areas classified as “Industrial” in the Longview Comprehensive Plan. [Ord. XXXX.]

19.53.040 Authority and administration.

All applications under this chapter shall be made to the City of Longview Building and Planning/Community Development department. The Director or his/her designee shall administer, interpret, and enforce the provisions of this chapter and shall provide such forms and establish such procedures as may be necessary to administer this chapter. [Ord. XXXX.]

19.53.050 Development standards and requirements.

- A. Data Center developments shall be in accordance with International Building Code. These facilities shall be classified Business Group B occupancies as defined by the International Building Code as adopted and amended by the State of Washington and the City of Longview. Requirements for these facilities shall comply with all applicable Building and Fire Codes in effect at the time of their construction.
- B. Data Center developments shall operate utilities in accordance with the Longview Municipal Code.

C. Cryptocurrency Mining & the like operations shall not be permitted in or as part of a Data Center.

19.53.060 Enforcement.

City of Longview Department of Building and Planning/Community Development is hereby charged with enforcement of this chapter. [Ord. XXXX.]

19.53.070 Severability.

If any section, subsection, clause, phrase or word in this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section shall be deemed a separate provision and such holding shall not affect the validity of the remaining portion of this chapter. [Ord. XXXX.]

Definitions to be added to LMC 19.09 as a result of this ordinance:

Data Center: Any facility that may include, but is not limited to, that primarily contains electronic equipment used to process, store, and transmit digital information, which may be:

- (a) A free-standing structure: or
- (b) A facility within a larger structure, that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

Examples of Data Centers include but are not limited to enterprise (on-premises) data centers, public cloud data centers, managed data centers and colocation facilities.

The definition of Data Center is not meant to preclude future innovations that do not match the provided definitions perfectly. Proposals not clearly defined by Title 19 of the Longview Municipal Zoning Code may go before the City of Longview Appeal Board of Adjustment for Similar Use Determination or otherwise directed by the Longview City Council.



Chapter 19.52

CRYPTOCURRENCY MINING

Sections:

- 19.52.010 Title.
- 19.52.020 Purpose and intent.
- 19.52.030 Applicability.
- 19.52.040 Development standards and requirements.
- 19.52.050 Enforcement.
- 19.52.060 Severability.

19.52.010 Title.

This chapter shall be known and may be cited as the “City of Longview Cryptocurrency Mining Ordinance.” [Ord. XXXX].

19.52.020 Purpose and intent.

It is the intent of this chapter to:

- A. Support the city’s goals for economic development and associated businesses;
- B. Encourage the efficient use of land in areas of existing public services;
- C. Provide diverse business options;
- D. Encourage affordability, creativity and variety in business design and site development;
- E. Promote a variety of business choices to meet the needs of a population with a variety of individual needs;

19.52.030 Applicability.

The regulations contained in this chapter shall apply in areas classified as “Industrial” in the Longview Comprehensive Plan. [Ord. XXXX].

19.52.040 Development standards and requirements.

A. Cryptocurrency Mining & the like operations shall not be permitted in or as part of a Data Center or any other Industrial Use.

19.52.050 Enforcement.

City of Longview Department of Building and Planning/Community Development is hereby charged with enforcement of this chapter. [Ord. XXXX].

19.52.060 Severability.

If any section, subsection, clause, phrase or word in this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section shall be deemed a separate provision and such holding shall not affect the validity of the remaining portion of this chapter. [Ord. XXXX].

Definitions to be added to LMC 19.09 as a result of this ordinance:

Cryptocurrency: A digital asset/credit/unit within a system, which is cryptographically sent from one blockchain user to another. In the case of cryptocurrency creation (such as the reward for mining), the publishing node includes a transaction sending the newly created cryptocurrency to one or more blockchain network users. These assets are transferred from one user to another by using digital signatures with asymmetric-key pairs.

Cryptocurrency Mining: The act of solving a puzzle within a proof of work consensus model, proof of stake, and/or similar processes now known or developed in the future for which the end product or payment for such mining is a Cryptocurrency.

Revision made to LMC 19.58.030-1 Industrial Districts Use Table:

Table 19.58.020-1. Permitted uses in industrial zones.

Use			
	LI-A & B	HI	C/I
<u>Cryptocurrency Mining Facility</u>			