



City of Longview

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

Agenda

City Council

*Mayor Spencer Boudreau
Mayor Pro Tem Kalei LaFave
Council Member Ruth Kendall
Council Member Angie Wean
Council Member MaryAlice Wallis
Council Member Keith Young
Council Member Erik Halvorson*

Thursday, April 10, 2025

6:00 PM

2nd Floor, 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 Office at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting. Please note - virtual attendees may comment verbally during public hearings only by contacting the Clerk's Office to register prior to the hearing date. Virtual attendees may also submit written comments to the Clerk's Office with the heading, "Public Comment for disbursement to the City Council".

<https://us02web.zoom.us/j/82394132374>

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

Webinar ID: 823 9413 2374

1. CALL TO ORDER
2. INVOCATION*/FLAG SALUTE
25-001226 BRIAN CUMMINGS, EVANGEL CHRISTIAN FELLOWSHIP
3. ROLL CALL
4. WORKSHOP
5. APPROVAL OF MINUTES

25-00185 MARCH 27, 2025 SPECIAL WORKSHOP - DOWNTOWN PARKING

25-001184 MARCH 27, 2025 REGULAR MEETING

6. CHANGES TO THE AGENDA

7. PRESENTATIONS & AWARDS

25-00319 PROCLAMATION - APRIL 2025 AS CHILD ABUSE PREVENTION MONTH; RECIPIENT:
KARI-ANN BOTERO, EXECUTIVE DIRECTOR, CHILDREN'S JUSTICE AND ADVOCACY
CENTER

8. CONSTITUENTS' COMMENTS (Thirty Minutes)

9. PUBLIC HEARINGS

25-00326 ORDINANCE NO. 3558 - UPDATES TO LMC 19.12 - APPEAL BOARD OF ADJUSTMENT

RECOMMENDED ACTION:

HOLD THE PUBLIC HEARING AND MOTION TO APPROVE ORDINANCE NO. 3558.

10. BOARD & COMMISSION RECOMMENDATIONS

11. ORDINANCES & RESOLUTIONS

12. MAYOR'S REPORT

13. COUNCILMEMBERS' REPORTS

25-00343 APPOINTMENT OF DAVID FUTCHER TO THE PUBLIC DEVELOPMENT AUTHORITY

14. CONSENT CALENDAR

25-001185 APPROVAL OF CLAIMS

25-00197 PROJECT COMPLETION – WASHINGTON WAY

RECOMMENDED ACTION:

MOTION TO ACCEPT AS COMPLETE THE WASHINGTON WAY PROJECT

25-00345 LEASE AGREEMENT – 254 OREGON WAY TO PARATRANSIT SERVICES.

RECOMMENDED ACTION:

STAFF RECOMMENDS THAT THE CITY COUNCIL APPROVE THE LEASE AGREEMENT
BETWEEN THE CITY OF LONGVIEW AND PARATRANSIT SERVICES FOR THE
SPECIFIED TERM AND AMOUNT.

25-00346 2025 AMENDMENT TO PARATRANSIT SERVICE CONTRACT

RECOMMENDED ACTION:

APPROVAL OF THE CONTRACT AMENDMENT TO MAINTAIN ESSENTIAL
PARATRANSIT SERVICES AND COMPLIANCE WITH FEDERAL TRANSIT
REGULATIONS.

25-00348 PUBLIC HEARING – AMENDMENTS TO MULTIPLE SECTIONS WITHIN CHAPTERS 16,
17, 18 & 19 OF LMC & TRANSFER FEES TO COMMUNITY DEVELOPMENT FEE
SCHEDULE; HEARING SET FOR MAY 8, 2025

RECOMMENDED ACTION:
MOTION TO SET A PUBLIC HEARING MAY 8, 2025

15. CITY MANAGER'S REPORT

25-00344 POTENTIAL SEASONAL CLOSURE OF BROADWAY ST. (1500 block) FROM MARCH TO OCTOBER

RECOMMENDED ACTION:
DIRECTION TO STAFF

16. MISCELLANEOUS

17. EXECUTIVE SESSION

18. ADJOURNMENT

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

NEXT REGULAR COUNCIL MEETINGS:

THURSDAY, APRIL 24, 2025 – 6:00 P.M.

THURSDAY, MAY 8, 2025 – 6:00 P.M.



City of Longview

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Minutes

City Council

*Mayor Spencer Boudreau
Mayor Pro Tem Kalei LaFave
Council Member Ruth Kendall
Council Member Angie Wean
Council Member MaryAlice Wallis
Council Member Keith Young
Council Member Erik Halvorson*

Thursday, March 27,
2025

5:00 PM

2nd Floor, City Hall

NOTICE IS HEREBY GIVEN, in accordance with RCW Chapter 42.30, that the City Council of the City of Longview, Washington, will conduct a special meeting - workshop in the Longview City Hall Council Chambers, 1525 Broadway, Longview, on Thursday, March 27, 2025 at 5 p.m. The topics of discussion follow. No final action will be taken.

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Office at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting. Please note - virtual attendees may comment verbally during public hearings only by contacting the Clerk's Office to register prior to the hearing date. Virtual attendees may also submit written comments to the Clerk's Office with the heading, "Public Comment for disbursement to the City Council".

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Webinar ID: 823 9413 2374

1. CALL TO ORDER
Mayor Boudreau called the special meeting/workshop to order at 5:05 p.m.
2. INVOCATION*/FLAG SALUTE

25-001225 LARRY RUSSELL, SHEKINAH CHRISTIAN CENTER

After the invocation provided by Larry Russell of Shekinah Christian Center, the flag salute was recited.

3. ROLL CALL

Present: Mayor Boudreau, Mayor Pro Tem LaFave, Councilmember Kendall, Councilmember Wean, Councilmember Wallis, Councilmember Halvorson

Absent/Excused: Councilmember Young, Councilmember Kendall

Based on advice from the attorney, the council approved the absence of Councilmember Young, which was requested today, as excused.

Staff Present: City Manager Jennifer Wills, City Clerk Tiffany Ostreim, Public Works Director/Assistant City Manager Chris Collins, Community & Economic Development Director Nick Little, Recreation Manager Justin Brown, Police Chief Robert Huhta, Library Director Jacob Cole, Fire Chief Brad Hannig, Public Information Officer Angela Abel, Human Resources Director Sabrina Fraidenburg, Information Technology Director Mike Sullivan, Finance Director Lisa Wolff

4. WORKSHOP**25-00172 DOWNTOWN PARKING (APPROXIMATELY 2 HOURS)**

Rick Williams of Rick Williams Consulting, presented the downtown parking management plan. Council discussed the presentation and market value of parking lots.

Councilmember Kendall joined the meeting/workshop by Zoom at 5:55 p.m.

Council requested proposals for downtown safety, signage, parking time changes and extending the moratorium be brought back for consideration.

City Manager Wills explained Mi Familia Swapmeet is taking place every Saturday and Sunday this year through October on Broadway Street in front of City Hall between 15th and 16th Avenue.

Council requested more information about the possible closure of Broadway Street in front of City Hall between 15th and 16th Avenue during the summer for more events.

Jason Still provided public comment.

5. ADJOURNMENT

The meeting/workshop was adjourned at 6:13 p.m.

*Tiffany Ostreim
City Clerk*

*Approved: _____
Mayor*

NEXT REGULAR COUNCIL MEETINGS:

THURSDAY, APRIL 10, 2025 – 6:00 P.M.

THURSDAY, APRIL 24, 2025 – 6:00 P.M.



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Council Member Keith Young
Council Member Erik Halvorson*

Thursday, March 27,
2025

6:00 PM

2nd Floor, City Hall

The Regular Meeting will commence immediately following the Special Meeting/Workshop on Downtown Parking.

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Office at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting. Please note - virtual attendees may comment verbally during public hearings only by contacting the Clerk's Office to register prior to the hearing date. Virtual attendees may also submit written comments to the Clerk's Office with the heading, "Public Comment for disbursement to the City Council".

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Webinar ID: 823 9413 2374

1. CALL TO ORDER
Mayor Boudreau called the meeting to order at 6:20 p.m.
2. FLAG SALUTE
The flag salute was recited.
3. ROLL CALL

Present: Mayor Boudreau, Mayor Pro Tem LaFave, Councilmember Kendall (Zoom), Councilmember Wean, Councilmember Wallis, Councilmember Halvorson

Absent/Excused: Councilmember Young

Staff Present: City Manager Jennifer Wills, Interim City Attorney Charlotte Archer, City Clerk Tiffany Ostreim, Public Works Director/Assistant City Manager Chris Collins, Community & Economic Development Director Nick Little, Recreation Manager Justin Brown, Police Chief Robert Huhta, Library Director Jacob Cole, Human Resources Director Sabrina Fraidenburg, Fire Chief Brad Hannig, Public Information Officer Angela Abel, Information Technology Director Mike Sullivan, Finance Director Lisa Wolff

4. **WORKSHOP**

5. **APPROVAL OF MINUTES**

25-001182 MARCH 13, 2025 REGULAR MEETING

A motion was made by Councilmember Wallis, seconded by Councilmember LaFave, to approve the March 13, 2025 Regular Meeting Minutes. The motion carried unanimously.

6. **CHANGES TO THE AGENDA**

A motion was made by Councilmember Halvorson, seconded by Councilmember Wallis, to strike from the Agenda Ordinance 3556 - adding a new Chapter 3.66 to the LMC to limit annual property tax levy increases to one percent (1%), in accordance with state law and strike from the Agenda Beacon Hill Water and Sewer District Board meeting update related to Fluoride referendum vote request.

The motion failed by the following vote:

Ayes: Councilmember Halvorson, Mayor Boudreau

Nays: Councilmember LaFave, Councilmember Wean, Councilmember Wallis, Councilmember Kendall

7. **PRESENTATIONS & AWARDS**

25-00188 PROCLAMATION - APRIL 2025 AS FAIR HOUSING MONTH IN LONGVIEW; RECIPIENT LIZ BORDERS, VICE PRESIDENT ELECT, LOWER COLUMBIA ASSOCIATION OF REALTORS

Mayor Boudreau and Councilmember LaFave presented the proclamation to Liz Border, who accepted on behalf of Lower Columbia Association of Realtors.

25-00281 PROCLAMATION - APRIL 9, 2025 AS ARBOR DAY; RECIPIENT OLIVER BLACK, PARKS BOARD CHAIR

Mayor Boudreau and Councilmember LaFave presented the proclamation to Oliver Black, who accepted on behalf of the Parks Board.

25-00282 PROCLAMATION - APRIL 6–12, 2025 AS CRIME VICTIMS AWARENESS WEEK; RECIPIENT YAJAIRA HERNANDEZ

Mayor Boudreau and Councilmember LaFave presented the proclamation to Corey and Yajaira who accepted on behalf of Emergency Support Shelter.

25-00317 PROCLAMATION - APRIL 6-12, 2025 AS NATIONAL LIBRARY WEEK; RECIPIENT JACOB COLE, LIBRARY DIRECTOR

Mayor Boudreau and Councilmember LaFave presented the proclamation to Jacob Cole, who accepted on behalf of the Longview Public Library.

8. **CONSTITUENTS' COMMENTS (Thirty Minutes)**

*Marvin Kallwick provided public comment.
Bill Kasch provided public comment.
Clint Hash provided public comment.
Mike Pederson provided public comment.
Manager Wills stated the code enforcement process will be brought back to council.
Jon Erik Hegstad provided public comment.
Jason Still provided public comment.
Derek Fine provided public comment.
Cassie Katie provided public comment.*

9. **PUBLIC HEARINGS**

10. **BOARD & COMMISSION RECOMMENDATIONS**

11. **ORDINANCES & RESOLUTIONS**

25-00285 ORDINANCE NO. 3556 – AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON, ADDING A NEW CHAPTER 3.66 TO THE LONGVIEW MUNICIPAL CODE TO LIMIT ANNUAL PROPERTY TAX LEVY INCREASES TO ONE PERCENT (1%), IN ACCORDANCE WITH STATE LAW

This ordinance was brought forward at the March 13, 2025 meeting and held over for a second touch this evening.

A motion was made by Councilmember Wean, seconded by Wallis, to remove this topic from further consideration.

Interim City Attorney Archer provided clarification. This will be removed from tonight's agenda; no action will be taken tonight. Could be re-noticed for a future meeting. Not aware of any mechanism for council to direct by majority that it not return to the agenda. It would not be done under a reconsideration because that is, if it were to fail, someone on the winning side would have to make a motion for reconsideration.

There doesn't need to be any motion. No action was taken.

12. **MAYOR'S REPORT**

Mayor Boudreau provided a report.

13. **COUNCILMEMBERS' REPORTS**

*Councilmember Halvorson provided a report.
Councilmember Wallis provided a report.
Councilmember Kendall provided a report.
Councilmember Wean provided a report.
Councilmember LaFave provided a report.
Public Works Director/Ast. City Manager Collins provided information on synchronizing street lights.*

14. **CONSENT CALENDAR**

A motion was made by Councilmember Wean, seconded by Councilmember Wallis, to approve the Consent Calendar as presented. The motion carried unanimously.

25-001183 APPROVAL OF CLAIMS

25-00279 RESOLUTION NO. 2550 - DETERMINING THE AMOUNTS OF CERTAIN CASH WORKING FUNDS IN THE FINANCE, POLICE, PARKS AND RECREATION, AND LIBRARY DEPARTMENTS OF THE GENERAL FUND, AS WELL AS IN THE TRANSIT, MINT VALLEY GOLF COURSE, AND EQUIPMENT RENTAL FUNDS, UPDATES AND REPLACES

RESOLUTION NO. 2480

RECOMMENDED ACTION:
MOTION TO ADOPT RESOLUTION NO. 2550

- 25-00284 2025 EXTENSION AND RENEWAL OF AGREEMENT FOR COWLITZ COUNTY MINI-RURAL LIBRARY DISTRICT SERVICES**

RECOMMENDED ACTION:
MOTION TO APPROVE EXTENSION/RENEWAL OF THE AGREEMENT

- 25-00305 FISCAL YEAR 2025 CDBG PROGRAM ALLOCATIONS**

RECOMMENDED ACTION:
MOTION TO SET A PUBLIC HEARING FOR APRIL 24, 2025, FOR THE PRESENTATION OF APPLICATIONS AND ALLOCATION OF FUNDING FOR 2025 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

- 25-00306 FISCAL YEAR 2025 HOME PROGRAM ALLOCATIONS**

RECOMMENDED ACTION:
MOTION TO SET A PUBLIC HEARING FOR APRIL 24, 2025, FOR THE PRESENTATION OF APPLICATIONS AND ALLOCATION OF FUNDING FOR 2025 HOME INVESTMENT PARTNERSHIPS GRANT PROGRAM

- 25-00321 AMALGAMATED TRANSIT UNION, LOCAL 758, AFL-CIO COLLECTIVE BARGAINING AGREEMENT, JANUARY 1, 2025 – DECEMBER 31, 2027**

RECOMMENDED ACTION:
MOTION TO APPROVE THE ATU COLLECTIVE BARGAINING AGREEMENT FOR 2025-2027

15. CITY MANAGER'S REPORT

Manager Wills thanked everyone for attending the Citizens Summit on March 19 and March 22. Held an Employee Summit on March 26. Will hold a Stakeholder Summit on April 15, 2025, from 6 to 8 pm at the McClelland Arts Center.

- 25-00287 REVISED ALCOHOL POLICY IN CITY PARKS**

RECOMMENDED ACTION:
MOTION TO ADOPT THE REVISED ALCOHOL POLICY IN CITY PARKS

Recreation Manager Justin Brown presented the revised alcohol policy in city parks. Council discussed the presentation and preferences for fence height, location and liquor. Recreation Manager Justin Brown explained the state would have to approve the liquor license. Mark Silva, Rotary of Longview, and David Rossi, co-owner of Pleasant Hill Distillery, were present and provided information on state regulations for liquor. Council further discussed.

A motion was made by Councilmember Wean, seconded by Councilmember LaFave to approve the staff proposal.

*Jason still spoke on the motion.
Erik Jon Hegstad spoke on the motion.*

An Amendment to the motion was made by Councilmember Halvorson, seconded by Councilmember Wean, to require the library to be closed during the time the event is happening. Library Director Jacob Cole clarified the library would not be open to the public, but requested the doors be open for the event-goers to use the restrooms.

An amendment to the amendment was made by Councilmember Kendall, seconded by Mayor Boudreau, that the library be closed for regular business hours, but the building made available for restroom facilities.

The amendment to the amendment passed by the following vote:

Ayes: Councilmember Kendall, Mayor Boudreau, Councilmember LaFave, Councilmember Wean, Councilmember Wallis

Nays: Councilmember Halvorson

The amendment to the main motion as amended would require that the library be closed for regular business hours, but the building made available for restroom facilities passed by the following vote:

Ayes: Councilmember Kendall, Mayor Boudreau, Councilmember LaFave, Councilmember Wean, Councilmember Wallis

Nays: Councilmember Halvorson

The main motion to approve the staff proposal and require that the library be closed for regular business hours, but the building made available for restroom facilities passed by the following vote:

Ayes: Councilmember Kendall, Mayor Boudreau, Councilmember LaFave, Councilmember Wean

Nays: Councilmember Halvorson and Councilmember Wallis

25-00286 BEACON HILL WATER SEWER DISTRICT BOARD MEETING UPDATE RELATED TO FLUORIDE REFERENDUM VOTE REQUEST

RECOMMENDED ACTION:

DIRECT STAFF ON NEXT STEPS

Public Works Director/Ast. City Manager Collins gave a verbal report. Beacon Hill Water and Sewer District is not interested in participating in a referendum advisory vote.

A motion was made by Councilmember Wallis, seconded by Councilmember Wean to remove from consideration the ballot measure to the public for consideration of discontinuing the added fluoride to the city water system.

Council discussed the motion.

Interim City Attorney Archer clarified the motion is to remove from consideration for this evening. Consider it to be postponed indefinitely. Could be brought back by two councilmembers or as a reconsideration.

Dean Takko, Beacon Hill Water and Sewer District Commissioner, spoke on behalf of himself. The district is happy with the way it is. Overwhelming support for fluoride.

Council discussed the costs of putting the advisory vote on the primary ballot versus the general election ballot.

Marvin Kallwick spoke on the motion.

Jason Still spoke on the motion.

A citizen, name unstated, spoke on the motion.

Erik Jon Hegstad spoke on the motion.

Arlene Hubble spoke on the motion.

Dr. Jeff Langdon spoke on the motion.

Randy Knox spoke on the motion.

Kristine Johnson spoke on the motion.

The motion carried by the following vote:

Ayes: Councilmember LaFave, Councilmember Wean, Councilmember Wallis, Councilmember Kendall

Abstain: Councilmember Halvorson

16. MISCELLANEOUS**17. EXECUTIVE SESSION****25-00320 LEGAL RISKS OF CURRENT OR PROPOSED ACTION PER RCW 42.30.110(1)(iii)**

The City Council, City Manager Jennifer Wills, Interim City Attorney Charlotte Archer, and Public Works Director/Ast. City Manager Chris Collins entered Executive Session at 8:30 p.m. pursuant to RCW 42.30.110(1)(iii) Legal risk of current or proposed action for a period of 10 minutes. At 8:45 p.m. all parties came out of Executive Session. No action was taken.

18. ADJOURNMENT

The meeting was adjourned at 8:45 p.m.

*Tiffany Ostreim
City Clerk*

*Approved: _____
Mayor*

NEXT REGULAR COUNCIL MEETINGS:

THURSDAY, APRIL 10, 2025 – 6:00 P.M.

THURSDAY, APRIL 24, 2025 – 6:00 P.M.



Proclamation

City of Longview, Washington

Child Abuse Prevention Month – April 2025

WHEREAS, every child deserves to grow up in a safe, stable, and nurturing environment, free from abuse and neglect; and

WHEREAS, child abuse and neglect are serious concerns that affect the well-being of children, families, and the entire community, with long-term impacts on physical and mental health, education, and future relationships; and

WHEREAS, CJAC (Children's Justice & Advocacy Center) serves as a vital community partner in Cowlitz County, providing a compassionate, collaborative response to child abuse and working to ensure the safety, healing, and justice for victims and their families; and

WHEREAS, effective child abuse prevention strategies succeed when partnerships are created among families, social service agencies, schools, faith communities, law enforcement, and businesses; and

WHEREAS, April is recognized nationwide as Child Abuse Prevention Month, providing an opportunity to raise awareness, support families, and recommit everyone to preventing child maltreatment in all its forms; and

WHEREAS, **WHEREAS**, the City of Longview is committed to supporting CJAC and all community efforts aimed at protecting children and promoting healthy families;

Now, THEREFORE, I, Spencer Boudreau, Mayor of the City of Longview, Washington, do hereby proclaim April 2025 as **Child Abuse Prevention Month**. We urge all citizens to dedicate themselves to building a safe, supportive community where every child can grow up free from the abuse and reach their full potential.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Longview to be affixed this 10th day of April, 2025.

Spencer Boudreau, Mayor





City of Longview

Agenda Summary

ORDINANCE NO. 3558 - UPDATES TO LMC 19.12 - APPEAL BOARD OF ADJUSTMENT

RECOMMENDED ACTION:

HOLD THE PUBLIC HEARING AND MOTION TO APPROVE ORDINANCE NO. 3558.

COUNCIL INITIATIVE ADDRESSED:

Strengthen economic conditions and create new opportunities

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The proposed updates to LMC 19.12 are administrative in nature and seek to streamline the Appeal Board of Adjustment (ABOA) docketing procedure, update various references to lines of authority, modernize notification methods, and remove a section that may have potential conflicts.

The proposed ordinance changes are part of CED's legislative work plan presented to City Council in January 2025.

STAFF CONTACT:

Nick Little, Community Development Director

Nick.little@ci.longview.wa.us

Attachments:

1. 1_CC Memorandum - Board of Adjustment Updates
2. 2_LMC 19.12 Appeal Board of Adjustment (Strikeout)
3. 3_Appeals Board of Adjustment (Powerpoint Presentation)
4. 4_Appeals Board of Adjustment Presentation (Hearing)
5. 5_Ordinance No. 3558 (complete)



Memorandum

TO: Longview City Council

FROM: Nick Little, CED Director

MEETING DATE: April 10, 2025

SUBJECT: LMC 19.12 Appeal Board of Adjustments Updates Hearing

The proposed updates to LMC 19.12 are administrative in nature and seek to streamline the Appeal Board of Adjustment (ABOA) docketing procedure, update various references to lines of authority, modernize notification methods, and remove a section rife with potential conflicts. Strikeout/underline versions of the proposed code changes have been provided, along with the following bullet points that reference specific code changes.

- Allow for secretary of ABOA to set docket for hearings once they are considered complete. Previous language required the docket to be set at a prior meeting of the ABOA, which creates an artificial delay in the process and made initial submittal timing a crucial factor in overall timelines.
- Added reference to LMC 19.77 (Shared Driveways) to the “Power of Board” section on appeals.
- Various corrections replacing “Building Official” with “Director” (and other similar corrections) where appropriate.
- Removal of section allowing for ABOA review of alternate materials and construction.
- Added posting to the City’s website as an acceptable method of public notice.
- Updated bond amount for appeals from \$200 to \$1,500. This was a direct conversion to current valuation.

The proposed ordinance changes are part of CED’s legislative work plan presented to City Council in January 2025. The proposed changes are administrative in nature, and as such can be considered by Council directly. Planning Commission and SEPA review are not required, and in terms of administrative updates are not recommended regardless. The proposed updates were presented to City Council on March 13, whereupon the public hearing date was set for April 10.

Chapter 19.12

APPEAL BOARD OF ADJUSTMENT*

Sections:

- 19.12.010 Creation – Membership – Term and compensation.
- 19.12.020 Meetings – Majority vote.
- 19.12.030 Rules of procedure – Records of proceedings.
- 19.12.035 Avoidance of delays – Secretary of board to set hearing dates.
- 19.12.040 Power of board – Appeal of building official decisions.
- 19.12.045 Power of board – Appeal of community development director decisions.
- 19.12.047 Public hearing notice – Appeal of community development director decisions.
- 19.12.050 Power of board – Special property use.
- 19.12.055 Special property use – Detached accessory dwelling units (ADU).
- ~~19.12.060 Power of board – Alternate materials and construction.~~
- 19.12.070 Petitions – Initiation of action by board – Hearing and decision.
- 19.12.080 Special property uses – Application – Fee.
- 19.12.090 Special property uses – Hearing – Notice.
- 19.12.100 Special property uses – Hearing – Decision.
- 19.12.110 Special property uses – Records.
- 19.12.120 Special property use permits – Time limitation.
- 19.12.130 Special property use permits – Revocation – Records.
- 19.12.140 Variance permits – Authority to issue.
- 19.12.150 Variances – Application – Fee – Hearing – Decision.
- 19.12.160 Stay of proceedings.
- 19.12.170 Appeal – Filing – Notice.
- 19.12.180 Appeal – Bond.
- 19.12.190 Appeal – Transcript – Fees.
- 19.12.200 Appeal – Notice that transcript has been filed.
- 19.12.210 Appeal – Hearing – Determination.

*For the statutory provisions regarding the board of adjustment in code cities, see RCW 35A.63.110.

19.12.010 Creation – Membership – Term and compensation.

A board of adjustment is established to be known as the “appeal board of adjustment.” The word “board” when used herein means the appeal board of adjustment. The board shall consist of five members, all of whom shall serve without salary. The board members shall be appointed by the city manager and confirmed by the council. In case any vacancy shall occur in the membership of the board for any cause, the city manager shall fill such vacancy by making an appointment for the unexpired term of the member or members creating such vacancy, the appointment to be confirmed by the council. Members of the board who miss three consecutive meetings may be removed by the city manager and the vacancy filled as provided in this section. The initial membership shall consist of one member appointed for one year, one for two years, one for three years, one for four years and one for five years; and each appointment thereafter shall be for a five-year term. (Ord. 1620 § 1, 1973).

19.12.020 Meetings – Majority vote.

Meetings of the board shall be held at least once each month and at such other times as the chairman of the board may determine. There shall be a fixed place of meeting. All board meetings shall be open to the public. Any action of the board shall receive an affirmative vote of at least a majority of the total board. When requested by the secretary or chairman of the board, the director of community and economic development and the building official and the chief of the fire department, or such of them as have received such a request, shall attend any board meeting for the purpose of furnishing technical advice to the board. (Ord. 2774 § 1, 2000; Ord. 1711 § 1, 1974; Ord. 1620 § 1, 1973).

19.12.030 Rules of procedure – Records of proceedings.

The board shall elect from its members a chairman and shall also select a secretary for the board which secretary need not be a member thereof. The board shall adopt its own rules of procedure (except as hereinafter fixed as to voting) and keep a record of its proceedings, actions and decisions in each case, and the vote of each member on each question considered in the proceedings. (Ord. 1620 § 1, 1973).

19.12.035 Avoidance of delays – Secretary of board to set hearing dates.

~~To avoid delays, it is important that hearings be promptly scheduled before the board. Petitions or requests that are presented or filed between regularly scheduled meetings do not become fixed for hearing until the next regular meeting of the board, and a lack of business before the board sometimes results in the lack of a quorum preventing a meeting from being held and a hearing date from being fixed.~~ In order to assure petitioners and applicants of prompt hearing dates, the secretary of the appeal board of adjustment, notwithstanding any provisions in this chapter to the contrary, shall have the authority, upon receipt of a petition under this chapter, a variance request, or a request for review of any interpretation made by the building official or **Director** to fix a date for the hearing thereon in accordance with the requirements of this chapter, and to cause notice of such hearing to be issued and publicized as required by this chapter. (Ord. 2529 § 1, 1993).

19.12.040 Power of board – Appeal of building official decisions.

The board may review any interpretation of the provisions of LMC Titles 16 or 19 made by the building official, and any order, requirement, decision, or determination relating thereto made by him in the application of the specific provision of said titles to any parcel of land and/or structure. The board may affirm or reverse the interpretation of the provisions of said titles made by the building official, and any order, requirement, decision, or determination relating thereto; the board's decision shall be based upon the records and the evidence in each case and to that end it shall have all of the powers of the building official. (Ord. 3161 § 1, 2011; Ord. 1620 § 1, 1973).

19.12.045 Power of board – Appeal of community development director decisions.

(1) Applicability. The appeal board of adjustment shall hear and decide appeals where it is alleged that there is an error in any decision, interpretation, or determination made by the community development director in the consideration of seasonal sales temporary use permits (Chapter 19.41 LMC), boundary line adjustments (Chapter 19.68 LMC), short subdivisions (Chapter 19.67 LMC), **shared driveways (Chapter 19.77 LMC)** and type A binding site plans (Chapter 19.90 LMC). Appeals to the board may be taken by any person aggrieved by or affected by the decision of the community development director.

(2) Stay of Proceedings. When an appeal is filed to the board, all proceedings in furtherance of the action affected by the decision being appealed shall be stayed, unless:

- (a) The community development director certifies to the board, after the notice of appeal has been filed with the community development director, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property; or
- (b) The appellant is not diligently pursuing the appeal.

(3) Decision.

- (a) Public notice of the hearing shall be as provided in this chapter. The board shall hold the hearing, and shall decide the appeal within a reasonable time after such hearing.
- (b) Any party may appear before the board at the hearing, in person or by agent or attorney.
- (c) The board may:
 - (i) Reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed;
 - (ii) Make such order, requirement, decision, or determination as ought to be made; and
 - (iii) Exercise all the powers of the officer or agency from whom the appeal is taken. (Ord. 3161 § 2, 2011).

19.12.047 Public hearing notice – Appeal of community development director decisions.

(1) Notice of a public hearing for all open-record appeals shall be given as follows:

(a) Time and Form of Notices. Except as otherwise required, notice of an open-record appeal hearing shall be made at least 10 days before the date of the public hearing in the following manner:

- (i) Publication in the official newspaper; and
- (ii) Posting on the subject property; and
- (iii) Notice shall be mailed to adjacent property owners.

(b) Content of Notice. The public notice shall include:

- (i) The address and location, and/or a vicinity map or sketch, of the property which is the subject of the public hearing; and
- (ii) The date, time, location, and purpose of the public hearing; and
- (iii) A general description of the proposed project or action to be taken; and
- (iv) A place where further information about the hearing may be obtained.

(c) Continuations. If, for any reason, a hearing cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required. (Ord. 3161 § 3, 2011).

19.12.050 Power of board – Special property use.

(1) Recognizing that there are certain uses of property that may or may not be detrimental to the public health, safety, morals and general welfare, depending upon the facts in each particular case, a limited power to issue special permits for such uses is vested, by special mention in this title, in the board.

(2) The board shall have and exercise original jurisdiction in receiving, granting or denying all applications for such special property uses as are provided for in this title and shall have the power to place in such permits, conditions or limitations in its judgment required to secure adequate protection to the zone or locality in which such use is to be permitted. No special permit shall be issued by the board until after public hearing, as hereinafter provided, and until after the **building official Director** has found that all other provisions of this code, with which compliance is required, have been fulfilled.

(3) No such special property use permit shall be granted by the board unless it finds:

- (a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare;
- (b) In making such determination the board shall be guided by the following considerations and standards:
 - (i) That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity,
 - (ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic,
 - (iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment,
 - (iv) That adequate off-street parking will be provided to prevent congestion of public streets.

(4) The placement, construction, erection and maintenance of wayfinding signs, as defined in LMC 16.13.040(73), in all use districts, shall be deemed a special property use. (Ord. 2967 § 1, 2006; Ord. 1620 § 1, 1973).

19.12.055 Special property use – Detached accessory dwelling units (ADU).

Subject to the provisions of LMC 19.12.050, and in accordance with Chapter 19.22 LMC, the appeal board of adjustment may grant a special property use permit for the construction of a detached accessory dwelling unit (ADU). (Ord. 3122 § 9, 2010; Ord. 2591 § 3, 1995).

19.12.060 Power of board – Alternate materials and construction.

(1) In addition to the foregoing powers, the board shall have the right to determine the suitability of alternate new materials and types of construction, after a public hearing, and to permit the use of the same when, in the opinion of the board, such new materials or types of construction are equal to or greater in safety requirements than those provided for in the building code.

(2) The board shall also have the right to recommend to the city manager, for presentation to the city council, legislation for the improvement of Chapter 16.08 LMC hereof, being the building code, or any part thereof, which the board may feel is consistent with the purpose and intention of said code. (Ord. 1620 § 1, 1973).

19.12.070 Petitions – Initiation of action by board – Hearing and decision.

(1) Any person or persons aggrieved, or any officer, official of any department or commission of the city, jointly or severally, may file a written petition with the board for a review of the building official's interpretation of the provisions of LMC Titles 16 or 19. Such petition shall be filed with the office of the city clerk within 10 days after the petitioner shall receive either written or oral notice of the interpretation of any provision of Titles 16 or 19 by which petitioner shall deem himself to be aggrieved. Such petition shall set forth the provision of this code which the building official has interpreted, the building official's interpretation thereof, the petitioner's interpretation of the same and the reasons why the petitioner believes the interpretation of the building official to be incorrect. Such petition shall contain the name or names of all aggrieved parties and the names of all attorneys or agents representing such aggrieved parties together with the mailing address of such parties, their agents and attorneys. The city clerk shall transmit said petition to the secretary of the board prior to the next regular meeting of the board. The secretary of the board shall present the petition to the board at its next regular meeting and the board, at such meeting, shall fix a date for the hearing on said petition which date shall not be less than 10 nor more than 60 days from the date upon which said petition was presented to the board. At least five days prior to the date fixed for such hearing the secretary of the board shall cause to be mailed to the petitioner or his agents or attorneys, at the respective addresses shown on the petition, a notice of the time and place of the hearing on said petition. At such hearing the petitioner may appear in person, by agent or by attorney. All city officials and other interested persons may be heard at such hearing in support of or opposition to such petition.

(2) The board may affirm or reverse the interpretation of the provisions of LMC Titles 16 or 19 made by the building official, and any order, requirement, decision, or determination relating thereto made by him; the board's decision shall be based upon the record and the evidence in each case, and to that end it shall have all of the powers of the building official. Unless a majority of the entire board votes in favor of reversing the decision of the building official such decision shall stand affirmed. The board shall maintain in the office of the building official full and complete written records of all decisions involving the interpretation of the provisions of said titles, which records shall be open to public inspection during all regular business hours. The board's jurisdiction shall not be construed as an authorization to violate any provisions of this code.

(3) If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official, or varies the application of any provision of this code, the building official shall take action immediately in accordance with such decision. (Ord. 1620 § 1, 1973).

19.12.080 Special property uses – Application – Fee.

All applications for special property uses permitted by this title shall be submitted in writing to the office of the building official, Community Development Department. Each such application shall contain the name and mailing address of the applicant or applicants, the legal description of the property for which the special property use is requested, the nature of the special use requested, a concise statement as to the reasons why such property is needed for and suited to such special use, and a statement or document verifying the applicants, ownership of the property or interest in the property through lease, option or other such binding agreement with the owner. The application shall be accompanied by a plot plan, drawn to scale, showing the dimensions of any and all existing structures and all structures to be erected on the property involved and the yard areas thereof. The board or building official may, at any time, require the applicant to furnish such additional information as may be necessary to enable the board to

determine whether such application should or should not be granted. With each application filed for a special property use there shall be paid by the applicant, at the time of filing the application with the community and economic development department, a fee in accordance with the Community and Economic Development Department Master Fee Schedule to defray the city's costs and expenses in processing such application, including the publication and mailing of the notices hereinafter required. (Ord. 2907 § 2, 2004; Ord. 2774 § 1, 2000; Ord. 2722 § 1, 1999; Ord. 2328 § 1, 1988; Ord. 2120 § 1, 1983; Ord. 1620 § 1, 1973).

19.12.090 Special property uses – Hearing – Notice.

The written application, plot plan and any other written information requested from the applicant by the building official Director shall be submitted to the board at its next regular or special meeting. The board at such meeting shall fix a time, date and place for public hearing on such application which date shall not be less than 10 days after notice given in the following manner, except that the final notice to be published in the official newspaper shall not be published more than three days prior to the date of said hearing. Upon determining that the application, site plan, and any other information requested from the applicant by the Director is complete and fully describes the proposal, the application shall be submitted to the board for consideration at its next regular meeting. The secretary of the board shall fix a time, date, and place for public hearing on such application, which date shall not be less than 10 days after notice given in the following manner:

- (1) By United States mail addressed to the applicant and to the owners of all adjoining or abutting property. (Property separated from the proposed use by a street, highway or other public road or alley shall be construed to be adjoining or abutting for the purpose of giving notice; and notices addressed to the last known address of the person making the latest property tax payment shall be deemed proper notice to the owner of such property);
- (2) By not less than two printed or written notices posted in a conspicuous place at or near the location of the proposed use;
- (3) By publishing two notices thereof in the official newspaper of the city, such notices to be published at least three days apart. Such notices shall contain the name of the applicant or applicants, the legal description identification of the property involved, the special property use requested, the date, time and place of the public hearing thereon and shall specify that any person interested may appear at such public hearing and be heard either for or against such application.
- (4) By posting to the City's official website. (Ord. 1620 § 1, 1973).

19.12.100 Special property uses – Hearing – Decision.

At such public hearing the board shall proceed to hear all persons present who desire to be heard either for or against such application and shall render its decision upon such application at the conclusion of such hearing or as soon thereafter as reasonably possible. Any building permit thereafter issued for such property shall be in accordance with and subject to all terms and conditions contained in the decision of the board. (Ord. 1620 § 1, 1973).

19.12.110 Special property uses – Records.

The board shall maintain in the office of the building official Community Development Department full and complete written records of all proceedings and conclusions reached on any and all such applications. (Ord. 1620 § 1, 1973).

19.12.120 Special property use permits – Time limitation.

Whenever the board by its decision authorizes the issuance of a permit for a special property use if such building permit and/or occupancy permit is not obtained by the applicant within six months from the date of the board's decision, the board's decision shall cease to be effective. (Ord. 1620 § 1, 1973).

19.12.130 Special property use permits – Revocation – Records.

In addition to all other penalties prescribed in this title, whenever, in the opinion of the building official, Director, any person granted a permit for a special property use fails to comply with all of the terms, conditions, or limitations of such permit and of the decision of the board authorizing the granting of such permit, he they shall issue an order, in writing, requiring that all further work on the premises or use thereof be stopped until the violation has been corrected. If the violation is not corrected or if the work on the premises or use thereof is stopped or suspended until such violation is corrected, the building official Director shall give written notice to the owner or occupant of the

premises deemed in violation that the ~~building official~~ **Director** will apply to the board for an order revoking the permit for the special property use. Such written notice shall specify the time, the date and place when the ~~building official~~ **Director** will appear before the board to request such revocation and shall advise the owner or occupant of the premise deemed to be in violation that such owner or occupant is at liberty to appear and be heard with respect to the request of the ~~building official~~ **Director** for such revocation. Such notice shall be mailed to the owner or occupant of the premises deemed in violation, by certified mail with a return receipt requested, at least five days prior to the date specified in such notice as being the date of the hearing. At the hearing the board shall have the power to sustain or overrule the order of the ~~building official~~ **Director** and to revoke the permit granted for such special property use. The affirmative vote of a majority of the entire board shall be necessary before the order of the ~~building official~~ **Director** shall be declared to be overruled. (Ord. 1620 § 1, 1973).

19.12.140 Variance permits – Authority to issue.

The board may authorize the granting of variances from the zoning ordinance of the city, by the ~~building official~~ **Director** where compliance therewith is impractical or impossible. No application for a variance shall be granted unless the board finds:

- (1) The variance will not constitute a grant of special privileges inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and
- (2) That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
- (3) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
- (4) The need for the variance is not the result of any action taken by the applicant. (Ord. 3122 § 10, 2010; Ord. 1620 § 1, 1973).

19.12.150 Variances – Application – Fee – Hearing – Decision.

- (1) The foregoing provisions of LMC 19.12.080 through 19.12.130 shall apply equally to requests for variances as well as to requests for special property uses; provided, however, LMC 19.12.090(2) and (3) shall not apply to requests for variances.
- (2) With each application filed for a variance there shall be paid by the applicant, at the time of filing the application with the community development department, a fee in accordance with the Community and Economic Development Department Master Fee Schedule to defray the city's costs and expenses in processing such application, including the publication and mailing of the notice required. (Ord. 3122 § 10, 2010; Ord. 3089 § 2, 2009; Ord. 2907 § 3, 2004; Ord. 2774, 2000; Ord. 2722 § 2, 1999; Ord. 2328 § 2, 1988; Ord. 1620 § 1, 1973).

19.12.160 Stay of proceedings.

An application to the board for any special property use, variance or for any review of the building official's interpretation of the provisions of LMC Titles 16 or 19 or of any orders, requirements, decisions or determinations relating thereto made by the building official or ~~Director~~ shall operate to stay all further proceedings by the building official ~~or Director~~ unless the building official certifies to the board, and the board finds that, by reasons of facts stated in the certification, a stay would cause imminent peril to life or property, in which case such action shall not be stayed otherwise than by a restraining order issued by the superior court of the county. The decisions of the board shall be transmitted to the ~~office of the building official~~ **Community Development Department**. (Ord. 1620 § 1, 1973).

19.12.170 Appeal – Filing – Notice.

All decisions and orders of the board shall be final, subject only to review by the superior court of the county upon appeal. The appeal shall be made by filing written notice of appeal with the office of the city clerk and with the clerk of the superior court of the county. The notice of appeal must be filed with the clerk of the superior court and the office of the city clerk within 20 days from the rendering of the decision or order from which the appeal is to be taken. Such notice of appeal shall set forth the name and address of the appellant, the date of the order or decision to

be appealed from and shall set forth a correct copy of the order or decision from which the appeal is to be taken. (Ord. 1620 § 1, 1973).

19.12.180 Appeal – Bond.

At the time of filing the notice of appeal with the clerk of said superior court, the appellant shall execute and file with him a sufficient bond in the penal sum of ~~\$200.00~~ **\$1,500**, with at least two sureties to be approved by the judge of said court, or a surety company authorized to do business in the state, conditioned to prosecute the appeal without delay and, if unsuccessful, to pay all costs to which the city is put by reason of the appeal. Upon application therefor, the court may order the appellant to execute and file such additional bonds as the necessity of the case may require. The filing of the aforesaid notice of appeal within the time specified in LMC 19.12.170, and the filing of the bond aforesaid, shall be necessary in order for the superior court to secure jurisdiction of such appeal. (Ord. 1620 § 1, 1973).

19.12.190 Appeal – Transcript – Fees.

Within 20 days from the filing of the notice of appeal, the appellant shall file with the clerk of the superior court a transcript of all of the proceedings before the board, including the order or decision from which the appeal is taken. The transcript shall be prepared under the supervision of the secretary of the board and shall be certified by the secretary to contain a full, true and correct copy of all matters and proceedings required to be in the transcript. The fee for preparing and certifying the transcript shall be as determined by the Community and Economic Development Department Master Fee Schedule, which fee shall be paid to the office of the city clerk. The secretary of the board shall be under no duty to surrender the transcript to the appellant until the fees are paid. All fees so received shall be surrendered to the city treasurer for deposit in the general fund of the city. (Ord. 2328 § 3, 1988; Ord. 1620 § 1, 1973).

19.12.200 Appeal – Notice that transcript has been filed.

Within five days after the filing of the transcript with the clerk of said superior court, the appellant shall give notice to the city's corporation counsel and to the city clerk that the transcript has been filed. The notice shall also state a time when the appellant will call up the cause for assignment for hearing. (Ord. 1620 § 1, 1973).

19.12.210 Appeal – Hearing – Determination.

At the time fixed for hearing or at such further time as may be fixed by the court, the superior court shall hear and determine the appeal. (Ord. 1620 § 1, 1973).

Appeals Board of Adjustment

MARCH 13, 2025

Legislative Workplan



Identified as first
“Housekeeping” item
on 2025 Legislative
Workplan



Preliminary review by
legal (final review still
to occur)



Identified as an issue
by staff in October
2024



Discussed and
supported by the
Board

Goals

Streamline

Streamline
review and
docketing
procedure

Update

Update
ordinance to
reflect current
codes,
processes, lines
of authority

Reduce

Reduce liability
to City

Procedural Updates

- ▶ Allows secretary of Board to docket items once the submittal is considered complete

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- ▶ Allows secretary of Board to docket items once the submittal is considered complete
- ▶ Include reference to LMC 1977 (Shared Driveways) to the “Power of Board” for appeals

Procedural Updates

- ▶ Allows secretary of Board to docket items once the submittal is considered complete
- ▶ Include reference to LMC 1977 (Shared Driveways) to the “Power of Board” for appeals
- ▶ Replaced “Building Official” with “Director” where appropriate

Key Changes - Docketing

- ▶ **Current:** The Board must set the agenda for a special use or variance hearing for the next meeting
 - ▶ Special dispensation made for months when meetings are not held
 - ▶ Conflicts with other provisions in ordinance for setting hearing date
- ▶ **Proposed:** Clarify docketing procedures. Allows secretary of Board to set hearing date once application is deemed complete
- ▶ **Not Included:** Petitions of Building Official decisions initiated by Board

Procedural Updates

- ▶ Removed section granting ABOA authority to determine suitability of alternate materials and methods of construction

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- ▶ Removed section granting ABOA authority to determine suitability of alternate materials and methods of construction
- ▶ Added City's website as an acceptable method of public notice for Special Use hearings

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- ▶ Removed section granting ABOA authority to determine suitability of alternate materials and methods of construction
- ▶ Added City's website as an acceptable method of public notice for Special Use hearings
- ▶ Updated bond amount required for superior court appeals of Board decisions

Key Changes – Alternate Methods and Materials

- ▶ Arguably inappropriate for Board to make decisions on code application
- ▶ Conflicts with Authority of Building Official
- ▶ Potential for serious liability to City

Next steps

- ▶ Receive feedback on the proposed updates

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- ▶ Motion to set public hearing for April 10, 2025

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- ▶ Receive feedback on the proposed updates
- ▶ Motion to set public hearing for April 10, 2025
- ▶ Hold hearing, adoption (potentially) and codification of updated ordinance

Appeals Board of Adjustment

APRIL 10, 2025

Legislative Workplan



Identified as first
“Housekeeping” item
on 2025 Legislative
Workplan



Preliminary review by
legal (final review still
to occur)



Identified as an issue
by staff in October
2024



Discussed and
supported by the
Board of Adjustment

Goals

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Streamline
review and
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Update
ordinance to
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Reduce liability
to City

Procedural Updates

- ▶ Allows secretary of Board to docket items once the submittal is considered complete

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- ▶ Include reference to LMC 19.77 (Shared Driveways) to the “Power of Board” for appeals

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- ▶ Include reference to LMC 1977 (Shared Driveways) to the “Power of Board” for appeals
- ▶ Replaced “Building Official” with “Director” where appropriate

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Key Changes – Alternate Methods and Materials

- ▶ Arguably inappropriate for Board to make decisions on code application
- ▶ Conflicts with Authority of Building Official
- ▶ Potential for serious liability to City

Next steps

- ▶ If desired, motion to adopt proposed updates to LMC Chapter 19.12, Appeals Board of Adjustment

ORDINANCE NO. 3558

AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON, AMENDING LMC 19.12 TO UPDATE DOCKETING PROCEDURES, LINES OF AUTHORITY, AND OTHER PROCEDURAL MATTERS

WHEREAS, the Board of Adjustment is a key decision-making body tasked with reviewing and adjudicating variance requests, special use reviews, and other zoning-related matters, and its current procedures require modernization to enhance efficiency and effectiveness; and

WHEREAS, the existing procedure methods for docketing applications may result in delays, confusion, and inconsistent practices, which can hinder timely decisions and burden both applicants and stakeholders; and

WHEREAS, there is a need to establish more clear, streamlined procedures for docketing applications before the Board of Adjustment to reduce procedural inefficiencies, minimize redundancies, and expedite the overall review process

WHEREAS, the lines of authority with the Chapter have become outdated, and a clear and current delineation of roles is essential to improve clarity and accountability of the process; and

WHEREAS, the existing ordinance contains a section regarding alternate materials and methods that has created ambiguity and a high potential for conflict with the authority of the Building Official, undermining the intended purpose of regulatory consistency, safety, and clarity in construction practices; and

WHEREAS, removing the alternate materials and methods section from the ordinance will eliminate this potential for conflict and ensure that the Building Official retains appropriate authority and discretion to enforce established building codes and standards without unnecessary interference or confusion;

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

Section 1. That Chapter 19.12 of the Longview Municipal Code shall be and is hereby amended to read as shown and attached hereto as part of this ordinance, provided that manifest and numbering errors shall be corrected prior to publication.

Chapter 19.12

APPEAL BOARD OF ADJUSTMENT*

Sections:

- 19.12.010 Creation – Membership – Term and compensation.
- 19.12.020 Meetings – Majority vote.
- 19.12.030 Rules of procedure – Records of proceedings.
- 19.12.035 Avoidance of delays – Secretary of board to set hearing dates.
- 19.12.040 Power of board – Appeal of building official decisions.
- 19.12.045 Power of board – Appeal of community development director decisions.
- 19.12.047 Public hearing notice – Appeal of community development director decisions.
- 19.12.050 Power of board – Special property use.
- 19.12.055 Special property use – Detached accessory dwelling units (ADU).
- ~~19.12.060 Power of board – Alternate materials and construction.~~
- 19.12.070 Petitions – Initiation of action by board – Hearing and decision.
- 19.12.080 Special property uses – Application – Fee.
- 19.12.090 Special property uses – Hearing – Notice.
- 19.12.100 Special property uses – Hearing – Decision.
- 19.12.110 Special property uses – Records.
- 19.12.120 Special property use permits – Time limitation.
- 19.12.130 Special property use permits – Revocation – Records.
- 19.12.140 Variance permits – Authority to issue.
- 19.12.150 Variances – Application – Fee – Hearing – Decision.
- 19.12.160 Stay of proceedings.
- 19.12.170 Appeal – Filing – Notice.
- 19.12.180 Appeal – Bond.
- 19.12.190 Appeal – Transcript – Fees.
- 19.12.200 Appeal – Notice that transcript has been filed.
- 19.12.210 Appeal – Hearing – Determination.

*For the statutory provisions regarding the board of adjustment in code cities, see RCW 35A.63.110.

19.12.010 Creation – Membership – Term and compensation.

A board of adjustment is established to be known as the “appeal board of adjustment.” The word “board” when used herein means the appeal board of adjustment. The board shall consist of five members, all of whom shall serve without salary. The board members shall be appointed by the city manager and confirmed by the council. In case any vacancy shall occur in the membership of the board for any cause, the city manager shall fill such vacancy by making an appointment for the unexpired term of the member or members creating such vacancy, the appointment to be confirmed by the council. Members of the board who miss three consecutive meetings may be removed by the city manager and the vacancy filled as provided in this section. The initial membership shall consist of one member appointed for one year, one for two years, one for three years, one for four years and one for five years; and each appointment thereafter shall be for a five-year term. (Ord. 1620 § 1, 1973).

19.12.020 Meetings – Majority vote.

Meetings of the board shall be held at least once each month and at such other times as the chairman of the board may determine. There shall be a fixed place of meeting. All board meetings shall be open to the public. Any action of the board shall receive an affirmative vote of at least a majority of the total board. When requested by the secretary or chairman of the board, the director of community and economic development and the building official and the chief of the fire department, or such of them as have received such a request, shall attend any board meeting for the purpose of furnishing technical advice to the board. (Ord. 2774 § 1, 2000; Ord. 1711 § 1, 1974; Ord. 1620 § 1, 1973).

19.12.030 Rules of procedure – Records of proceedings.

The board shall elect from its members a chairman and shall also select a secretary for the board which secretary need not be a member thereof. The board shall adopt its own rules of procedure (except as hereinafter fixed as to voting) and keep a record of its proceedings, actions and decisions in each case, and the vote of each member on each question considered in the proceedings. (Ord. 1620 § 1, 1973).

19.12.035 Avoidance of delays – Secretary of board to set hearing dates.

~~To avoid delays, it is important that hearings be promptly scheduled before the board. Petitions or requests that are presented or filed between regularly scheduled meetings do not become fixed for hearing until the next regular meeting of the board, and a lack of business before the board sometimes results in the lack of a quorum preventing a meeting from being held and a hearing date from being fixed.~~ In order to assure petitioners and applicants of prompt hearing dates, the secretary of the appeal board of adjustment, notwithstanding any provisions in this chapter to the contrary, shall have the authority, upon receipt of a petition under this chapter, a variance request, or a request for review of any interpretation made by the building official or Director to fix a date for the hearing thereon in accordance with the requirements of this chapter, and to cause notice of such hearing to be issued and publicized as required by this chapter. (Ord. 2529 § 1, 1993).

19.12.040 Power of board – Appeal of building official decisions.

The board may review any interpretation of the provisions of LMC Titles 16 or 19 made by the building official, and any order, requirement, decision, or determination relating thereto made by him in the application of the specific provision of said titles to any parcel of land and/or structure. The board may affirm or reverse the interpretation of the provisions of said titles made by the building official, and any order, requirement, decision, or determination relating thereto; the board's decision shall be based upon the records and the evidence in each case and to that end it shall have all of the powers of the building official. (Ord. 3161 § 1, 2011; Ord. 1620 § 1, 1973).

19.12.045 Power of board – Appeal of community development director decisions.

(1) Applicability. The appeal board of adjustment shall hear and decide appeals where it is alleged that there is an error in any decision, interpretation, or determination made by the community development director in the consideration of seasonal sales temporary use permits (Chapter 19.41 LMC), boundary line adjustments (Chapter 19.68 LMC), short subdivisions (Chapter 19.67 LMC), shared driveways (Chapter 19.77 LMC) and type A binding site plans (Chapter 19.90 LMC). Appeals to the board may be taken by any person aggrieved by or affected by the decision of the community development director.

(2) Stay of Proceedings. When an appeal is filed to the board, all proceedings in furtherance of the action affected by the decision being appealed shall be stayed, unless:

- (a) The community development director certifies to the board, after the notice of appeal has been filed with the community development director, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property; or
- (b) The appellant is not diligently pursuing the appeal.

(3) Decision.

(a) Public notice of the hearing shall be as provided in this chapter. The board shall hold the hearing, and shall decide the appeal within a reasonable time after such hearing.

(b) Any party may appear before the board at the hearing, in person or by agent or attorney.

(c) The board may:

(i) Reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed;

(ii) Make such order, requirement, decision, or determination as ought to be made; and

(iii) Exercise all the powers of the officer or agency from whom the appeal is taken. (Ord. 3161 § 2, 2011).

19.12.047 Public hearing notice – Appeal of community development director decisions.

(1) Notice of a public hearing for all open-record appeals shall be given as follows:

(a) Time and Form of Notices. Except as otherwise required, notice of an open-record appeal hearing shall be made at least 10 days before the date of the public hearing in the following manner:

- (i) Publication in the official newspaper; and
- (ii) Posting on the subject property; and
- (iii) Notice shall be mailed to adjacent property owners.

(b) Content of Notice. The public notice shall include:

- (i) The address and location, and/or a vicinity map or sketch, of the property which is the subject of the public hearing; and
- (ii) The date, time, location, and purpose of the public hearing; and
- (iii) A general description of the proposed project or action to be taken; and
- (iv) A place where further information about the hearing may be obtained.

(c) Continuations. If, for any reason, a hearing cannot be completed on the date set in the public notice, the meeting or hearing may be continued to a date certain and no further notice under this section is required. (Ord. 3161 § 3, 2011).

19.12.050 Power of board – Special property use.

(1) Recognizing that there are certain uses of property that may or may not be detrimental to the public health, safety, morals and general welfare, depending upon the facts in each particular case, a limited power to issue special permits for such uses is vested, by special mention in this title, in the board.

(2) The board shall have and exercise original jurisdiction in receiving, granting or denying all applications for such special property uses as are provided for in this title and shall have the power to place in such permits, conditions or limitations in its judgment required to secure adequate protection to the zone or locality in which such use is to be permitted. No special permit shall be issued by the board until after public hearing, as hereinafter provided, and until after the ~~building official~~ Director has found that all other provisions of this code, with which compliance is required, have been fulfilled.

(3) No such special property use permit shall be granted by the board unless it finds:

- (a) That the use for which such permit is sought will not be injurious to the neighborhood or otherwise detrimental to the public health, safety, morals and general welfare;
- (b) In making such determination the board shall be guided by the following considerations and standards:
 - (i) That the use will not be detrimental to the character and use of adjoining buildings and those in the vicinity,
 - (ii) That the use will not create a hazard in the immediate area either for pedestrian or vehicular traffic,
 - (iii) That adequate ingress and egress will be available for fire and other vehicular emergency equipment,
 - (iv) That adequate off-street parking will be provided to prevent congestion of public streets.

(4) The placement, construction, erection and maintenance of wayfinding signs, as defined in LMC 16.13.040(73), in all use districts, shall be deemed a special property use. (Ord. 2967 § 1, 2006; Ord. 1620 § 1, 1973).

19.12.055 Special property use – Detached accessory dwelling units (ADU).

Subject to the provisions of LMC 19.12.050, and in accordance with Chapter 19.22 LMC, the appeal board of adjustment may grant a special property use permit for the construction of a detached accessory dwelling unit (ADU). (Ord. 3122 § 9, 2010; Ord. 2591 § 3, 1995).

~~19.12.060 Power of board – Alternate materials and construction.~~

~~(1) In addition to the foregoing powers, the board shall have the right to determine the suitability of alternate new materials and types of construction, after a public hearing, and to permit the use of the same when, in the opinion of the board, such new materials or types of construction are equal to or greater in safety requirements than those provided for in the building code.~~

~~(2) The board shall also have the right to recommend to the city manager, for presentation to the city council, legislation for the improvement of Chapter 16.08 LMC hereof, being the building code, or any part thereof, which the board may feel is consistent with the purpose and intention of said code. (Ord. 1620 § 1, 1973).~~

19.12.070 Petitions – Initiation of action by board – Hearing and decision.

(1) Any person or persons aggrieved, or any officer, official of any department or commission of the city, jointly or severally, may file a written petition with the board for a review of the building official's interpretation of the provisions of LMC Titles 16 or 19. Such petition shall be filed with the office of the city clerk within 10 days after the petitioner shall receive either written or oral notice of the interpretation of any provision of Titles 16 or 19 by which petitioner shall deem himself to be aggrieved. Such petition shall set forth the provision of this code which the building official has interpreted, the building official's interpretation thereof, the petitioner's interpretation of the same and the reasons why the petitioner believes the interpretation of the building official to be incorrect. Such petition shall contain the name or names of all aggrieved parties and the names of all attorneys or agents representing such aggrieved parties together with the mailing address of such parties, their agents and attorneys. The city clerk shall transmit said petition to the secretary of the board prior to the next regular meeting of the board. The secretary of the board shall present the petition to the board at its next regular meeting and the board, at such meeting, shall fix a date for the hearing on said petition which date shall not be less than 10 nor more than 60 days from the date upon which said petition was presented to the board. At least five days prior to the date fixed for such hearing the secretary of the board shall cause to be mailed to the petitioner or his agents or attorneys, at the respective addresses shown on the petition, a notice of the time and place of the hearing on said petition. At such hearing the petitioner may appear in person, by agent or by attorney. All city officials and other interested persons may be heard at such hearing in support of or opposition to such petition.

(2) The board may affirm or reverse the interpretation of the provisions of LMC Titles 16 or 19 made by the building official, and any order, requirement, decision, or determination relating thereto made by him; the board's decision shall be based upon the record and the evidence in each case, and to that end it shall have all of the powers of the building official. Unless a majority of the entire board votes in favor of reversing the decision of the building official such decision shall stand affirmed. The board shall maintain in the office of the building official full and complete written records of all decisions involving the interpretation of the provisions of said titles, which records shall be open to public inspection during all regular business hours. The board's jurisdiction shall not be construed as an authorization to violate any provisions of this code.

(3) If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official, or varies the application of any provision of this code, the building official shall take action immediately in accordance with such decision. (Ord. 1620 § 1, 1973).

19.12.080 Special property uses – Application – Fee.

All applications for special property uses permitted by this title shall be submitted in writing to ~~the office of the building official.~~ Community Development Department. Each such application shall contain the name and mailing address of the applicant or applicants, the legal description of the property for which the special property use is requested, the nature of the special use requested, a concise statement as to the reasons why such property is needed for and suited to such special use, and a statement or document verifying the applicants, ownership of the property or interest in the property through lease, option or other such binding agreement with the owner. The application shall be accompanied by a plot plan, drawn to scale, showing the dimensions of any and all existing structures and all structures to be erected on the property involved and the yard areas thereof. The board or building official may, at any time, require the applicant to furnish such additional information as may be necessary to enable the board to

determine whether such application should or should not be granted. With each application filed for a special property use there shall be paid by the applicant, at the time of filing the application with the community and economic development department, a fee in accordance with the Community and Economic Development Department Master Fee Schedule to defray the city's costs and expenses in processing such application, including the publication and mailing of the notices hereinafter required. (Ord. 2907 § 2, 2004; Ord. 2774 § 1, 2000; Ord. 2722 § 1, 1999; Ord. 2328 § 1, 1988; Ord. 2120 § 1, 1983; Ord. 1620 § 1, 1973).

19.12.090 Special property uses – Hearing – Notice.

~~The written application, plot plan and any other written information requested from the applicant by the building official shall be submitted to the board at its next regular or special meeting. The board at such meeting shall fix a time, date and place for public hearing on such application which date shall not be less than 10 days after notice given in the following manner, except that the final notice to be published in the official newspaper shall not be published more than three days prior to the date of said hearing. Upon determining that the application, site plan, and any other information requested from the applicant by the Director is complete and fully describes the proposal, the application shall be submitted to the board for consideration at its next regular meeting. The secretary of the board shall fix a time, date, and place for public hearing on such application, which date shall not be less than 10 days after notice given in the following manner:~~

- (1) By United States mail addressed to the applicant and to the owners of all adjoining or abutting property. (Property separated from the proposed use by a street, highway or other public road or alley shall be construed to be adjoining or abutting for the purpose of giving notice; and notices addressed to the last known address of the person making the latest property tax payment shall be deemed proper notice to the owner of such property);
- (2) By not less than two printed or written notices posted in a conspicuous place at or near the location of the proposed use;
- (3) By publishing two notices thereof in the official newspaper of the city, such notices to be published at least three days apart. Such notices shall contain the name of the applicant or applicants, ~~the legal description~~ identification of the property involved, the special property use requested, the date, time and place of the public hearing thereon and shall specify that any person interested may appear at such public hearing and be heard either for or against such application.
- (4) By posting to the City's official website. (Ord. 1620 § 1, 1973).

19.12.100 Special property uses – Hearing – Decision.

At such public hearing the board shall proceed to hear all persons present who desire to be heard either for or against such application and shall render its decision upon such application at the conclusion of such hearing or as soon thereafter as reasonably possible. Any building permit thereafter issued for such property shall be in accordance with and subject to all terms and conditions contained in the decision of the board. (Ord. 1620 § 1, 1973).

19.12.110 Special property uses – Records.

The board shall maintain in the ~~office of the building official~~ Community Development Department full and complete written records of all proceedings and conclusions reached on any and all such applications. (Ord. 1620 § 1, 1973).

19.12.120 Special property use permits – Time limitation.

Whenever the board by its decision authorizes the issuance of a permit for a special property use if such building permit and/or occupancy permit is not obtained by the applicant within six months from the date of the board's decision, the board's decision shall cease to be effective. (Ord. 1620 § 1, 1973).

19.12.130 Special property use permits – Revocation – Records.

In addition to all other penalties prescribed in this title, whenever, in the opinion of the ~~building official, Director,~~ any person granted a permit for a special property use fails to comply with all of the terms, conditions, or limitations of such permit and of the decision of the board authorizing the granting of such permit, ~~he~~ they shall issue an order, in writing, requiring that all further work on the premises or use thereof be stopped until the violation has been corrected. If the violation is not corrected or if the work on the premises or use thereof is stopped or suspended until such violation is corrected, the ~~building official~~ Director shall give written notice to the owner or occupant of the

premises deemed in violation that the ~~building official~~ Director will apply to the board for an order revoking the permit for the special property use. Such written notice shall specify the time, the date and place when the ~~building official~~ Director will appear before the board to request such revocation and shall advise the owner or occupant of the premise deemed to be in violation that such owner or occupant is at liberty to appear and be heard with respect to the request of the ~~building official~~ Director for such revocation. Such notice shall be mailed to the owner or occupant of the premises deemed in violation, by certified mail with a return receipt requested, at least five days prior to the date specified in such notice as being the date of the hearing. At the hearing the board shall have the power to sustain or overrule the order of the ~~building official~~ Director and to revoke the permit granted for such special property use. The affirmative vote of a majority of the entire board shall be necessary before the order of the ~~building official~~ Director shall be declared to be overruled. (Ord. 1620 § 1, 1973).

19.12.140 Variance permits – Authority to issue.

The board may authorize the granting of variances from the zoning ordinance of the city, by the ~~building official~~ Director where compliance therewith is impractical or impossible. No application for a variance shall be granted unless the board finds:

- (1) The variance will not constitute a grant of special privileges inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the property on behalf of which the application was filed is located; and
- (2) That such variance is necessary, because of special circumstances relating to the size, shape, topography, location, or surroundings of the subject property, to provide it with use rights and privileges permitted to other properties in the vicinity and in the zone in which the subject property is located; and
- (3) That the granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and
- (4) The need for the variance is not the result of any action taken by the applicant. (Ord. 3122 § 10, 2010; Ord. 1620 § 1, 1973).

19.12.150 Variances – Application – Fee – Hearing – Decision.

- (1) The foregoing provisions of LMC 19.12.080 through 19.12.130 shall apply equally to requests for variances as well as to requests for special property uses; provided, however, LMC 19.12.090(2) and (3) shall not apply to requests for variances.
- (2) With each application filed for a variance there shall be paid by the applicant, at the time of filing the application with the community development department, a fee in accordance with the Community and Economic Development Department Master Fee Schedule to defray the city's costs and expenses in processing such application, including the publication and mailing of the notice required. (Ord. 3122 § 10, 2010; Ord. 3089 § 2, 2009; Ord. 2907 § 3, 2004; Ord. 2774, 2000; Ord. 2722 § 2, 1999; Ord. 2328 § 2, 1988; Ord. 1620 § 1, 1973).

19.12.160 Stay of proceedings.

An application to the board for any special property use, variance or for any review of the building official's interpretation of the provisions of LMC Titles 16 or 19 or of any orders, requirements, decisions or determinations relating thereto made by the building official or Director shall operate to stay all further proceedings by the building official or Director unless the building official certifies to the board, and the board finds that, by reasons of facts stated in the certification, a stay would cause imminent peril to life or property, in which case such action shall not be stayed otherwise than by a restraining order issued by the superior court of the county. The decisions of the board shall be transmitted to the ~~office of the building official~~ Community Development Department. (Ord. 1620 § 1, 1973).

19.12.170 Appeal – Filing – Notice.

All decisions and orders of the board shall be final, subject only to review by the superior court of the county upon appeal. The appeal shall be made by filing written notice of appeal with the office of the city clerk and with the clerk of the superior court of the county. The notice of appeal must be filed with the clerk of the superior court and the office of the city clerk within 20 days from the rendering of the decision or order from which the appeal is to be taken. Such notice of appeal shall set forth the name and address of the appellant, the date of the order or decision to

be appealed from and shall set forth a correct copy of the order or decision from which the appeal is to be taken. (Ord. 1620 § 1, 1973).

19.12.180 Appeal – Bond.

At the time of filing the notice of appeal with the clerk of said superior court, the appellant shall execute and file with him a sufficient bond in the penal sum of ~~\$200.00~~ \$1,500, with at least two sureties to be approved by the judge of said court, or a surety company authorized to do business in the state, conditioned to prosecute the appeal without delay and, if unsuccessful, to pay all costs to which the city is put by reason of the appeal. Upon application therefor, the court may order the appellant to execute and file such additional bonds as the necessity of the case may require. The filing of the aforesaid notice of appeal within the time specified in LMC 19.12.170, and the filing of the bond aforesaid, shall be necessary in order for the superior court to secure jurisdiction of such appeal. (Ord. 1620 § 1, 1973).

19.12.190 Appeal – Transcript – Fees.

Within 20 days from the filing of the notice of appeal, the appellant shall file with the clerk of the superior court a transcript of all of the proceedings before the board, including the order or decision from which the appeal is taken. The transcript shall be prepared under the supervision of the secretary of the board and shall be certified by the secretary to contain a full, true and correct copy of all matters and proceedings required to be in the transcript. The fee for preparing and certifying the transcript shall be as determined by the Community and Economic Development Department Master Fee Schedule, which fee shall be paid to the office of the city clerk. The secretary of the board shall be under no duty to surrender the transcript to the appellant until the fees are paid. All fees so received shall be surrendered to the city treasurer for deposit in the general fund of the city. (Ord. 2328 § 3, 1988; Ord. 1620 § 1, 1973).

19.12.200 Appeal – Notice that transcript has been filed.

Within five days after the filing of the transcript with the clerk of said superior court, the appellant shall give notice to the city's corporation counsel and to the city clerk that the transcript has been filed. The notice shall also state a time when the appellant will call up the cause for assignment for hearing. (Ord. 1620 § 1, 1973).

19.12.210 Appeal – Hearing – Determination.

At the time fixed for hearing or at such further time as may be fixed by the court, the superior court shall hear and determine the appeal. (Ord. 1620 § 1, 1973).

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

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

Section 4. This Ordinance shall be in full force and effect upon the date of its passage as provided below.

Passed by the City Council this ____ day of _____, 2025.

Approved by the Mayor this ____ day of _____, 2025.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

Charlotte Archer
City Attorney

Published: _____



City of Longview

Agenda Summary

APPOINTMENT OF DAVID FUTCHER TO THE PUBLIC DEVELOPMENT AUTHORITY

April 10, 2025

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Due to the resignation of George Raiter, there is a vacancy on the Public Development Authority. This is a city council appointment. The council appointments committee (consisting of MaryAlice Wallis, Ruth Kendall, and Kalei LaFave) recommend the appointment of David Futcher to an unexpired term through December 31, 2025.

RECOMMENDED ACTION:

Appoint David Futcher to the Public Development Authority to an unexpired term through December 31, 2025.

STAFF CONTACT:

MaryAlice Wallis, Councilwoman
Ruth Kendall, Councilwoman
Kalei LaFave, Councilwoman

Attachments:

1. Futcher, David - PDA App 2025 - Redacted

Profile

David

First Name

Futcher

Last Name

Middle
InitialEmail AddressStreet AddressCityPrimary PhoneAlternate PhoneSuite or AptStatePostal Code

Are you over the age of 18?☒ Yes ☐ No

Opsahl Dawson

Employer

Principal

Job Title

Which Boards would you like to apply for?

Public Development Authority: Submitted

Availability (please check all that apply)☒ Tuesday

Interests & Experiences

Why are you interested in serving on a board or commission?

I like to make a difference in my community, especially when I can contribute in areas that align with my skills and interests.

Describe your skill/experience/education that would be beneficial for the volunteer opportunity(ies) you've checked above.

I understand finance and commercial real estate. I also have some exposure to municipal government, and know folks already involved.

RESUME OPTIONALUpload a Resume

I understand that all members of City Boards and Commissions are expected to abide by the [City of Longview Municipal Code](#), [Washington State Open Public Meetings Act](#), and the [Appearance of Fairness Doctrine](#). Additionally, I have read and agree to abide to the guidelines in the [Guidelines for Individual, Organizational Volunteer Workers, and Commissions, Boards, and Committees policy](#), including the [Agreement for Individual Volunteer Services](#).

I understand and agree to the expectations as explained above.

☒ I Agree

I hereby certify that I am capable of performing the volunteer work, or commission, board, or committee services as identified in this application (check which applies):

Without

Please list three (non-relative) references. Please include phone numbers.

Bob Gregory [redacted] George Raiter [redacted] Brian Magnuson [redacted]



City of Longview

Agenda Summary

APPROVAL OF CLAIMS

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

SECOND HALF MARCH 2025 ACCOUNTS PAYABLE: \$1,634,370.15

SECOND HALF MARCH 2025 PAYROLL:

\$423,171.38, checks
\$1,002,794.94, direct deposits
\$900,228.82, wire transfers
\$2,326,195.14 Total

STAFF CONTACT:

Lindy Kennedy, Accountant
Sara Rios, Payroll Specialist

Attachments: None



City of Longview

Agenda Summary

PROJECT COMPLETION – WASHINGTON WAY

RECOMMENDED ACTION:

MOTION TO ACCEPT AS COMPLETE THE WASHINGTON WAY PROJECT

COUNCIL INITIATIVE ADDRESSED:

Improve transportation systems

Improve streets and roads

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The Washington Way Project has been completed in accordance with the plans and specifications under Contract No. 24--R entered into between the City of Longview and Advanced Excavating Specialists LLC. The City Council must accept the project as complete before final contract closeout can be accomplished.

STAFF CONTACT:

Morgan Palmer, Project Engineer

Attachments: None



City of Longview

Agenda Summary

LEASE AGREEMENT – 254 OREGON WAY TO PARATRANSIT SERVICES.

RECOMMENDED ACTION:

STAFF RECOMMENDS THAT THE CITY COUNCIL APPROVE THE LEASE AGREEMENT BETWEEN THE CITY OF LONGVIEW AND PARATRANSIT SERVICES FOR THE SPECIFIED TERM AND AMOUNT.

COUNCIL INITIATIVE ADDRESSED:

Improve transportation systems

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The City of Longview proposes to lease building space located at **254 Oregon Way** to **Paratransit Services** for a duration of **seven (7) months**, beginning **April 1, 2025**, and ending **October 31, 2025**. The total lease amount for this period is **\$5,886.66**.

Paratransit Services will utilize the leased space for operations of Paratransit. The lease agreement outlines standard terms and conditions, including rent payments, maintenance responsibilities, and termination clauses.

STAFF CONTACT:

Chris Collins, Public Works Director/ Asst. City Manager

Attachments:

1. Longview Lease (03 28 25)

LEASE
254 Oregon Way, Longview, WA

THIS LEASE, hereinafter called "Lease", made and entered into this 1st day of April, 2025, by and between THE CITY OF LONGVIEW, a municipal corporation of the State of Washington, hereinafter called "City", and PARATRANSIT SERVICES, ~~INC.~~, a Washington corporation, hereinafter called "Tenant";

W I T N E S S E T H:

That Tenant first leased facility space from the City on July 1, 2006, and desires to continue leasing such space; and

That in consideration of the rents and covenants herein reserved and contained on the part of the Tenant to be paid and performed, the City does hereby demise and lease unto said Tenant 459 square feet more or less of second floor office area within the real property situated in Cowlitz County, Washington described as follows:

Assessors Plat 5, Tract 37, except R/W fee 619100;

Parcel No. 08475; commonly known as the City of Longview City Shop, located at 254 Oregon Way, Longview.

(The "Premises".)

To have and to hold for a term of seven (7) months commencing April 1, 2025, and ending October 31, 2025.

The terms and conditions of this Lease are as follows:

1. The Tenant shall pay to the City as rental for said Premises the total sum of Five Thousand Eight Hundred Eighty-Six and 66/100 Dollars (\$5,886.66), payable in monthly installments of Eight Hundred Sixty-Nine and 47/100 Dollars (\$869.47) per month, plus leasehold excise tax in the sum of One Hundred Eleven and 64/100 Dollars (\$111.64) per month,

calculated at the rate of 12.84%. All such rental and excise tax shall be payable on or before the first day of each month during the term of this Lease. In the event of any extensions or renewals of this Lease, the amount of monthly rental and leasehold excise tax requirements shall be as agreed upon by the parties hereto.

2. It is agreed that the City shall furnish and provide all heat, electricity, water, janitorial services, radio communications and towers, and all other utilities for the leased Premises except for telephone, cable television, and computer systems, including Internet; however, at Tenant's option, Tenant may contract separately with City for use of City telephone and computer systems.

3. Tenant agrees that said Premises shall be used for the sole and exclusive purpose of conducting a Paratransit Business in accordance with a Paratransit Service Contract between the City and the Tenant, effective ~~January 1, 2024~~ ^{April 1, 2025}, and for related purposes, and Tenant shall not use said Premises for any other purposes, nor shall Tenant permit any unlawful or offensive use of said Premises or waste thereof. Tenant shall not use the Premises or any part thereof for any unlawful purpose or in any manner contrary to any law or ordinance of the City.

In particular, consistent with RCW 70.160.030 and 70.160.075, smoking is prohibited within the Premises and within 25 feet of entrances, exits, ventilation intakes or windows that open.

In addition, consistent with City of Longview Policy 13.9.2, firearms are prohibited on the Premises, except as allowed by that policy.

4. This Lease shall not be assignable by Tenant, or by operation of law, without the prior written consent of the City, and Tenant shall not sublet said Premises or any part thereof without a like consent.

5. All signs or symbols posted or displayed on the exterior of said leased Premises by Tenant shall be subject to the approval of the City or its agents, which approval shall not be arbitrarily withheld. Any such signs or symbols must respect the privileges of the other tenants of the Premises. Any such signs or symbols shall be erected so as not to damage said building,

shall conform to Chapter 16.13 of the City of Longview Municipal Code ("Sign Code"), and shall be removed upon termination of this Lease.

6. Tenant will allow the City or City's agents, access, at all reasonable times during normal business hours, to the Premises for the purpose of inspection of the building or of making repairs, additions or alterations to the Premises or any other property owned by or under the control of the City, but this right shall not be construed as an agreement on the part of the City to make any repairs.

7. In addition to the 459 square feet (more or less) of leased area, Tenant shall have the right to joint use of the following City Transit Division common areas, including the lunch/break room, restrooms, hallways and entrances, and employee parking as designated by the City. City Transit Division staff shall have primary use of the common areas, and Tenant shall not disturb, damage, or remove any property of City or City staff.

8. The Premises have been inspected and are accepted by Tenant in their present condition. Tenant will, at all times, keep the areas of the Premises used by Tenant in a neat, clean, safe and sanitary condition, and will replace any glass in all windows and doors abutting Tenant's leased area, excluding the main building entry doors, in the event that such glass shall become cracked or broken, and, except for reasonable wear, tear, and damage by a fire or other unavoidable casualty, will at all times preserve said Premises in as good condition as the same now exists, or in as good condition as said Premises are placed by Tenant, reasonable wear, tear, and damage by the elements and acts of God alone excepted. All repairs to the leased area shall be at Tenant's sole cost and expense, except outside walls (not including, however, glass windows or doors), roof, foundation, electrical wiring, plumbing, heating, and air conditioning, which shall be the obligation of the City. Regardless of cause, Tenant will immediately report to the City any damages to the roof, wiring, plumbing, or any other portion of the Premises, and Tenant will take necessary interim measures to prevent further damage. At the expiration or sooner termination of this Lease, or any extension or renewal hereof, Tenant will quit and

surrender the Premises without notice, and in a neat and clean condition, and will deliver up all keys belonging to the City or to the City's agents.

9. Indemnification / Hold Harmless

Tenant shall defend, indemnify, and hold harmless the City, its officers, officials, employees, and volunteers from and against any and all claims, suits, actions, or liabilities for injury or death of any person, or for loss or damage to property, which arises out of Tenant's use of Premises, or from the conduct of Tenant's business, or from any activity, work, or thing done, permitted, or suffered by Tenant in or about the Premises, except only such injury or damage as shall have been occasioned by the sole negligence of the City. It is further specifically and expressly understood that the indemnification provided herein constitutes the Tenant's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated and agreed to by the Tenant and the City. The provisions of this section shall survive the expiration or termination of this Lease.

10. Insurance Term

Tenant shall procure and maintain for the duration of the Lease, insurance against claims for injuries to persons or damage to property, which may arise from or in connection with the Tenant's operation and use of the leased Premises.

11. No Limitation

Tenant's maintenance of insurance as required by the Lease shall not be construed to limit the liability of the Tenant to the coverage provided by such insurance, or otherwise limit the City's recourse to any remedy available at law or in equity.

12. Minimum Scope of Insurance

Tenant shall obtain insurance of the types and coverage described below:

a. Commercial General Liability insurance shall be at least as broad as Insurance Services Office (ISO) occurrence form CG 00 01 and shall cover premises and contractual liability. The City shall be named as an additional insured on Tenant's Commercial General

Liability insurance policy using ISO Additional Insured-Managers or Lessors of Premises Form CG 20 11 or a substitute endorsement providing at least as broad coverage.

- b. Property insurance shall be written on an all risk basis.

13. Minimum Amounts of Insurance

Tenant shall maintain the following insurance limits:

- a. Commercial General Liability insurance shall be written with limits no less than \$1,000,000 each occurrence, \$2,000,000 general aggregate.

- b. Property insurance shall be written covering the full value of Tenant's property and improvements with no coinsurance provisions.

14. Other Insurance Provisions

Tenant's Commercial General Liability insurance policy or policies are to contain, or be endorsed to contain that they shall be primary insurance as respect the City. Any insurance, self-insurance, or self-insured pool coverage maintained by the City shall be excess of the Tenant's insurance and shall not contribute with it.

15. Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best rating of not less than A: VII.

16. Verification of Coverage

Tenant shall furnish the City with original certificates and a copy of the amendatory endorsements, including but not necessarily limited to the additional insured endorsement, evidencing the insurance requirements of the Tenant.

17. Waiver of Subrogation

Tenant and the City hereby release and discharge each other from all claims, losses and liabilities arising from or caused by any hazard covered by property insurance on or in connection with the premises or said building. This release shall apply only to the extent that such claim, loss or liability is covered by insurance.

18. Public Entity's Property Insurance

The City shall purchase and maintain during the term of the lease all-risk property insurance covering the Building for its full replacement value without any coinsurance provisions.

19. Notice of Cancellation

Tenant shall provide the City with written notice of any policy cancellation within two (2) business days of their receipt of such notice.

20. Failure to Maintain Insurance

Failure on the part of the Tenant to maintain the insurance as required shall constitute a material breach of lease, upon which the City may, after giving five (5) business days' notice to the Tenant to correct the breach, terminate the Lease or, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith, with any sums so expended to be repaid to the City on demand.

21. Public Entity Full Availability of Tenant Limits

If the Tenant maintains higher insurance limits than the minimums shown above, the City shall be insured for the full available limits of Commercial General and Excess or Umbrella liability maintained by the Tenant, irrespective of whether such limits maintained by the Tenant are greater than those required by this contract or whether any certificate of insurance furnished to the City evidences limits of liability lower than those maintained by the Tenant.

22. In the event that the Premises are destroyed or damaged by fire, earthquake or other casualty to such an extent as to render the same untenable in whole or in substantial part, it shall be optional with the City to rebuild or repair the same; and, after the happening of any such casualty, Tenant shall give the City immediate notice thereof. The City shall have not more than thirty (30) days after the date of such notification to notify Tenant in writing of City's intentions to rebuild or repair the Premises, or the part so damaged, and if the City elects to rebuild or repair the Premises, the City shall prosecute the work of such rebuilding or repairing without unnecessary delay, and during such period the rent of the Premises shall be abated in the same ratio that that portion of the Premises rendered for the time being unfit for occupancy shall bear

to the whole of said leased Premises. If the City shall fail to give the notice aforesaid, Tenant shall have the right to declare the Lease terminated by written notice served upon the City.

23. The failure of the City to insist upon strict performance of any of the covenants and agreements of this Lease, or to exercise any option herein conferred in any one or more instances, shall not be construed to be a waiver or relinquishment of any such, or any other covenants or agreements, but the same shall be and remain in full force and effect.

24. Tenant will not make, or permit to be made, any changes or alterations whatsoever in the demised Premises without the prior written consent of the City in each instance. All improvements to the Premises other than removable trade fixtures, shall immediately become the property of the City, but the Tenant shall have the privilege to use them so long as this Lease remains in full force and effect and the Tenant is not in default hereunder.

25. It is expressly understood and agreed that time is of the essence of this Lease. If any rents above reserved, or any part thereof, shall be and remain unpaid when the same shall become due, or if Tenant shall violate or default in any of the covenants and agreements herein contained, then the City may cancel this Lease upon giving the notice required by law, and re-enter said Premises, but not withstanding such re-entry by the City, the liability of the Tenant for the rent provided for herein shall not be extinguished for the balance of the term of this Lease, and Tenant covenants and agrees to make good to the City any deficiency arising from re-entry and reletting of the Premises at a lesser rental than agreed to herein. Tenant shall pay such deficiency each month as the amount thereof is ascertained by the City.

26. If, by reason of default on the part of the Tenant in the performance of any other provisions of this Lease, it becomes necessary for the City to employ an attorney, neither party in such matter shall be entitled to such reasonable attorney's fees.

27. In the event of any entry in, or the taking possession of, the demised Premises as aforesaid, the City shall have the right, but not the obligation, to remove from the Premises all personal property located therein and may place the same in storage at a public warehouse at the expense and risk of the owners thereof.

28. Either the City or the Tenant may terminate this Lease for convenience or without cause by providing written notice at least thirty (30) calendar days prior to the effective date of the termination. In the event of such a termination of this Lease by either party, the Tenant would be released from any obligation or responsibility for the unpaid total balance referenced in Section 1, and any future monthly payments, including the rental, leasehold excise tax and any other charges or fees related to the tenancy. Any payments or obligations past due at the time of termination must be paid and are excluded from this release from obligation or responsibility.

29. The covenants, agreements and conditions herein contained shall extend to and be obligatory upon and inure to the benefit of not only the City and the Tenant, but also upon their successors and assigns.

IN WITNESS WHEREOF, the parties have set their hands the day and year first above written.

CITY OF LONGVIEW

By _____
JENNIFER G. WILLS, City Manager

APPROVED AS TO FORM:

PARATRANSIT SERVICES, ~~INC.~~

By _____
CHARLOTTE A. ARCHER, City Attorney


~~DAVID BAKER, President~~
Christie Scheffer, EVP/COO

STATE OF WASHINGTON)

: ss.

County of Cowlitz)

On this ___ day of _____, 2025, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared Jennifer G. Wills, to me known to be the City Manager of the City of Longview, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.

Notary Public in and for the State of
Washington

My commission expires: _____

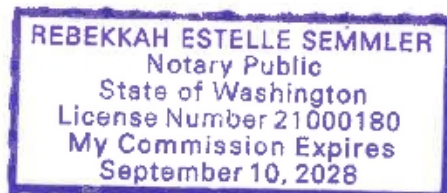
STATE OF WASHINGTON)

: ss.

County of Kitsap)

On this 25 day of March, 2025, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared David Baker, to me known to be the President of Paratransit Services, Inc., the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute said instrument.

WITNESS my hand and official seal hereto affixed the day and year first above written.



Rebekkah Estelle Semmler

Notary Public in and for the State of
Washington

My commission expires: 9/10/2028



City of Longview

Agenda Summary

2025 AMENDMENT TO PARATRANSIT SERVICE CONTRACT

RECOMMENDED ACTION:

APPROVAL OF THE CONTRACT AMENDMENT TO MAINTAIN ESSENTIAL PARATRANSIT SERVICES AND COMPLIANCE WITH FEDERAL TRANSIT REGULATIONS.

COUNCIL INITIATIVE ADDRESSED:

Improve transportation systems

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The City of Longview seeks approval for an amendment to the existing Paratransit Service Contract with Paratransit Services, Inc. The original agreement, effective January 1, 2019, provides complementary Paratransit services as required by federal transit regulations for the Longview and Kelso urban areas under the Cowlitz Transit Authority (CTA).

This amendment extends the contract term from April 1, 2025, through October 31, 2025, ensuring uninterrupted service for transit-dependent residents. The amendment also revises the pricing structure:

- **Fixed Monthly Rate:** \$51,424.70 (effective April 1, 2025)
- **Variable Costs:** \$38.05 per service hour for operating city-owned vehicles

Additionally, the amendment updates the scope of work, clarifying reporting requirements for accidents and incidents. Category III (Additional Vehicles) has been removed from the agreement.

FINANCIAL SUMMARY:

The contract extension continues funding for Paratransit services within the established budget.

STAFF CONTACT:

Chris Collins, Public Works Director/ Asst. City Manager

Attachments:

1. Longview Amendment (03 28 25)

2025 AMENDMENT TO PARATRANSIT SERVICE CONTRACT

THIS AMENDMENT is made and entered into by the City of Longview, hereinafter referred to as CITY and Paratransit Services, ~~Inc.~~ referred to as "Contractor.

WHEREAS, CITY and Contractor entered into a Paratransit Service Contract, effective January 1, 2019, for the provision of paratransit services. ("Underlying Agreement"); and

WHEREAS, CITY operates RiverCities Transit (RCT) service in the Longview and Kelso urban area under contract to the Cowlitz Transit Authority (CTA); and

WHEREAS, federal transit regulations require CITY to provide complementary paratransit services in relation to its transit service area; and

WHEREAS, CITY continues to require services from the Contractor, under terms and conditions hereinafter described or referenced; and

WHEREAS, Contractor is able and prepared to continue to provide such services as CITY does hereinafter require, under those terms and conditions of the Underlying Agreement and as amended as set forth below;

NOW, THEREFORE, in consideration of those mutual promises and the terms and conditions set forth hereafter, the parties agree as follows:

The terms and conditions of the Underlying Agreement between the CITY and Contractor shall remain in effect, except as noted below.

A. Section 6 of the Underlying Agreement is hereby amended to read as follows:

6. **Term of Contract.** The start of this Agreement shall be April 1, 2025. Contractor shall commence service operations of CITY transportation project on April 1, 2025, and continue operations through October 31, 2025. This service contract may be terminated by either of the parties hereto upon the giving of not less than 120 successive calendar days of advance notice to the other in writing.

B. Section 9 of the Underlying Agreement is hereby amended to read as follows:

9. **Price Formula.** CITY agrees to pay Contractor for performance of the services set forth in this Agreement as follows:

Category I (Fixed Costs)

Effective April 1, 2025: Flat monthly rate: \$ 51,424.70

This fee will include but not be limited to the following:

- Wages/benefits for managers, schedulers, call takers and other non-driving positions
- Vehicle and other insurance premiums, including contingencies
- Training; alcohol/drug testing
- Supplies and equipment
- Administrative services, equipment and any fees or profit
- Other operating costs

Category II (Variable Costs)

Effective April 1, 2025: Unit rate per service hour for operating CITY-owned vehicle:
\$ 38.05 per hour

This fee will include but not be limited to the following:

- Drivers wages and benefits

Category III (Additional Vehicles)

This category has been removed.

C. Exhibit A, Scope of Work, to the Underlying Agreement is hereby amended to read as follows:

EXHIBIT A SCOPE OF WORK

SYSTEM OPERATION

Accidents and Incidents: All accidents involving vehicles used for RCT operations which result in injury to passengers, and/or damage to any property, shall be reported to appropriate regulatory entities and to CITY administration. Non-accident incidents, including but not exclusively near-misses, occurrences of hard braking, and fare disputes shall be reported to CITY administration. Failure to report accidents and incidents within twenty-four hours shall be considered breach of contract.

The CITY hereby promises and agrees with the Contractor to retain and does retain the Contractor to provide the materials and to do and cause to do and be done the above described work, and to complete and finish the same according to the terms and conditions herein contained, and hereby contracts to pay for the same according to the terms and conditions, attached scope of work, and the schedule of unit or itemized prices contained herein or attached hereto, at the time and in the manner and upon the conditions provided for in this contract.

The Contractor for himself and for its administrators, successors, and assigns, does hereby agree to the full performance of all the covenants herein contained upon the part of the Contractor.

It is further provided that no liability shall be attached to the CITY by reason of entering into this contract, except as expressly provided herein.

- D. Severability. The provisions of this Amendment are declared to be severable. If any provision of this Amendment is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other provision.
- E. Entire Agreement. The written provisions and terms of this Amendment shall supersede all prior verbal statements of any officer or other representative of the parties, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner whatsoever, this Amendment. The entire agreement between the Parties with respect to the subject matter hereunder is contained in the Underlying Agreement and exhibits thereto and this Amendment. Should any language in any of the Exhibits to the Underlying Agreement conflict with any language contained in this Amendment, then this Amendment shall prevail. Except as modified by this Amendment, all other provisions of the Underlying Agreement not inconsistent with this Amendment shall remain in full force and effect.
- F. Effective date. This Amendment shall be effective as of the date of mutual signature, identified below.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be executed the day and year hereinabove written.

CITY OF LONGVIEW, RiverCities Transit

By: _____
Jennifer G. Wills, City Manager
CITY OF LONGVIEW

Date: _____


~~David Baker, President~~ Christie Scheffer, EVP/COO
PARATRANSIT SERVICES, INC.
Date: 3/28/25

Approved as to Form:

Charlotte A. Archer, City Attorney



City of Longview

Agenda Summary

PUBLIC HEARING – AMENDMENTS TO MULTIPLE SECTIONS WITHIN CHAPTERS 16, 17, 18 & 19 OF LMC & TRANSFER FEES TO COMMUNITY DEVELOPMENT FEE SCHEDULE; HEARING SET FOR MAY 8, 2025

RECOMMENDED ACTION:

MOTION TO SET A PUBLIC HEARING MAY 8, 2025

COUNCIL INITIATIVE ADDRESSED:

Continue effective financial management
Strengthen economic conditions and create new opportunities

SUMMARY STATEMENT:

The purpose of this proposed code update package is to remove specific fee amounts from individual sections within the LMC to a master fee schedule, which would contain all the building, land use, environmental, and fire review fees in one location. This approach allows fees to more easily be amended in the future via resolution rather than updating individual ordinances. It also makes for a more transparent, user-friendly approach to locating applicable CED fees and reduces the chances for fees to be changed inappropriately, inconsistently, or fees to be missed in application.

Moving all the fees out of the ordinance and into resolution will require minor amendments to 20 Chapters of Longview Municipal Code. Several fees have been restructured and/or updated to better reflect staff effort, the review process, facilitate ease of use, and increase transparency.

STAFF CONTACT:

Nick Little, Community Development Director

Nick.little@ci.longview.wa.us

Attachments: None



City of Longview

Agenda Summary

POTENTIAL SEASONAL CLOSURE OF BROADWAY ST. (1500 block) FROM MARCH TO OCTOBER

RECOMMENDED ACTION: **DIRECTION TO STAFF**

COUNCIL INITIATIVE ADDRESSED:
Strengthen Economic Conditions & Create New Opportunities
Address Quality of Place Issues

CITY ATTORNEY REVIEW: NA

SUMMARY STATEMENT:

At the March 27th Downtown Parking Workshop and Council Meeting the option of a permanent closure of the 1500 block of Broadway Street (in front of City Hall) was discussed. The recent relocation of a community event on Saturdays and Sundays throughout the summer has opened the potential to invite other community events to also utilize this space. This will be an update to discuss information acquired on a path moving forward with this plan.

Benefits:

- Open space for community events
- More opportunities for RA Long Park activation
- Easier for events to utilize the space

Challenges:

- Mailboxes (set of 4)
- Election ballot box
- Utility Payment Box
- Fire access
- Broadway parking lot access
- Impacts to neighboring businesses
- Traffic Impacts

FINANCIAL SUMMARY:

Unknown at this time.

STAFF CONTACT:

Chris Collins, Public Works Director/Assistant City Manager

Attachments:

1. No Driveway with Detour

City of Longview

Road Closed (no parking lot driveway)



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Parcels

Unit Addresses

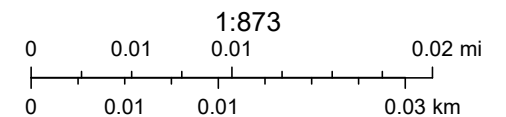
World_Transportation

Site Addresses



Longview City Boundary

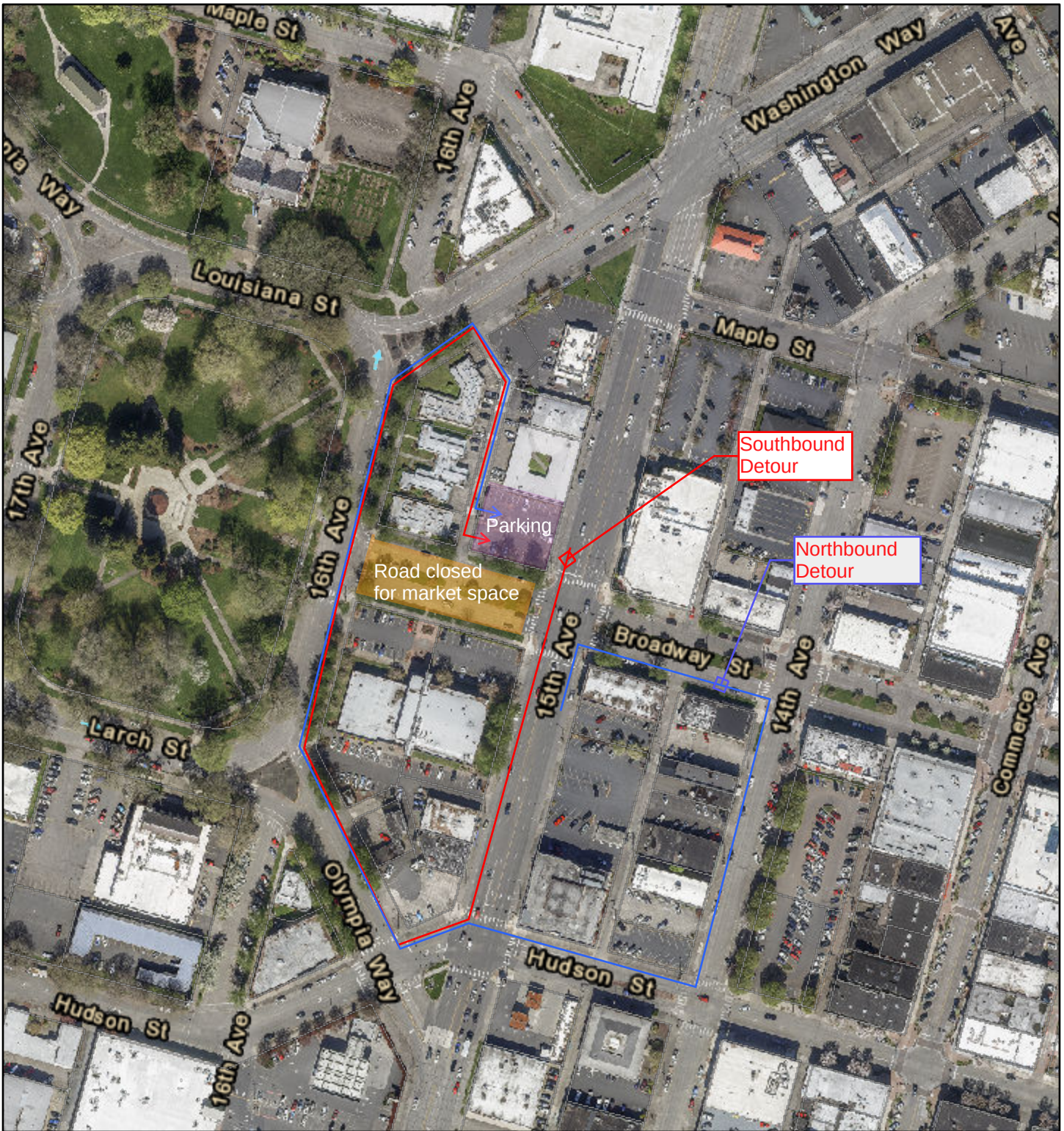
Citations



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City of Longview

No Driveway - Detour



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Parcels

Longview City Boundary

World_Transportation

Citations

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