



**TO:** Longview Planning Commission

**FROM:** Steve Langdon, Planning Manager

**HEARING**

**DATE:** April 1, 2015

**SUBJECT: CASE NUMBER PC 2015-3: Zoning Code Amendments to make existing public parks (e.g. Gerhart Gardens Park) a conforming use in the Heavy Industrial (HI) District and to allow recreational vehicle parks in the HI district when associated with a public park.**

**TYPE OF**

**DECISION: Legislative**

**BACKGROUND**

Public parks are not a permitted use in the HI district. Gerhart Gardens Park is located in the HI district and is a legal nonconforming use due to its pre-existence prior to the adoption of current industrial zoning regulations. Most passive recreational uses are still allowed under the nonconforming status. However some more intensive recreational uses are not permitted, such as public facilities for athletic events or recreational vehicle (RV) parks. The public park is located near the Tennant Way (SR 432) crossing of the Cowlitz River.

Gerhart Gardens Park provides one of the few opportunities within our community for public recreational access to the waters of the Cowlitz River. A recent inquiry about the possibility of siting an RV park that would provide additional recreational opportunities at the park resulted in staff determining that the HI district does not allow for that use. Removing the nonconforming status of the Gerhart Gardens Park along with additional zoning code amendments would not only allow for the proposed RV park, but would also allow for other potential public use recreational facilities to be located at the park.

At their February 12, 2015 regular meeting, the City Council unanimously passed the following motion:

Direct staff to present the issue to the Planning Commission for their review and recommendation for Council consideration.

## PROPOSAL

Following are proposed code amendments to address the issue:

### 19.58.020 Uses.

Table 19.58.020-1 includes uses that are permitted (“P”) or allowed through a special property use permit (“SPU”). If a field is blank, or the use is not listed, the use is not allowed in that zone.

| Table 19.58.020-1. Permitted uses in industrial zones.                        |             |                       |     |
|-------------------------------------------------------------------------------|-------------|-----------------------|-----|
| Use                                                                           |             |                       |     |
|                                                                               | LI-A &<br>B | HI                    | C/I |
| Parks and public playgrounds, including public facilities for athletic events | P           | <u>P</u> <sup>4</sup> | P   |
|                                                                               |             |                       |     |
| Recreational vehicle park                                                     |             | <u>P</u> <sup>5</sup> | SPU |

Notes:

4. Only public parks and playgrounds in existence as of January 1, 2015 are permitted.

5. Only recreational vehicle parks that are associated with a public park are permitted in the Heavy Industrial District.

*(Underlined text is text that is proposed to be added.)*

#### S.E.P.A. Determination

An Environmental Checklist for the proposed zoning code revisions was reviewed pursuant to the State Environmental Policy Act and a determination of non-significance was issued on March 18, 2015. [E 2015-1 SEPA checklist] The comment period for the SEPA checklist ended on April 1, 2015. SEPA documents are attached as Exhibit A.

#### Additional Information

Pursuant to Chapter 19.81 of the Longview Municipal Code, a legal notice was published in the Longview Daily News on March 21, 2015 and March 29, 2015.

#### Citizen Correspondence

As of this writing, the City has received no written comments.

#### Comprehensive Plan Goal and Policies & Intent Statement

##### **Goals, Objectives and Policies**

Land Use Element, “Industrial, Commercial, and Mixed Use Areas” section

Goal LU-A To encourage orderly, efficient, and beneficial development within Longview while maintaining a balance of business and residential uses within the City.

Policy LU-A.1.3      Maintain a supply of land available for commercial or industrial uses important for Longview’s economic vitality consistent with the Economic Development Element.

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

Goal LU-E      To support existing businesses and provide an energetic business environment for new industrial and commercial activity providing a range of service, office, commercial, and mixed uses.

Policy LU-E.1.1      Preserve industrial land with good water, rail, and/or truck access.

Policy LU-E.1.2      Allow a mix of heavy commercial and light industrial uses either to recognize existing districts or to recognize opportunities to diversify the City’s economic base in appropriate locations.

Policy LU-E.1.3      Ensure zoning regulations accommodate a range of allowable business and commercial uses in appropriate locations at the neighborhood, community, and regional levels.

Economic Development Element, “Economic Diversification” section

Goal ED-A      To achieve a diversified, balanced economy to ensure sustained economic growth and employment opportunities.

Policy ED-A.1.1      Adopt land use plans and zoning classifications that are supportive of responsible economic development, accommodating a range of industrial, commercial and mixed-use opportunities responsive to market demand. Provide a process for land use revisions on a periodic basis if needed to assure an adequate supply of ready-to-build sites across all employment land designations.

Policy ED-A.4.1      Strive to preserve existing industrial land that is viable and attractive to new and existing industry.

The City of Longview Comprehensive Plan 2006 does not have any goals, objectives and policies directly relating to parks.

*Staff comment: The above goals, objectives and policies address maintaining an adequate inventory of industrial lands. If the proposal was to create new public parks within the Heavy Industrial District, that proposal would be clearly contrary to the goals, objectives and policies. However, the current proposal, if adopted, will make an existing park a conforming use in the HI district instead of a non-conforming use. This change will ensure that a wide range of park activities can take place in the existing park. Also the amendments will allow a recreational vehicle park to locate in the HI district as long as it is associated with an existing public park (i.e. Gerhart Gardens Park). Again, this furthers the objective of making full use of an existing public park facility. The proposal will not lessen the inventory of industrial properties.*

## **Comprehensive Plan Intent Statement**

### **Heavy Industrial**

This classification recognizes areas currently used or suitable for heavy industry because of good vehicular access, rail access, waterfront access, or proximity to existing heavy industry. Heavy industrial uses tend to involve processing of natural and manmade materials into finished goods for sale, and may take place in interior and/or exterior settings. Uses in this district may require some handling of hazardous or flammable materials, may require outdoor storage, and may create some external emissions of noise, odor, glare, vibration, etc., but these are largely contained on-site, and, where possible, such uses are buffered from sensitive land uses. The heavy industrial classification recognizes areas for such uses as those listed below:

- manufacturing and fabrication,
- warehousing and storage,
- wholesale distribution,
- product processing and packaging,
- energy production, and
- shipping.

Compatible uses that directly serve the needs of other uses permitted within the district are also allowed.

*Staff comment: Public parks, recreational vehicle parks and similar uses are not mentioned or referenced in the above intent statement. However, there is one existing public park in the Heavy Industrial District; Gerhart Gardens Park.*

### **ZONING DISTRICT PURPOSE STATEMENT**

The purpose section for the industrial chapter is Section 19.58.010 Purpose. The relevant portion of that purpose statement is given below.

This chapter accommodates a range of industrial and commercial uses in two industrial districts, light industrial (LI) and heavy industrial (HI), and one mixed use district, commercial/industrial (C/I). The LI district is split into two subdistricts (LI-A and LI-B) in recognition of previous development patterns. All of these districts are intended to provide for land use compatibility while providing a high-quality environment for businesses and employees.

The HI district is intended for industrial uses that tend to involve processing of natural and manmade materials into finished goods for sale, and may take place in interior and/or exterior settings. Uses in this district may require some handling of hazardous or flammable materials, may require outdoor storage, and may create some external emissions of noise, odor, glare, vibration, etc., but these are largely contained on-site.

*Staff comment: As with Comprehensive Plan intent statement, this purpose statement primarily addresses typical industrial type uses. Public parks and RV parks are not mentioned. However, the proposal is in regards to an existing public park that happens to be located in the HI district.*

## **STAFF DISCUSSION**

The Comprehensive Plan has several goals, objectives and policies encouraging the preservation of land for industrial uses. The purpose of the proposal is to help maximize the enjoyment of an existing park that happens to be located in the Heavy Industrial District. No land will be taken from the industrial inventory as the result of this proposal.

One of the reasons zoning districts exist is to provide separation between incompatible land uses. Residential land uses are typically not allowed in heavy industrial areas due to noise, vibration, odor, traffic and other nuisances that interfere with the dwelling satisfaction. On the other hand, industrial businesses do not want to locate next to residential uses because they do not want to deal with complaints and residential traffic that can hamper their operations.

The proposal will allow RV parks in the HI district only if the RV park is associated with a public park. There is only one public park in the HI district; Gerhart Gardens Park. Although Gerhart Gardens is not ideally located because it is next to industrial properties, it is one of the few places in Longview with public access to the Cowlitz River. RV parks are typically short-stay residential use (i.e. people eat and sleep in their RVs). The RV park will be under City control (although a private contractor may operate the RV park). The City is not likely to complain about neighboring industrial land uses. Swanson Bark and Wood Products operations are to west and north of Gerhart Gardens. Their outdoor stockpiles are very evident from Gerhart Gardens Park. Anyone who does not want to experience the occasional aroma of the stockpiled materials and hear the heavy equipment simply will not stay (or stay very long) at the RV park.

Gerhart Garden's park contains a boat ramp. Boats are towed in and out of the park regularly. Conflicts between this traffic and the neighboring industrial traffic have been few. Allowing more park uses in Gerhart Gardens Park should not substantially increase conflicts.

## **STAFF FINDINGS**

Staff has examined the merits of the proposal to amend the Longview Zoning Code and makes the following findings:

1. The proposal is in regards to an existing public park and will not take away from the existing inventory of industrial lands.
2. The proposal will allow effective use of a park without substantially impacting the operations of neighboring industrial uses.

**STAFF RECOMMENDATION**

Staff recommends that the Planning Commission recommend to the City Council to adopt the subject zoning code amendments.

**EXHIBITS**

A. SEPA Documents

Report Date: March 24, 2015