

Legislation Text

File #: 2015-3 4/23/15, **Version:** 1

ZONING TEXT AMENDMENTS REGARDING PUBLIC PARKS AND RV PARKS IN THE HEAVY INDUSTRIAL DISTRICT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Preserve and enhance neighborhoods; Address quality of place issues

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

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.

At their March 4 regular meeting, the Planning Commission discussed the issue and reviewed City staff recommended changes to the zoning code. The Commission decided to hold a public hearing on the proposed amendments at their April 1, 2015 meeting. The Planning Commission held a public on April 1. No one from the public spoke. The Planning Commission then unanimously passed a motion to recommend approval of the proposed amendments.

One amendment would make public parks a permitted use in the Heavy Industrial District but an accompanying footnote states that only parks in existence as of January 1, 2015 are permitted. Gerhart Gardens Park is the only public park in the HI District. The result of this amendment is that Gerhart Gardens would become a conforming use in the HI District but no other public parks could be sited in that district. The second amendment along with its footnote would allow an RV park to locate in the Heavy Industrial District but only in association with a public park. Thus, an RV park would be allowed in Gerhart Gardens Park but no where else in the HI district. The specific amendments are given in the attached staff report.

RECOMMENDED ACTION:

Move to accept the Planning Commission recommendation and direct the City Attorney to prepare an ordinance for Council review and approval.