



**RIDGEFIELD PLANNING COMMISSION
MEETING AGENDA**

**Wednesday, February 5, 2020
RACC - Columbia Assembly Room
510 Pioneer Street, Ridgefield, WA 98642**

I. GENERAL SESSION CALL TO ORDER - 6:30 PM

- 1. Flag Salute**
- 2. Roll Call**
- 3. Late changes to the agenda**

II. PUBLIC COMMENT

Anyone requesting to speak to the Commission regarding all items not subject to a specific Public Hearing may come forward at this time. Please state your name and address. Comments are limited to three minutes. Written comments may be submitted to the Clerk prior to the meeting.

III. CONSENT AGENDA

- 1. Approval of Minutes from Wednesday, 1/15/20 Meeting**

IV. PUBLIC HEARING

- 1. Proposed Amendment to Title 18 of Ridgefield Municipal Code - Louisa Garbo, Community Development Director**

V. PUBLIC COMMENT

Anyone requesting to speak to the Commission regarding all items not subject to a specific Public Hearing may come forward at this time. Please state your name and address. Comments are limited to three minutes. Written comments may be submitted to the Clerk prior to the meeting.

VI. STAFF REPORTS

VII. FROM THE COMMISSION

VIII. ADJOURN

**Planning Commission Agenda Packet is available at the following link:
<http://ridgefieldwa.iqm2.com/Citizens/>**



CITY OF RIDGEFIELD, WASHINGTON
Planning Commission MEETING MINUTES
January 15, 2020

Regular Meeting - 6:30 PM

GENERAL SESSION CALL TO ORDER - 6:30 PM

Flag Salute - [6:30 PM](#)

ROLL CALL - [6:31 PM](#)

Attendee Name	Title	Status	Arrived
Jerry Bush	Commissioner	Present	
Jason Carnell	Commissioner	Present	
Stan Okinaka	Commissioner	Excused	
Paul Young	Commissioner	Present	
Patrick Flynn	Chairman	Present	
Judy Chipman	Commissioner	Present	
Gary Rightenour	Commissioner	Present	

OATH OF OFFICE - COMMISSIONER RIGHTENOUR

Commissioner Rightenour was sworn into office.

LATE CHANGES TO THE AGENDA

Commissioner Bush made a motion to make a late change to the agenda to excuse Commissioner Okinaka. Commissioner Bush made a motion to excuse Commissioner Okinaka. Commissioner Carnell seconded the motion. All in favor, motioned passed.

PUBLIC COMMENT - [6:34 PM](#)

None

CONSENT AGENDA - [6:34 PM](#)

1. Approval of Minutes from Wednesday, 12/4/19 Meeting

Commissioner Bush motioned to approve the 12/1/19 meeting minutes. Commissioner Young seconded the motion. All in favor, motioned passed.

BUSINESS - [6:35 PM](#)

1. Code Amendment Briefing

Louisa Garbo, Community Development Director mentioned that will do 2 batches of amendments every year. The first batch will not include major policy changes due to the process takes longer. She gave an overview of the proposed code amendments on the matrix and focused on discussing just the minor policy changes. Because these amendments are housekeeping and

Minutes Acceptance: Minutes of Jan 15, 2020 6:30 PM (CONSENT AGENDA)

minor policy changes, the change will happen fairly quickly. The proposed amendments are posted online but the draft will be posted online sometime next week. Suggested commissioners to take a look. Commissioners asked questions and staff provided answers.

2. Planning Commission Draft Work Program 2020

Louisa Garbo, Community Development Director presented the 2020 Planning Commission Draft Work Program. Chair Flynn will be presenting the work plan to Council on 1/23 and asked a motion be made to accept the draft plan so can submit to Council. Commissioners asked questions and staff provided answers.

Commissioner Carnell made the motion to accept the draft work program. Commissioner Young seconded the motion. All in favor, motioned passed.

PUBLIC COMMENT - [6:54 PM](#)

None

STAFF REPORTS - [6:54 PM](#)

Louisa Garbo, Community Development Director - City finished conducting a survey from residents of Ridgefield which is done every 4 years. City Manager presented the results to the City staff. From the survey, the highest priority or the most critical comment about the City is there are not enough trail connections, park is deficient, and there are misconception regarding property tax and growth. What the City Manager will do is to have more communication released to the public to explain and increase transparency so people understand what we are working on and what we do.

Community Development Department is going through alot of changes. Lost our building official and looking for a replacement. Lost our Permit Technician and hired a Temp, Dorothy Harrington to help who was from Battle Ground. Actively seeking a replacement. Also, we have an inspector on medical leave. The work load is very high and we are trying our best to provide a seamless service to the community. Mentioned we received lots of building plans before year end to beat the 2020 impact fee rate increase.

FROM THE COMMISSION - [6:57 PM](#)

Commissioner Bush- None

Commissioner Carnell - Was approached from a resident to clarify about recreational vehicle being used as an accessory structural and mentioned having challenges with the City. It was built as a tiny house but is licensed as an RV through the State and wanted to park it on her property within the setback. She was told she couldn't do that because it would become an Accessory Dwelling Unit. Louisa, Community Development Director responded that she worked with a resident in downtown with that similar situation and the property owner is not familiar with the requirements. The owner was provided the permit application along with the requirements of an ADU but never applied. Louisa recommended that he defer her directly to the City.

Commissioner Young - None

Commissioner Rightenour - None

Chair Flynn - Main Street Organization meeting is tomorrow at 8:30am at The Sportsman. Thanked Dorothy for attending the meeting and welcomed back Cristy.

Reiterated that the next Planning Commission meeting will have a Public Hearing and is important we have a quorum. If not able to attend, please let us know in advance.
Welcomed Gary Righenour.

Chair Flynn adjourned the meeting at 7:03PM

ADJOURN - [7:03 PM](#)

Angie Suzuki

Patrick Flynn

Minutes Acceptance: Minutes of Jan 15, 2020 6:30 PM (CONSENT AGENDA)

CITY OF RIDGEFIELD PLANNING COMMISSION PUBLIC HEARING

MEETING DATE: February 05, 2020

ITEM:

AGENDA ITEM TITLE: Proposed Amendment to Title 18 of Ridgefield Municipal Code

SUMMARY

The City is proposing a series of amendments to Title 18 of the Ridgefield Municipal Code (RMC) to keep the code up-to-date and to address current development issues in order to better serve the Ridgefield community.

Types of Amendments

The proposed amendments intend to update the code to reflect new legislation, to address issues identified when applying the existing code, and issues anticipated for future projects in Ridgefield. For this round of updates, the Department identified only two types of proposed code amendments, no major policy changes have been proposed at this time (see Exhibit A “Amendment to Title 18, March 2020” for details):

1. Housekeeping items: address clerical errors, clarify existing code language without substantive changes to the content, and update the code to comply with new legislation.
2. Minor policy changes: add content to strengthen the code with the goal to better implement the Ridgefield Comprehensive Plan and existing City policies and practices.

MOTION AND RECOMMENDATION TO CITY COUNCIL:

Staff recommends the Planning Commission forward a recommendation of **approval** of the proposed RMC updates to City Council.

STAFF CONTACT: Louisa Garbo, Community Development Director

ATTACHMENTS: Code amendment PC staff report 2020 (DOCX)
Exhibit A - Amendment to Title 18 March 2020 (PDF)
Attachment A - Proposed Amendment Matrix to Title 18 (PDF)
Attachment B - Ridgefield Code Enforcement Guide (PDF)
Attachment C - Site Plan Process Flowchart (PDF)
from Mike Odren (PDF)



THE CITY OF RIDGEFIELD

510 Pioneer Street Ste B | P.O. Box 608 | Ridgefield, WA

Amendment to Title 18 of the Ridgefield Municipal Code Planning Commission Staff Report February 5, 2020

BACKGROUND

The City is proposing a series of amendments to Title 18 of the Ridgefield Municipal Code (RMC) to keep the code up-to-date and to address current development issues in order to better serve the Ridgefield community.

DISCUSSION

Types of Amendments

The proposed amendments intend to update the code to reflect new legislation, to address issues identified when applying the existing code, and issues anticipated for future projects in Ridgefield. For this round of updates, the Department identified only two types of proposed code amendments, no major policy changes have been proposed at this time (see Exhibit A “Amendment to Title 18, March 2020” for details):

1. Housekeeping items: address clerical errors, clarify existing code language without substantive changes to the content, and update the code to comply with new legislation.
2. Minor policy changes: add content to strengthen the code with the goal to better implement the Ridgefield Comprehensive Plan and existing City policies and practices.

Summary of Changes

Housekeeping items:

<u>Code section(s)</u>	<u>Reason(s) for amendment</u>
18.100.034	Add definition to “Map of Dedication.”
18.340.040	Correct a typo.
18.401.120	Remove bonding requirements that is already covered in another section of the code.
18.230.100 & 18.235.060	Clarify material and requirements on fences.
18.725.030	Clarify “trees” requirements in landscape buffers.

Minor Policy Changes:

<u>Code section(s)</u>	<u>Reason(s) for amendment</u>
18.010.030	Adding provisions to ensure high-quality and attractive development as well as comprehensive information required on master plans.
18.235.060	Add provision on constructing privacy fence for rear yard of residential development backing onto public rights-of-way.
18.240.095	Provide specific standards for chain-link and barbed wire fences.
18.310.150.J.	Amend time frame on Development Agreement to avoid implementing old standards that are deficient in addressing current development issues.
18.350	Housekeeping and add criteria that applicant shall demonstrate greater public benefit in exchange for the request on an administrative adjustment.
18.395	General clean up and streamlining the Code Enforcement process.
18.710.040, 18.710.151 and 18.710.290	Prohibit cabinet signs fabricated of acrylic, plexiglas or similar material, and add design standards for Ranch-style archway signs and definition of such signs and.
18.725.080	Ensure landscape materials will screen vehicle light spillage sufficiently.
18.740.030	Add fence material requirements along public rights-of-way.
Multiple sections	Removing "Final Site Plan" submittal requirement to streamline the review process.

Most of the changes proposed to Title 18 intend to provide clarification, add provision to ensure high quality development, and streamline processes. The amendment for clarification purposes pertains largely to correcting typos, adding definitions and removing confusing and duplicated information (see Exhibit A "Amendment to Title 18, March 2020," under "Housekeeping Amendment").

To ensure high quality development while the city is going through a rapid development growth, the proposed amendment includes adding the architectural design and master plan submittal requirements to the general interpretation section. It is important to point out that such requirements already exist in practice; this proposed amendment provides verbiage to ensure consistency and to help emphasize the importance of providing comprehensive submittals for review. A new provision to prohibit cabinet signs with acrylic, plastic-faced material, and development standards for ranch-style archway sign have been added to the sign code.

Finally, in terms of streamlining processes, this amendment proposes to update the code enforcement section and the final site plan review process. The code amendment section combines the Notice of Corrective Action and Civil Penalties similar to other jurisdictions in order to avoid a lengthy compliance process. A Code Enforcement Guide was created in order to help the public better understanding the process (see Attachment B). This amendment also proposes to eliminate the Final Site Plan submittal requirement in order to streamline the review process. Staff is working on posting a site plan flowchart on the department's

webpage to guide the public on the process (see Attachment C). The verbiage proposed in the amendment are shown on Exhibit A for items proposed under “Minor Policy Change.”

PUBLIC OUTREACH AND MEETINGS

<u>Date</u>	<u>Timeline</u>
January 9, 2020	Posting draft Amendment Matrix online
January 15, 2020	Planning Commission briefing
January 16, 2020	Legal noticing
January 21, 2020	Public comment period opened online, notice to subscribers, stakeholders and on social media
February 5, 2020	Planning Commission public hearing
March 12, 2020	City Council public hearing and 1 st reading
March 26, 2020	City Council public meeting and 2 nd reading/adoption

Staff received one written response to the proposed code amendment from a consultant citing concerns with the verbiage on landscape requirements in the draft and offered some suggestions. Upon evaluation, staff incorporated some of the suggested verbiage into the draft (see Attachment E, Public Comments). There is no additional comment received as of the date of this report.

RECOMMENDATION

Staff recommends the Planning Commission forward a recommendation of **approval** of the proposed RMC updates to City Council.

ATTACHMENTS

- A. Exhibit A – Matrix of Development Code Updates
- B. Attachment A – Proposed Amendment Matrix to Title 18 (March, 2020)
- C. Attachment B – Ridgefield Code Enforcement Guide
- D. Attachment C – Site Plan Flowchart
- E. Attachment E – Public Comments

Exhibit A Proposed Amendment to Title 18

Housekeeping Amendment

18.100.034 - "M" definitions.	<u>Map of Dedication. A map that delineates the metes and bounds legal descriptions and exhibits of all public dedications and private easements into a single document. A Map of Dedication is processed in conjunction with subdivision, and/or a PUD review, site plan review, or for other land use actions the Community Development Director determines a Map of Dedication is appropriate.</u>		
18.230.100.Street Fences and Walls.	B. Fence and wall materials. 1. Fences shall be consistent with the overall building design and constructed of <u>treated</u> wood, wrought iron, brick, stone or concrete block (CMU). Smooth-faced concrete block must have a veneer finish on the side(s) visible to public view. Other materials which have the general appearance and visual quality of approved fence materials may be approved by the planning director. However, the use of plywood or composite sheeting as a fence material is not permitted.		
18.235.060 - Special provisions for the Ridgefield Mixed-Use Overlay (RMUO).	P. Fences. Fences shall comply with the standards of RDC 18.740 with the following additional standards. 1. Fences shall be compatible with the overall building design, such as repetition of the building material on fence columns and/or stringers, and constructed of wrought iron, brick, stone or concrete block (CMU). Smooth-faced concrete block must have a veneer finish on the side(s) visible to public view. Other materials which have the general appearance and visual quality of approved fence materials may be approved by the planning director. However, the use of <u>untreated</u> wood, vinyl, plywood or composite sheeting as a fence material is not permitted. 4. Fences and walls facing pedestrian streets, as defined in RDC 18.230.050.B.1, shall not be allowed <u>for non-residential uses, and fences</u> Fences and walls <u>for non-residential uses</u> facing major corridors, as defined in RDC 18.230.050.B.2 shall be discouraged unless the applicant demonstrates the fences or walls are necessary for business safety, screening the development from adjacent residential uses, or screening the parking area, or service areas. If fences or walls facing public streets are used, they shall be set back 10 feet from sidewalk or right-of-way and shall provide landscaping within the setback area at an L2 standard.		
18.340.040 - Determination of nonconforming uses and development.	A. The planning director, though <u>through</u> a Type II review process, shall determine whether the use or development is lawfully nonconforming consistent with 18.340.020.		
18.725.030 - Types of landscaping	A. The types of landscaping required by this chapter are articulated in Table 18.725.030-1 and further illustrated in Figure 18.725.030-1. Table 18.725.030-1 Screening and Buffering Standards		
	Screening and Buffering Type	Required Plant Units in Separation in Feet on Center (o/c)	Structure Description (See Table 18.725.040-1)
	L1	street trees @ 25' & lawn or groundcover	None

L2	street trees @ 25' & shrubs @ 5' & lawn or groundcover	None
L3	street trees @ 25' & dense shrubbery & lawn or groundcover	S1 or S2
L4	street trees @ 25' & shrubs @ 5' & lawn or groundcover	B-1
L5	street trees @ 25' understory trees @ 8' & lawn or groundcover	S2

Minor Policy Change

18.010.030 – Purpose and Standards.

A. Guiding Documents. The Ridgefield Development Code (RDC) is the principal means of implementing the Ridgefield Urban Area Comprehensive Plan (RUACP), the Washington Growth Management Act (GMA), the State Environmental Policy Act (SEPA) and the Shoreline Management Act (SMA). The text and zoning maps constitute the RDC and regulations for the incorporated area of the Ridgefield Final Urban Growth Area (FUGA).

B. Zoning. It is the purpose of RDC to classify, designate and regulate the development and division of land for open space, residential, commercial, industrial, and public land uses as a means of implementing the RUACP text and map.

C. General Purpose. In particular, it is the purpose of the RDC to conserve critical area as shown on the Ridgefield Critical Area Map to provide adequate open spaces for light, air and the prevention of fires; to conserve native vegetation; to minimize erosion; to ensure adequate provision of public facilities and services; to maintain and enhance air and water quality; to reduce conflicts among types of land uses; to provide the economic and social advantages which result from an orderly, planned use of land and water resources; to facilitate energy conservation and the use of renewable energy resources; to enhance the livability neighborhoods and the quality of housing; to provide for desirable, appropriately located living areas in a variety of dwelling types and at a suitable range of population densities; to provide for the preservation of adequate space for industrial, commercial and other activities necessary for a healthy economy; to encourage mixed land uses in designated areas; to lessen congestion of streets; to conserve views; to ensure alternative transportation options in conformance with the adopted capital facilities plan; to stabilize expectations regarding future development, thereby providing a basis for wise decisions with respect to such development; to minimize the impacts of development on neighboring properties; to provide for judicious, efficient, timely and reasonable administration respecting the due process set forth in this RDC and other applicable laws; and to protect and promote the public health, safety and general welfare.

D. Architectural Design. To implement the City of Ridgefield Comprehensive Plan to create high quality and attractive developments, the City will review building elevation on all sides in applying the design standards for both residential and non-residential development. This 360-review (every side of the building) shall include material used, exterior color, vertical and horizontal building articulations, building bulk and massing. A lesser design standard maybe considered when the building facade is not visible to public view or public rights-of-way.

E. Master Planning. All non-residential development that includes more than one phase or more than one building on a development site shall provide a master plan includes future uses, development standards, architectural design standards, on-site circulation, site amenities such as plaza, court yard, and public arts or similar features, and any relevant information as determined by the Community Development Director.

18.100.040 - "P" Definitions

Plat, final. A map of all or a portion of a subdivision or binding site plan that is presented to the city council or review authority for final approval.

18.240.095 - Fences.	B. Fences designed for privacy, security, and/or screening shall be made of material that is compatible with the building design. For example, the building material may be repeated on fence columns and/or stringers. <u>1. Chain link fences are discouraged and may only be used in areas not visible from any public right-of-way, adjacent property, or on common open area. If used, black, dark brown or dark-toned coated chain link fencing with matching posts and rails shall be required</u> <u>2. Barbed wire, razor wire, electric and similar dangerous fences shall not be used except for specific conditions where the applicant demonstrates they are required for security reasons. Landscaping may be required, as determined by the planning director, to reduce the visual impact of barbed wire, razor wire, electric and similar dangerous fences to the public.</u>
18.280.040 - Approval process.	J. Financial Assurances. 1. When mitigation required pursuant to a development proposal is not completed prior to the city final permit approval, such as final plat approval, final site plan approval, final building inspection or final occupancy issuance, the city shall require the applicant to provide security in a form and amount deemed acceptable by the city. If the development proposal is subject to mitigation, the applicant shall provide security in a form and amount deemed acceptable by the city to ensure mitigation is fully functional subject to the following:
18.310.150 - Development agreements.	J. Recording. Within thirty days after approval by city council, the city shall ensure that a development agreement is recorded within the real property records of Clark County. During the term of the development agreement, the agreement is binding on the parties and their successors, including successor jurisdictions. The term of the agreement shall be <u>no longer than five (5) years from the date of recording. The city council may extend the term of the agreement up to a maximum of fifteen (15) years if the council finds that extension of the term of the agreement will provide substantial benefit to the whole community. The council shall measure 'substantial benefit' by metrics such as: a substantial increase in the number of jobs the development provides, protection and substantial enhancement of critical areas and buffers in excess of the applicable code standards, dedication of parks, trails, or recreation facilities; or services in excess of the applicable code standard; superior architectural design and construction in excess of applicable code standards; or similar types of benefits. such length as to be reasonable and shall be agreed to by both the applicant and the city.</u>

18.350.020 - <u>Administrative</u> Adjustments.	<u>Administrative</u> adjustments are limited to modifications of twenty percent or less to any numerical standard in this title or the Ridgefield Engineering Standards, except in the downtown core where adjustments are limited to forty percent or less when necessary for the preservation or rehabilitation of existing structures. For the purposes of this section the downtown core is west of 5th Street, east of Lake River, north of S. Shobert St., and south of N. Depot St. The cumulative modification to any numerical standard shall be calculated to determine whether the request shall be reviewed as an <u>administrative</u> adjustment or variance, including all previous modifications approved for the proposed project or previous development on the site. Adjustments cannot be used in lieu of a zone change or to modify explicit policy provisions of the RUACP. B. The hearing examiner shall have the authority to approve any <u>administrative</u> adjustments they are proposed in conjunction with Type III development application. 1. For the planning director or city engineer to recommend consideration of an <u>administrative</u> adjustment to the hearing examiner, each adjustment shall: 2. If the planning director or city engineer does not support a proposed adjustment the hearing examiner shall not consider the <u>administrative</u> adjustment request. However, the applicant may apply for a separate variance under Type III procedures. 3. The city shall notify the applicant at the earliest reasonable date if the staff does not support the adjustment: a. If an <u>administrative</u> adjustment is proposed in writing at the pre-application conference, the applicant shall be notified of staff opposition in the pre-application letter. b. If an <u>administrative</u> adjustment is proposed in conjunction with a Type III development application, the planning director shall notify the applicant of staff's professional opinion when the application is determined to be technically complete. c. The planning director shall explain, in writing, the reasons why staff does not support the proposed <u>administrative</u> adjustment, based on subsection (B)(1) of this section. C. An applicant shall initiate a request for an adjustment. 1. A written application stating the reasons for the <u>administrative</u> adjustment shall accompany each adjustment request. 3. Each <u>administrative</u> adjustment shall require payment of a separate fee.
18.350.030 - Decision standards for adjustments.	Any decision approving an <u>administrative</u> adjustment request shall be in writing and supported by findings of fact and conclusions demonstrating that all of the criteria below have been satisfied: <u>1. The proposed adjustment shall demonstrate how the development provides, through the design of the building or development site, greater benefit to the community as a result of granting an adjustment to a code standard.</u>

Chapter 18.395 -
ENFORCEMENT PROCEDURES
AND PENALTIES 18.395.030 -
Determination of violation.

There shall be ~~designated appointment~~ by the city council, or designee, of one or more a "code enforcement officer." The code enforcement officer shall determine if a violation of the development code has occurred. Such determination shall be based upon factual information that a clear violation of rule, regulation, procedure or standard, or violation of the terms of any permit or approval granted per the Ridgefield Development Code, or any condition imposed on such permit or approval, has been violated in the course permitting, construction or occupancy of a land use or development. It shall be the duty of the code enforcement officer to enforce this chapter. The code enforcement officer may call upon the police, fire, building, planning, public works or other appropriate city department and employees of the city to assist in enforcement of the development code.

18.395.040 - Violation types.

A. Violations under this chapter may be either civil or criminal offenses as set forth in this section.

1. Civil Offense. These code violations are those that do not present an immediate or impending threat to the health, safety or general welfare of those living or working in the immediate vicinity of the violation or the general public. In addition, these offenses are typically easily remedied through a permitting procedure or alteration of a structure. These violations are typically not ~~wilful~~willful.

B. The above criminal penalty may also be imposed for any other violation of Titles 12, 13 ~~of or~~ 18 for which corrective action is not possible and for any ~~wilful~~willful, intentional or bad faith failure or refusal to comply with the standards or requirements of Titles 12, 13 18.

18.395.050 - Procedures.

A. ~~Procedures~~. Unless otherwise specifically provided for within each chapter, the enforcement of the development code of the city shall govern code enforcement actions. Code enforcement actions within the city shall follow the procedures set forth in this section. Code enforcement actions fall into ~~five primary steps: initial notice, corrective order, notice of civil penalty, notice to abate and citation the following general steps:~~

1. Initial Warning Notice. Upon receipt of a valid written complaint or observation of a violation by the code enforcement officer, the director, or designee, shall give ~~initial notice~~Initial Warning Notice, in writing, to the property owner or violator. The ~~initial notice~~Initial Warning Notice shall comply with Section 18.395.080. This Initial Warning Notice is not appealable.

a. Service. Such initial Warning Nnotice shall be sent via U.S. mail or delivered by personal service.

b. Time Frames for Compliance.

i. Any violator shall have ~~a maximum of~~ seven days to initiate steps toward compliance (i.e., application for permit, physical correction violation), and shall have fourteen days from date of ~~initial~~ Warning Nnotice to complete correction of violation. If remedy of the violation is pursued within established time frames, then there are no punitive consequences associated with an ~~initial~~ Warning Nnotice. Depending upon the nature of the violation, the time frames indicated for an initial Warning Nnotice may be extended adjust by the officer for to provide a reasonable time for compliance.

ii. If the violation is not corrected, then a Notice of Corrective Order and Civil Penalty may be issued.

ii. ~~Depending upon the nature of the violation, the time frames indicated for an initial notice may be extended by the officer for a reasonable time for compliance.~~

2. ~~Stop-Work Order in Addition to Initial Warning Notice. The initial notice may be supplemented by a stop-work order.~~ City may, concurrent with the Initial Warning Notice or at any time, issue an emergency Stop-Work Order if the ~~public works supervisor, or planning director, or building official, or code enforcement officer~~ city finds that the violation poses an immediate threat to the general health, safety or general welfare of the public or, if continued, would result in damage to public or private property or the environment. Such ~~stop-work order~~ Stop-Work Order shall contain the information set forth above, and shall be in full force and effect until the ~~code enforcement officer or its designee~~ city determines that sufficient compliance has been achieved to warrant removal of the ~~stop-work order~~ Stop-Work Order. A Stop-Work Order may be appealed as provided for in Section 18.395.090; provided however, that such appeal shall not stay the effect of the Stop-Work Order.

3. Notice of Corrective Order and Civil Penalty.

a. Following ~~the end time frame for~~ date established for compliance identified in the Initial Warning Notice and if the violation is not corrected within said time frame, the code enforcement officer shall issue a Notice of Corrective Order and Civil Penalty. Contents of the ~~corrective order~~ Notice shall contain the information set forth in RMC 18.395.080 and as outlined in the foregoing section as well as the following:

iii. A statement that the city may pursue additional civil or criminal remedies or abatement authority to address the violation if the violation is not corrected within the time frames specified in the corrective order, and a citation of the regulatory authority in the Ridgefield Municipal Code authorizing such actions.

iv. A statement that the city may issue a civil penalty if the violation is not corrected within the time frames identified in the Notice or a statement of the potential amount of the civil penalty under this chapter;

v. Contact information for additional information.

b. Service. Such ~~Notice of Corrective Order~~ Notice of Corrective Order and Civil Penalty shall be sent via certified U.S. mail or delivered via personal service.

~~c. Time Frames for Compliance - Any violator shall have a maximum of seven days to initiate steps toward compliance (i.e., application for permit, physical correction of violation), and shall have a maximum of fourteen days following the corrective order to complete correction of violation.~~

~~d. Depending upon the nature of the violation, the code enforcement officer may file an extension of a reasonable time for compliance not to exceed thirty days.~~

~~e. If the violation is not corrected within the time frames established with the corrective order, the code enforcement officer shall issue notice of civil penalty pursuant to the following section and Section 18.395.060.~~

f. A ~~Notice of Corrective Order~~ Notice of Corrective Order and Civil Penalty may be appealed as provided for in Section 18.395.090.

~~4. Notice of Civil Penalty.~~

~~a. Following the end time frame for compliance identified in the corrective order, the code enforcement officer shall issue a notice of civil penalty. The notice of civil penalty shall contain the information required by Section 18.395.080, as well as the following:~~

18.395.060 Revocation and suspension of applicable permits, Civil civil penalty, injunctive relief, revocation and suspension of applicable permits abatements, and other remedies liens.

- iii. ~~— A statement that the city may pursue abatement authority to address the violation if not corrected within the time frames specified in the notice of civil penalty, and a citation of the regulatory authority in the Ridgefield Municipal Code authorizing such abatement;~~
- iv. ~~— A statement that the city may issue a civil citation if the violation is not corrected within the time frames identified in the notice of civil penalty and a statement of the potential amount of the civil penalty under this chapter;~~
- v. ~~— Contact person and phone number for additional information.~~
- f. ~~— A notice of civil penalty may be appealed pursuant to Section 18.395.090.~~

Revocation and suspension of applicable permits, Civil civil penalty, injunctive relief, revocation and suspension of applicable permits abatements, and other remedies liens.

A. Revocation and Suspension of Applicable Permits. When the city finds that any person, firm or corporation continues to violate or threatens to continue to violate any provision of the development code, the city reserves the right to deny, suspend or revoke any applicable permit or land use request, and further reserves the right to withhold or refuse to process any applicable permit or land use request which is authorized under the city municipal code. The code enforcement officer is authorized to immediately suspend the application of any permit or the activity provided thereunder in the event of the immediate threat to the public health or safety. In the event the city deems it appropriate to revoke any applicable permit granted under the development code, the code enforcement office shall notify the violating party and shall thereafter note the matter for a revocation hearing before the City's Hearings Examiner in accordance with the applicable municipal code provision. Notice of such hearing shall be pursuant to Section 18.310.100.

B. Civil Penalty. Any person, firm or corporation which violates or continues to violate any provision of the development code or any chapter thereunder shall be liable to the city for a civil penalty up to one thousand dollars (\$1,000.00) per violation per day. Each day upon which a violation occurs or continues shall constitute a separate violation. If the city concludes it should prosecute the violator under the criminal section as provided for in this title, such decision shall not compromise its ability to seek both criminal and civil penalties provided for in this chapter. The civil penalty shall generally be applied to any violations when deemed effective and appropriate. In addition to the civil penalty amounts assessable herein, the city may also recover reasonable attorney's fees, reasonable fees for planning costs, court costs and other expenses associated with enforcement activities, including sampling and monitoring expenses and the costs of any actual damages incurred by the city, including penalties for noncompliance with any state or federal regulatory permit to the extent attributable to the violator.

	D.— Stop Work Order. Whenever the public works supervisor, planning director, building official, or code enforcement officer finds that a violation poses an immediate threat to the general health, safety or general welfare of the public or, if continued, would result in damage to public or private property or the environment, they shall issue a "stop work order." The stop work order shall be in full force and effect until the code enforcement officer or his or her designee determines that sufficient compliance has been achieved to warrant removal of the stop work order. Any continued work in violation of the stop work order shall be subject to criminal prosecution in accordance with this chapter. E.— Revocation and Suspension of Applicable Permits. When the city finds that any person, firm or corporation continues to violate or threatens to continue to violate any provision of the development code, the city reserves the right to deny, suspend or revoke any applicable permit or land use request, and further reserves the right to withhold or refuse to process any applicable permit or land use request which is authorized under the city municipal code. The code enforcement officer is authorized to immediately suspend the application of any permit or the activity provided thereunder in the event of the immediate threat to the public health or safety. In the event the planning director or code enforcement officer deems it appropriate to revoke any applicable permit granted under the development code, he shall so notify the violating party and shall thereafter note the matter for public hearing by the planning commission. Notice of such public hearing shall be pursuant to Section 18.310.100. GF. Other Remedies. Provisions related herein regarding enforcement of the development code are not exclusive remedies. The city reserves the right to take any and all or a combination of these actions concurrently or sequentially against a noncompliant person, firm or corporation or may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the violator to conduct environmental remediation.
18.395.070 - Criminal prosecution.	A. Any person, firm or corporation which repeatedly violates any section of the development code or Titles 12 or 13 or violates the prohibitions found in Section 18.395.040(A)(2), shall be guilty of a gross misdemeanor unless otherwise stated. Said violators shall be prosecuted under the laws of the state State of Washington and/or Ridgefield Municipal Code Chapter 9.01 and shall be fined or imprisoned as provided by the law of the state State of Washington.
18.395.080 - Contents of notices.	A. Whenever the code enforcement officer issues an initial notice, a notice of corrective order<u>Initial Warning Notice, a Notice of Corrective Order, and Civil Penalty</u>, a stop work order<u>Stop-Work Order</u>, or any other correction order under this Chapter, a notice of civil penalty or notice of abatement pursuant to this chapter, such notice shall contain the following: 6. A statement that a maximum cumulative civil penalty in the amount of one thousand dollars (\$1,000.00) per violation per day shall <u>may</u> be assessed against the person to whom the notice of violation<u>a Notice of Corrective Order and Civil Penalty are</u> is directed for each and every day following the date set for correction on which the violation continues, and a statement of the section of the Ridgefield Municipal Code authorizing such penalty; 7. A statement that the code enforcement officer's determination of violation in any Notice of Corrective Order and Civil Penalty or Stop-Work Order that the order may be appealed by to <u>by to</u> the City's <u>City's</u> hearing examiner pursuant to Section 18.310.100 and that the penalty shall not accrue while an administrative appeal is pending, but that mitigation or abatement may be sought <u>required</u> to relieve eminent <u>an immediate</u> threat to the health, safety and general welfare of the community or environment.
18.395.090 - Appeals.	Appeals of stop work orders, corrective orders or notices of civil penalty <u>Notices of Corrective Order and Civil Penalty</u> may be appealed to the Ridgefield hearing examiner pursuant to Section 18.310.100. Appeals of criminal citations under this title shall be processed in accordance with applicable state and municipal laws. Written notice of appeal must be filed with the city clerk and the code enforcement officer within the time stated in the respective notice of compliance action.

18.500.070 - Conditions, revocation of approval, term and appeals.	C. Land use approval for all types of site plans, other than those approved through the subdivision or PUD process, shall expire within three years from the date the city issues the final Notice of Decision decision unless within that time, the developer has obtained the permits from the building department and there has been substantial construction activity pursuant to the required permits. If no construction is involved, then the approval shall be void after one year unless the permitted activity is regularly conducted on the premises. The burden of proving substantial construction is on the applicant.
18.500.080—Final site plan review.	A.— An applicant shall file for a final site plan prior to expiration of the preliminary site plan established in RDC 18.500.070.C and after submittal of plans for final engineering review. B.— Final site plan for all preliminary site plan approvals shall be reviewed through a Type I procedure. C.— All final site plan applications shall contain complete site plans drawn to scale and produced in such a way as to clearly indicate compliance with all applicable zoning and site design standards, and shall include the following:— 1.— Dimensions and orientation of the parcel;— 2.— Locations of existing and proposed buildings and structures;— 3.— Location and layout of off-street parking and loading facilities;— 4.— Curb cuts and internal traffic circulation;— 5.— Location of walls and fences, indication of their height and construction materials;— 6.— Existing and proposed exterior lighting, meeting the submittal requirements of RDC 18.715.070;— 7.— Location and size of exterior signs and outdoor advertising, if proposed;— 8.— General location and configuration of proposed landscaping, meeting the submittal requirements of RDC 18.725.070;— 9.— General location and configuration of proposed open space and recreation areas, if required;— 10.— Where slopes are equal to or greater than fifteen percent, grading and slope conditions which may affect drainage or construction, with slope contours mapped at two-foot intervals;— 11.— Height and conceptual appearance of building facades for all buildings and structures;— 12.— Indication of proposed use of all buildings;— 13.— The location of any historically or archaeologically significant feature; or natural feature, including stream corridors, wetlands, wildlife habitat areas, well head protection areas, geologically unstable areas, constrained and unbuildable land, areas with native vegetation, areas with tree cover, rock outcroppings or similar natural or historic features; and— 14.— Other architectural or engineering data which may be necessary to determine compliance with applicable regulations. D.— The review authority shall approve a final site plan if he or she finds:— 1.— It complies with the decision approving the preliminary site plan;— 2.— The applicant has fulfilled all conditions of approval of the preliminary site plan and the requirements of this title; and— 3.— The final site plan application complies with the submittal requirements of this section. (Ord. No. 1207, § 2(Exh. A), 5-26-2016; Ord. No. 1290, § 2(Exh. A), 4-25-2019)

<u>18.500.080 Procedures following site plan approval</u>	<u>A. Applicability. The city will implement the procedures of this section upon issuance of a Notice of Decision for Minor or Basic site plan review.</u> <u>B. Post site plan approval process.</u> <u>1. An applicant should apply for engineering and building review upon obtaining a Notice of Decision upon the site plan approval.</u> <u>2. A complete application for engineering and building permit shall include a copy of the approved site plan package (which includes the approved site, building design, and landscape plans) demonstrating all information submitted is consistent with the approved site plan package.</u> <u>3. If the site plan information submitted under sub-section 2 above deviates from the site plan information approved in the Notice of Decision, the changes must be amended to reflect the plans that were approved during original site plan approval, or the applicant shall apply for a post decision review consistent with RDC 18.310.160. The city will suspend engineering and/or building review until the site plan amendment process has been completed.</u> <u>4. Upon completion of engineering and/or building review, the city will issue the necessary permits for the applicant to proceed with construction.</u> <u>5. Final Occupancy permits will only be issued following completion of the site, building design, landscaping, engineering, and building inspection process.</u>
<u>18.710.151 – Ranch-style archway signs.</u>	<u>Ranch-style archway signs are subject to applicable building permit and no sign permit shall be issued which does not comply with the following standards.</u> <u>In any residential zoning district, one nonilluminated or externally illuminated ranch-style archway is allowed per approved driveway or access point to a residential property or any place within two hundred feet of an access to a master-planned residential subdivision. The ranch-style archway shall not exceed a height of eighteen feet to the peak of the arch measured from the ground below the arch. Any ranch-style archway shall not exceed a maximum sign area of forty-eight square feet over an approved driveway or access point or twenty-four square feet over any place within two hundred feet of an access to a master-planned residential subdivision. Ranch-style archways and their supports shall be constructed of natural materials such as brick, sandstone, treated-wood, stucco, textured concrete masonry, wrought iron, or other similar materials. No plastic material may be used for an archway sign.</u>
18.710.040 - Prohibited Signs.	<u>M. Cabinet signs fabricated of acrylic, plexiglas®, plastic-faced, or injection molded panels with first-surface, second-surface applied translucent vinyls, films or painted graphics, and/or integrally colored polycarbonate materials that are internally backlighting the whole graphics area, are strictly prohibited.</u>
18.710.290 Definitions	<u>Ranch-style archway signs are signs that span between two independent support structures and only have individual lettering located in front of an open horizontal cross-support.</u>
18.725.080 - Installation.	<u>E. Shrubs shall be supplied in a minimum one-gallon containers or eight-inch burlap balls with a minimum spread of twelve inches, except for shrubs used for screening parking lots, travel lanes, drive-throughs, and vehicle areas, which shall be supplied in a minimum five-gallon container.</u> Reduction in the minimum size may be permitted if certified by a registered landscape architect that the reduction shall not diminish the plant materials' chance of survival or intended effect.

	<u>G. When landscape materials are used to screen parking lots, travel lanes, drive-throughs, or vehicle areas, the total landscaped area shall provide opacity sufficiently to screen vehicle headlights from public view and public rights-of-way, at the time of planting.</u>
18.740.030 - Design criteria.	<u>4. All fences along public rights-of-way shall be treated wood, brick, stone, decorative steel or iron, or concrete block (CMU). Smooth faced concrete block must have a veneer finish on the side(s) visible to the public. Materials such as vinyl, plastics, and wire are prohibited unless an exemption is granted under the base zone fence requirements.</u>

ATTACHMENT A
Proposed Amendment Matrix to Title 18 - 2020

Code section(s)	Reason(s) for amendment	Types of amendments
18.100.034 Definition	Add definition to “Map of Dedication” help explaining this new submittal requirement recently adopted by council	Housekeeping
18.340.040 Determination of nonconforming uses and development	Correct a typo	Housekeeping
18.401.120 Bonding and Enforcement	Remove bonding verbiage that is covered in another section of the code	Housekeeping
18.230.100 & 18.235.060 Fences	Clarify material and requirements on fences	Housekeeping
18.725.030 Types of landscaping	Clarify “trees” requirements in landscape buffers	Housekeeping
18.010.030 Purpose	Add provision to ensure high quality development through architectural design review standards and master planning process	Minor policy change
18.235.060.P - Fences	Add provision on constructing privacy fence for rear yard of residential development backing onto public rights-of-way	Minor policy change
18.310.150.J. Development Agreements	Amend time frame on Development Agreement to avoid implementing old standards that are deficient in addressing current development issues	Minor policy change
18.350 Adjustment and 18.350.030 Decision standards for adjustments	Housekeeping and add criteria that applicant shall demonstrate greater public benefit in exchange for the adjustment	Minor policy change
18.395 Enforcement Procedures and Penalties	General clean up and streamlining the Code Enforcement process	Minor policy change
18.710.040 – Prohibited Signs	M. Prohibit cabinet signs fabricated of acrylic, Plexiglas or similar material	Minor policy change
18.710.151 and 18.710.290 Ranch-style archway signs	Add design standards for Ranch-style archway signs and definition of such sign	Minor policy change
18.725.080 Installation	Ensure landscape materials will screen vehicle light spillage sufficiently	Minor policy change
18.740.030 – Design criteria	Add fence material requirements along public rights-of-way	Minor policy change
Multiple sections	Removing “Final Site Plan” submittal requirement to streamline the review process	Minor policy change

Attachment B

City of Ridgefield

Code Enforcement Guide

INTRODUCTION

The mission of the Ridgefield code enforcement function is to protect the health, safety, and welfare of Ridgefield residents by encouraging compliance with the Ridgefield Municipal Code (RMC), specifically, with Title 12 "[Streets and Sidewalks](#)," Title 13 "[Public Utilities](#)," and Title 18 "[Development Code](#)." The mission of code enforcement is also to enhance the appearance of neighborhoods and business districts to prevent blight, protect property values and enhance economic conditions. All code enforcement functions are set forth in RMC Chapter 18.395 "[Enforcement Procedures and Penalties](#)."

PURPOSE OF THIS GUIDE

- To ensure a consistent, transparent and unbiased process.
- To create a path to resolution and to promote voluntary compliance on all code violations.
- To help homeowners better understand the purpose of code enforcement and how to manage their properties in order to prevent code violations.

PROCESS TABLE

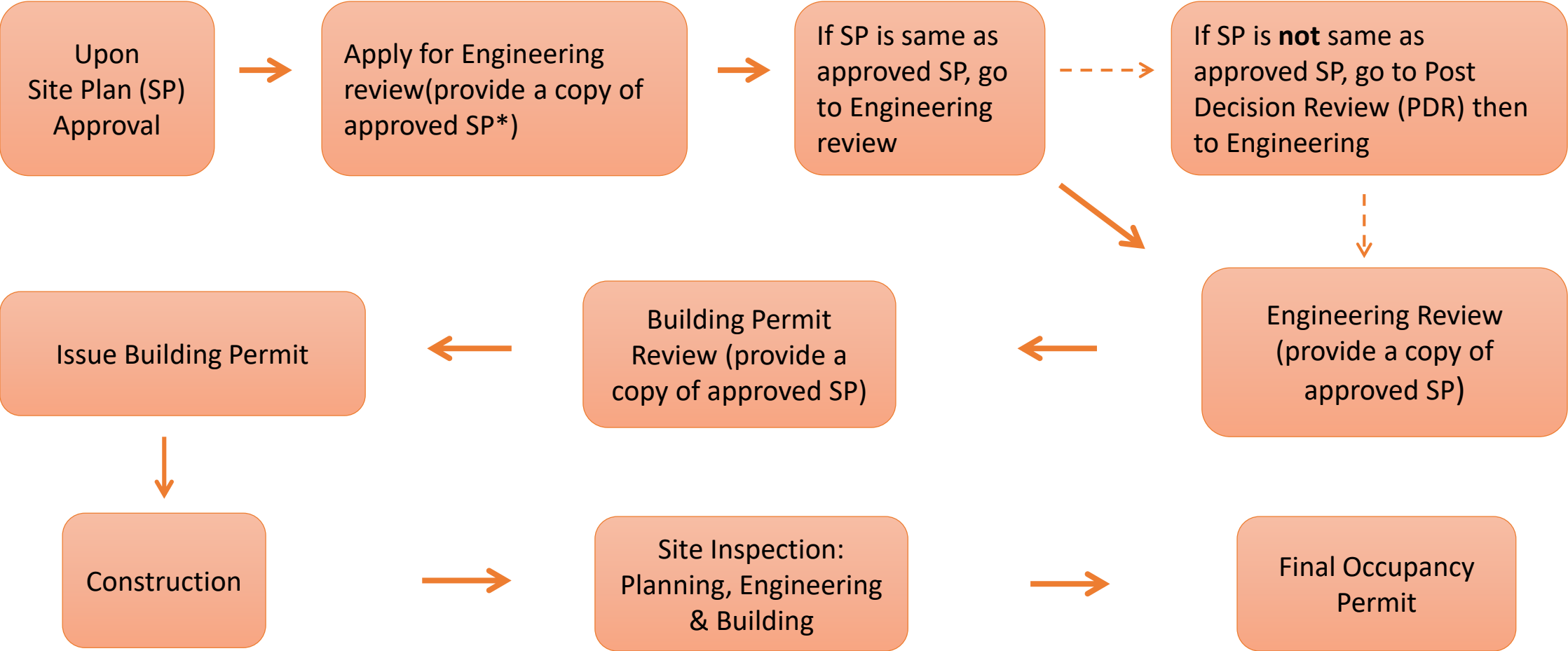
General Process	Description
Complaint	The Department receives a complaint through Ridgefield's CRM system, a case will be created for Code Enforcement Officer to review. When a complaint is received by phone, for record tracking purposes, the complainant will be asked to file the complaint online through the CRM system.
Initial Warning Notice	When a Code Enforcement Officer conducts a site inspection and confirms a violation exists, an Initial Warning Notice will be sent to the owner or violator.
Remediation Action	A majority of violations are resolved through voluntary compliance by the owner or violator within a reasonable amount of time.
Notice of Corrective Order and Civil Penalty	When the owner or violator does not respond to the Initial Warning Notice, a Notice of Corrective Order will be issued. Depending on the nature of the violation, a Civil Penalty may be issued at the same time.
City Attorney	When the owner or violator does not comply with the remediation action, or has a repeat violation, the city's attorney will be involved in the next progressive steps including civil penalty, injunctive relief, abatements, and liens. In addition to civil penalty amounts assessable, the City may recover reasonable attorney's fees and costs associated with the enforcement activities.

Proper Permit	A majority of building code related violations require the owner or violator to obtain a proper permit in order to achieve compliance. For this reason, the code enforcement case will not be closed until the building permit has received final approval and all other aspects of the case are resolved.
Outside Agency	There are certain types of code enforcement cases that require the assistance of agencies outside the City of Ridgefield (e.g., Clark County Health District). The City's CRM system will indicate when the code enforcement case is awaiting a determination from an outside agency.
Notice Filed	If the owner or violator fails to remedy the violations or respond to the Notice of Corrective Order, the City may record notices against the property with Clark County. This will allow lenders or potential buyers of the property to be aware of the violation. For some less serious violations, no further action may be taken once a notice is recorded, but the owner or violator must correct the violation in order for the notice to be rescinded.
Case Closed – No Merit	These are cases where the City receives a complaint but cannot verify the violation or finds no violations exist, the Code Enforcement Officer will consider the case as closed in CRM.
Case Closed – Resolved	These are cases where the owner or violator has taken appropriate steps to remedy the violation(s), the Code Enforcement Office will consider the violation(s) has been resolved and the case as closed.

TYPES OF NOTICES	DESCRIPTIONS
Initial Warning Notice	Upon receipt of valid written complaint or observation of a violation by the code enforcement officer, an Initial Warning Notice will be provided to the property owner or violator. The property owner or violator will have a maximum of fourteen (14) days to bring the property to compliance. Depending on the nature of the violation, the maximum timeframe may be extended.
Stop-Work Order	The Initial Warning Notice may be supplemented by a Stop-Work Order if the violation poses an immediate threat to the public health and safety.
Notice of Corrective Order and Civil Penalty*	Corrective Order will be issued if the violation is not corrected within an agreed timeframe. Depending on the nature of the violation, a civil penalty may apply at the same time.

*Civil Penalty (Fines) - The goal of the code enforcement program is to resolve code violations, not to collect fines. However, there are times when a property owner chooses not to comply with a Notice of Corrective Order, or whose property has been the subject of past code enforcement actions, and fining the owner is another way to achieve compliance. Per the RMC 18.395.060, property owners can be fined on a daily basis for non-compliance with the code. Typical fines start at \$1000.00 per day. Each day upon which a violation occurs or continues shall constitute a separate violation. If a property owner does not pay the fine the full amount, further action will be taken to collect the debt, including using a collection agency or through a lien process or special assessment.

Ridgefield Site Plan Review Process



Attachment: Attachment C - Site Plan Process Flowchart (Proposed Amendment to Title

**The term "Site Plan" refers to the approved site, building design and landscape plans*

Louisa Garbo

From: Mike Odren <mikeo@olsonengr.com>
Sent: Wednesday, January 22, 2020 12:28 PM
To: Claire Lust
Cc: Mike Odren; Planners
Subject: RE: Ridgefield Code Update

Good afternoon, Claire.

Please find below my comments regarding the proposed code revisions for inclusion into the record:

Regarding 18.725.080 – Installation, it indicates that shrubs, at the time of planting, shall be a minimum of 6’ in height where landscape materials are used to screen parking lots, travel lanes, drive-throughs, or vehicle areas. However, this is contrary to the Landscaping, Screening and Buffering Matrix, Table 18.725.050-1, that requires an L2 landscape buffer along a street to screen a parking area. The L2 standard requires trees at 25’ and shrubs at 5’ and lawn or groundcover. The graphic for an L2 buffer would indicate the shrubs would need to achieve a height of approximately 3-4 feet in order to screen headlights. This would be a similar treatment to a drive-through lane, travel lane or vehicle area. Therefore, the proposed language is in conflict with language found elsewhere in Chapter 18.725 – Landscaping.

Additionally, requiring 6-foot high plantings around parking lots, drive-throughs, travel lanes, or other vehicle areas would significantly reduce or eliminate the visibility into or out of any particular commercial or industrial site. In fact, it could totally screen a site from any visibility, which would significantly affect a commercial development from displaying building signage and directing shoppers to where their place of patronage is located. This would also significantly affect the safety and security of patrons/customers, employees or other members of the general public and would not allow visibility into and/or out of the site for police or other public safety reasons. Typical industry standard plant material sizes around parking lots, drive throughs, vehicle areas, etc. is generally a 24”-30” height and spread evergreen shrubs. This will typically provide a sufficient screen 3’-4’ tall within 3-4 years that will screen out the headlines of vehicles and reduce the impact of cars in parking lots from adjacent streets. As such, I respectfully request Section 18.725.080(H)(ii) to be revised to read, “Shrubs, at time of planting, shall be a minimum of 24” in height; and”

Regarding section 18.740.030(A)(4) which addresses fencing material, I might suggest having concrete block as an allowed material. The reason for this is for noise abatement around uses that might have a high degree of noise, such as in industrial (Employment) areas or adjacent to residential zones. The concrete block (you could require split face on the exterior of the wall if it’s facing a road right-of-way) would provide the greatest noise abatement over all other fencing materials. Additionally, I might suggest allowing chain link fencing (slatted or unslatted) possibly with razor or barbed wire at the top around outdoor storage areas in Employment zones that require a higher degree of security. Understanding that this isn’t the most attractive form of fencing, it still allows an employer to provide the highest level of security for their raw material, finished product, vehicles, etc.

Please let me know if you have any questions regarding any of my comments above, and I would be happy to discuss either of these further with you. I would be interested, however, if staff would be in support of either of proposed revisions above. Please advise.

Thanks!

Respectfully submitted,

Mike
Michael Odren, RLA

Attachment: from Mike Odren (Proposed Amendment to Title 18 of RMC)

Landscape Architect, Land Use Planner
Associate Principal
Olson Engineering, Inc.
222 E. Evergreen Boulevard
Vancouver, WA 98660
(360) 695-1385
OR (503) 289-9936
Fax (360) 695-8117

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Attachment: from Mike Odren (Proposed Amendment to Title 18 of RMC)