

ORDINANCE NO. 1447

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING THE WOODLAND MUNICIPAL CODE USING THE RETOOLING OUR CODE PROGRAM TO MAKE MINOR NON-POLICY CORRECTIONS TO THE DEVELOPMENT CODE AND AUTHORIZE PUBLICATION BY SUMMARY.

WHEREAS, Woodland Municipal Code (WMC) 19.08 authorizes the City Council to make decisions on zoning code amendments; and

WHEREAS, the Planning Commission held a workshop on this item on August 15th, 2019; and

WHEREAS, the Planning Commission held a pre-decision hearing on this item on November 21st, 2019; and

WHEREAS, the City Council held a workshop on this item on December 16th, 2019; and

WHEREAS, all procedural requirements of the WMC for these amendments have been met; and

WHEREAS, the Woodland City Council has reviewed the following amendments to the WMC and found them to be acceptable and appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODLAND AS FOLLOWS:

Section 1. Repeal and Replace WMC 14.32.150

Old Section WMC 14.32.150 – The existing code section is hereby repealed.

New Section WMC 14.32.150 – The code section is amended to read as follows:

14.32.150 - Violation—Penalty.

The following sections are hereby revised.

111.4 Failure to comply.

- A. Any person who violates any of the provisions of the code adopted by this chapter or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has

been taken, or who fails to comply with such an order as affirmed or modified by the hearing examiner or by a court of competent jurisdiction, within the time fixed herein, is severally for each and every such violation and noncompliance respectively guilty of a misdemeanor, and upon conviction shall be punished as provided in Section 1.12.010 of this municipal code.

- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 2. Repeal and Replace WMC 14.40.040(C)(3)(b)(i)

Old Section WMC 14.40.040(C)(3)(b)(i) – The existing code section to be superseded and replaced reads as follows:

- i. Verify and record the actual elevation (in relation to mean seal level), and

New Section WMC 14.40.040(C)(3)(b)(i) – The code section is amended to read as follows:

- i. Verify and record the actual elevation (in relation to mean sea level), and

Section 3. Repeal and Replace WMC 16.08.070(A)

Old Section WMC 16.08.070(A) – The existing code section to be superseded and replaced reads as follows:

- A. The city clerk-treasurer shall distribute a copy of the preliminary plat, the public notice prepared pursuant to Sections 16.08.040 and 16.08.050 and, if applicable, the master plan to the following:

New Section WMC 16.08.070(A) – The code section is amended to read as follows:

- A. The director shall distribute a copy of the preliminary plat, the public notice prepared pursuant to Sections 16.08.040 and 16.08.050 and, if applicable, the master plan to the following:

Section 4. Repeal and Replace WMC 17.36.020(29)

Old Section WMC 17.36.020(29) – The existing code section to be superseded and replaced reads as follows:

- 29. Uses permitted in the C-3 neighborhood commercial district;

New Section WMC 17.36.020(29) – The code section is amended to read as follows:

29. Uses permitted in the C-1 central business district;

Section 5. Repeal and Replace WMC 17.44.010

Old Section WMC 17.44.010 – The existing code section is hereby repealed.

New Section WMC 17.44.010 – The code section is amended to read as follows:

17.44.010 - Purpose.

The light industrial use district (I-1) is a zoning classification providing for light manufacturing and fabrication, warehousing and storage, construction and contracting operations, wholesale distribution operations, and related activities which normally require ready access by various transportation modes for the movement of materials, goods, and the area work force. This classification is intended to minimize any undesirable impacts of these uses on other nearby uses and zoning districts. The purpose of this chapter is to mitigate the impacts of new developments in the I-1 zoning district on the existing and future nonindustrial developments by requiring appropriate screening and/or landscaping as a means of erosion control and mitigation for noise, dust, odor, glare, and vibration. This chapter helps improve the quality of life and business environments and enhance the general aesthetics of the district.

Section 6. Repeal WMC 17.44.130

Old Section WMC 17.44.130 – The existing code section is hereby repealed.

Section 7. Repeal and Replace WMC 17.44.131

Old Section WMC 17.44.131 – The existing code section is hereby repealed.

New Section WMC 17.44.005 – The code section, previously WMC 17.44.131, is amended to read as follows:

17.44.005 - Applicability.

This chapter shall apply to: (A) all new development of outright permitted uses in the I-1 zoning district including changes of use and addition of a new use, or (B) substantial additions or expansions of the existing commercial or industrial development that result in increase in size by more than twenty-five percent in terms of gross square footage. Where more than one structure exists on a

parcel, the threshold shall be applied cumulatively to the total gross square footage of all existing structures on the parcel.

Section 8. Repeal and Replace WMC 17.44.132

Old Section WMC 17.44.132 – The existing code section is hereby repealed.

New Section WMC 17.44.015 – The code section, previously WMC 17.44.132, is amended to read as follows:

17.44.015 - Definitions.

As used in this chapter:

"Approving authority" means approving authority of the land use application or review authority for the appeal application. Director or his or her designee when a land use application is not required for the proposed development.

"Certified landscaping professional (CLP)" means a landscaping professional certified by PLANET (Professional Landcare Network).

"Outdoor hardscape features" means water features, walls, patios, walkways, and other permanent man-made features in the landscape.

Section 9. Repeal and Replace WMC 17.56.110(C)

Old Section WMC 17.56.110(C) – The existing code section to be superseded and replaced reads as follows:

- C. The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that he has the permission of the owner or other person in charge of the satellite parking spaces to use such spaces. The developer must also sign an acknowledgment that the continuing validity of his permit depends upon his continuing ability to provide the requisite number of a parking spaces.

New Section WMC 17.56.110(C) – The code section is amended to read as follows:

- C. The developer wishing to take advantage of the provisions of this section must present satisfactory written evidence that permission from the owner or other person in charge of the satellite parking spaces to use such spaces in perpetuity for the life of the development for which the parking spaces will be shared. The developer must also sign an acknowledgment that the

continuing validity of the development's permit depends upon the continuing ability to provide the requisite number of a parking spaces.

Section 10. Repeal and Replace WMC 17.72.080

Old Section WMC 17.72.080 – The existing code section is hereby repealed.

New Section WMC 17.72.080 – The code section is amended to read as follows:

17.72.080 – Reapplication after permit denial.

An application for a conditional use permit which has been denied may not be resubmitted within six months from the date of the director's or hearing examiner's disapproval.

Section 11. Repeal and Replace WMC 19.06.040

Old Section WMC 19.06.040 – The existing code section is hereby repealed.

New Section WMC 19.06.040 – The code section is amended to read as follows:

19.06.040 - Appeal of administrative approvals and determinations.

- A. Administrative decisions regarding the approval or denial or applications or administrative determinations/interpretations may be appealed to the hearing examiner, planning commission, or city council as set forth in WMC 19.08.030, within fourteen days of the final staff decision.
- B. Appeal of any administrative decisions or determinations/interpretation not specifically listed in WMC 19.08.030 may be appealed to the hearing examiner.
- C. Appeals concerning SEPA related determinations shall be reviewed as set forth in WMC 19.06.050, 19.08.030, and 17.81.110 through 17.81.150.
- D. Appeals concerning non SEPA related matters shall be filed with the city community development department within fourteen days after the final written administrative interpretation/determination date and shall be initiated by filing a written notice of appeal accompanied with the applicable appeal fee. Such a written notice of appeal shall include:
 - 1. The name and address of the party or agency filing the appeal;
 - 2. An identification of the specific administrative interpretation or determination of which appeal is sought; and
 - 3. A statement of the particular grounds or reasons for the appeal.
- E. Appeals concerning enforcement matters shall be reviewed by the hearing examiner as set forth in WMC 19.90.140 and 19.90.400.

Section 12. Amend WMC 19.08.030

Old Section WMC 19.08.030 – The existing table in the code section is amended to eliminate the second row of the table titled “ADMINISTRATIVE CONDITIONAL USE PERMITS” because it repeats the first row of the table.

Section 13. Amend WMC 19.08.030

Old Section WMC 19.08.030 – The existing table entry in the code section to be superseded and replaced reads as follows:

APPEAL OF ENFORCEMENT ACTION PER WMC 17.92

New Section WMC 19.08.030 – The table is amended to read as follows:

APPEAL OF ENFORCEMENT ACTION PER WMC 19.90

Section 14. Amend WMC 19.08.030

Old Section WMC 19.08.030 – The existing table entry in the code section to be superseded and replaced reads as follows:

APPEAL OF ADMINISTRATIVE DECISIONS UNRELATED TO SEPA OR
ENFORCEMENT ACTION PER WMC 17.92

New Section WMC 19.08.030 – The table is amended to read as follows:

APPEAL OF ADMINISTRATIVE DECISIONS UNRELATED TO SEPA OR
ENFORCEMENT ACTION PER WMC 19.90

Section 15. Amend the Table of Contents section of WMC Title 17

Old Section WMC Title 17 – The existing Table of Contents at the beginning of WMC Title 17 is to be amended to remove the following:

Chapter 17.92 - ENFORCEMENT PROVISIONS—LAND USE
17.92.010 - Definitions.
17.92.020 - Administration.
17.92.030 - Declaration of intent.
17.92.040 - Right of entry.
17.92.050 - Civil penalty.
17.92.060 - Abatement.
17.92.070 - Additional enforcement.
17.92.080 - Commencement of proceedings.

- 17.92.090 - Notice and order.
- 17.92.100 - Method of service.
- 17.92.110 - Appeals.
- 17.92.120 - Final order.
- 17.92.130 - Supplemental notice and order.
- 17.92.140 - Enforcement of final order.
- 17.92.150 - Settlement of civil penalty claims.
- 17.92.160 - Suspension of permits.
- 17.92.170 - Revocation of permits.
- 17.92.180 - Lien authorized.
- 17.92.190 - Personal obligation authorized.
- 17.92.200 - Notice lien may be claimed.
- 17.92.210 - Priority.
- 17.92.220 - Claim of lien—General.
- 17.92.230 - Recording.
- 17.92.240 - Duration of lien—Limitation of action.
- 17.92.250 - Foreclosure—Parties.

Section 16: Severability. If any section, sentence, clause or phrase in this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phase of this Ordinance.

Section 17: Effective Date. This ordinance shall become effective five (5) days after its summary publication in this media or paper of record as required by law.

Adopted this 3rd day of February 2020.



William A. Finn, Mayor

Attest:



Mari E. Ripp, Clerk-Treasurer

Approved as to form:



Frank F. Randolph, City Attorney

**SUMMARY OF ORDINANCE NO. 1447
OF THE CITY OF WOODLAND, WASHINGTON**

On February 3, 2020 the City Council of the City of Woodland, Washington, approved Ordinance No. 1447 the main point which may be summarized by its title as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING THE WOODLAND MUNICIPAL CODE USING THE RETOOLING OUR CODE PROGRAM TO MAKE MINOR NON-POLICY CORRECTIONS TO THE DEVELOPMENT CODE AND AUTHORIZE PUBLICATION BY SUMMARY.

The full text of this Ordinance will be mailed upon request.

APPROVED by the City Council at their meeting on 3rd day of February, 2020.



Mari E. Ripp, Clerk-Treasurer

Published: February 12, 2020

Effective: February 17, 2020