

**City Of Woodland  
Planning Commission Meeting Agenda Summary Sheet**

<b>Agenda Item:</b> <u>Document 4</u> <u>City Code language for Comp Plan amendments</u>	<b>Agenda Item #:</b> <u>( 2 ) Workshop</u> <b>For Agenda of:</b> <u>September 20, 2018</u> <b>Department:</b> <u>Community Development</u> <b>Date Submitted:</b> <u>September 10, 2018</u>
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**Cost of Item:**             0

**Amount Budgeted:**     \_\_\_\_\_

**Unexpended Balance:**  \_\_\_\_\_

<b>BARS #:</b>  <b>Description:</b>
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**Department Supervisor Approval:**     Travis Goddard, Community Development Director

**Committee Recommendation:**            N/A

<b>Agenda Item Supporting Narrative</b> (list attachments, supporting documents): Attached: WMC 17.84 Amendment and Review Procedures.
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<p><b>Summary Statement/Department Recommendation:</b></p> <p>WMC 17.84 outlines the procedures and standards for reviewing amendments to the Comprehensive Plan text and maps. The effort being undertaken includes those actions outlined in WMC 17.84.010(E) which include the amendment of the comp plan text and map, and, potential changes to the City zoning ordinance and map.</p> <p>Several applications have been submitted for Comprehensive Plan Amendments per WMC 17.84.020 (A). In addition, City Staff has initiated additional applications as necessary to perform a comprehensive update process. A formal motion to proceed with the process will be heard at the City Council meeting dated October 1<sup>st</sup> when the Council considers the proposed Public Participation Plan.</p> <p><u>Public Hearing Required</u></p> <p>The Planning Commission is required to hold at least one public hearing before taking action on any amendments to the zoning ordinance or the comp plan. Notice for public hearings shall be given in accordance with City code.</p> <p style="padding-left: 40px;">NOTE: That required hearing will occur in the future and will be adequately noticed. Tonight’s meeting does not constitute that hearing. (emphasis added)</p> <p style="padding-left: 40px;">In addition, applications for amendments initiated by property owners require not only a hearing, but also mailed notice; notice to be posted on-site; and notice to be disseminated in ways consistent with city code (including publishing in a newspaper of general circulation). That notice and those hearings will occur in the future. Tonight’s meeting does not constitute that hearing. (emphasis added)</p>
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### Decision Timing

PC action on applications is mandated to be 90-days from the first public hearing per WMC 17.84.040.

The PC, assisted by a staff report which provides analysis, findings, and recommendations shall take action based upon

*“consideration of the comprehensive plan; other plans of the city; the standards of this (zoning) title and other ordinance and codes; and other factors necessary for consideration to protect the public health, safety, convenience, and general welfare.”*

*The commission may require such information as it deems necessary to judge the merits of the proposal, and may continue such hearing to later dates without further notice if the date, time, and place of the continuation is announced at the previous meeting. Conclusive action on an application shall be take to the commission within 90-days from the date of the initial hearing upon the matter. The matter may be continued for a longer period of time with the written consent of the applicant.”*

### Notice of Decision

WMC 17.84.050 outlines the process and requirements for providing notice once the PC has made a recommendation. (Note that the section is titled “decision” but the PC is authorized WMC 19.08.030 to make a “recommendation”. Staff interprets this not as a discrepancy but to mean the PC makes a decision on what to recommend to the Council.)

### Council Action

WMC 17.48.100 states that council action on an amendment is the final action. However, Document 6 is a Cowlitz County resolution (#02-078) appears to conflict with this section in the case of approved amendments. See Document 6 for additional information.

### Zone Changes, development proposals requiring specific procedures - Designated

Zone changes present site specific or project specific impacts that the City has determined required review. In general, zone changes are required to be accompanied of site plans and other necessary permits and information as outlined in WMC 17.84.100 thru .140.

No zone changes are requested at this time. Neither are any annexations.

Annexation and zone change requests would only become relevant when specific properties apply for the necessary land use permits for development.

### Actions:

1. The PC is being asked to review the staff’s presentation and WMC 17.84 in order to understand the upcoming comp plan update process.
2. The PC should provide the public an opportunity to comment on the WMC 17.84 and the staff’s analysis for how the process will proceed.
3. The PC should advise the Staff of changes it would like to see in the process or concerns the PC feels will need to be incorporated into the process.
4. The PC should advise staff on updating the City Council on the upcoming process.
5. The PC should advise staff on proceeding with the update of the Comp Plan and the processing of Comp Plan Amendment applications.

# Chapter 17.84 - AMENDMENTS AND REVIEW PROCEDURES

## Sections:

### **17.84.010 - Amendments—Permitted conditions.**

Whenever public necessity, convenience and general welfare require, the boundaries of the zones established on maps by the ordinance codified in this title, the classification of property uses in this title, land use designations established by the comprehensive plan, or other provisions of this title or the plan may be amended as follows:

- A. By amending the zoning map; or
- B. By amending the text of the zoning ordinance codified in this title; or
- C. By amending the comprehensive plan map; or
- D. By amending the comprehensive plan text; or
- E. By amending all or several of the above documents.

(Ord. 490 § 19.01, 1979)

### **17.84.020 - Initiation.**

Amendments of the ordinance codified in this title, zoning map, or comprehensive plan, and/or comprehensive plan map may be initiated by:

- A. The verified application of one or more owners of the property which is proposed to be changed or reclassified; or
- B. By the adoption of a motion by the council requesting the commission to set a matter for hearing and recommendation; or
- C. By adoption of a motion by the commission.

(Ord. 490 § 19.02, 1979)

### **17.84.030 - Public hearing and notification required.**

- A. The commission shall hold at least one public hearing before taking action on any amendment to the ordinance codified in this title or the comprehensive plan. In all cases, notice of the time and place of this public hearing, with a description of the proposed amendments, shall be published at least once and not less than ten days prior to the date of the hearing in a regular issue of the newspaper designated as the legal newspaper of the city.
- B. For amendments to the zoning ordinance map and/or comprehensive plan map initiated by the property owner(s), written notice thereof shall be addressed through the United States mail to all property owners of record of the property and within three hundred feet of the exterior boundaries of the subject property. Said notice shall set forth the purpose of the hearing and the time, date, and place of the hearing. The written notice shall be mailed no less than twelve days prior to the hearing.
- C. In addition, a minimum of two notices shall be posted on the subject property in conspicuous locations visually accessible to passersby.
- D. For amendments to the zoning ordinance map and/or comprehensive plan map initiated by the planning commission, the commission shall elect to do one of the following:
  - 1. Publish appropriate notice in the legal newspaper of the city and send written notice of proposed amendments through the United States mail to all property owners of record of the subject property; or

2. If the zoning and/or comprehensive plan map amendment involves a significant area of the city, as determined by the planning commission chairman, the commission may publish appropriate notice in the legal newspaper of the city and, if deemed necessary, determine and take other means of effective public and property owner notification.

(Ord. 490 § 19.03, 1979)

**17.84.040 - Planning commission—Decision on applications—Time limit.**

Planning commission action on an application by property owners shall be based on consideration of the comprehensive plan; other plans of the city; the standards of this title and other ordinances and codes; and other factors necessary for consideration to protect the public health, safety, convenience, and general welfare. The planning commission shall be assisted in its deliberations by findings and recommendations prepared by staff, and action taken shall be based on written findings and conclusions supporting the decision. The commission may require such information as it deems necessary to judge the merits of the proposal, and may continue the hearing to later dates without further notice if the date, time, and place of the continuation is announced at the previous meeting. Conclusive action on an application shall be taken by the commission within ninety days from the date of the initial hearing upon the matter. The matter may be continued for a longer period of time with the written consent of the applicant.

(Ord. 536 § 16, 1982: Ord. 490 § 19.04, 1979)

**17.84.050 - Planning commission—Notice of decision.**

When the commission's action is to recommend approval or denial of an amendment, the commission shall, within fourteen days from the date of the action on such matter, notify the applicant by mailing a notice of the action of the commission to the applicant at the address shown on the application. Other persons at the hearing requesting notice of the action shall be notified in the same manner as the applicant. If the action of the commission is to recommend approval of an amendment, a copy of the action, together with staff reports, findings and any special conditions considered by the commission to be controlling and necessary shall be forwarded to the city council within fourteen days of said action.

(Ord. 490 § 19.05, 1979)

**17.84.100 - Appeal—Council decision.**

Enactment of an ordinance by the council approving an amendment shall constitute final action. When the action of the council is to deny a request for an amendment, the adoption of the motion shall constitute final action. Written notice of the action shall be forwarded to the commission to be attached to the permanent file of the case, and the city shall notify the applicant of the final action of the council.

(Ord. 708 § 2, 1990: Ord. 490 § 19.10, 1979)

**17.84.110 - Zone changes, development proposals requiring specific procedures—Designated.**

The following amendments to the city zoning map and certain development proposals shall require the applicant to adhere to certain procedures as presented in the remainder of this chapter.

- A. Proposed zone change to:
  - MDR Any size and density
  - HDR Any size and density
  - C-1 Over one acre in area
  - C-2 Any size and density

C-3 Any size and density

I-1 Any size and density

- B. Development proposals, initiated by application for a building permit for a use permitted in one of the following districts:

MDR Over one acre in area

HDR Over one acre in area

C-1 Any size and density

C-2 Any size and density

C-3 Any size

I-1 Any size and density

I-2 Any size and density.

(Ord. 939 § 23, 2000; Ord. 638 § 17, 1987; Ord. 536 § 17, 1982; Ord. 490 § 19.11(A), 1979)

**17.84.120 - Zone changes, development proposals requiring specific procedures—Site development plan—Content.**

- A. The applicant for a zone change or development proposal specified in Section 17.84.110 shall prepare and submit to the city a site development plan drawn to a scale of not more than fifty feet to the inch showing at a minimum:
1. Identification of the proposed use;
  2. Boundaries of the site;
  3. Adjacent streets, properties, and land uses;
  4. Site topography;
  5. Proposed points of entrance and exit;
  6. Interior streets and circulation pattern, if any;
  7. Off-street parking and outdoor storage areas;
  8. Railway sidings and loading areas, if any;
  9. Location of all buildings and pertinent structures;
  10. Horizontal (plan view) and vertical (elevation view) views of all buildings and pertinent structures, showing all dimensions and setbacks;
  11. Location and, for development proposals, design of sewer lines and connection, drainage facilities and storm sewers, water lines, and fire hydrants;
  12. Plans for general site grading, landscaping, signs and outdoor advertising structures, site screening, and other pertinent features required by this title and of the zoning district.
- B. Recognizing that providing all of the information designated in this section for certain sizes and categories of rezone proposals may be a hardship for the applicant and may not be necessary for rezone consideration, zone amendments at a minimum should provide items 1 through 6, 9 (if known), 10 (if known), 11 (indication of proposed service connections), and 12, (as much as possible).

(Ord. 536 § 18, 1982; Ord. 490 § 19.11(B)(1), 1979)

**17.84.130 - Site plan review and decision procedures—Development proposals.**

The site development plan for development proposals shall accompany application for the building permit and shall be reviewed by the community development director, building official, public works director and other affected agencies for conformance to standards, ordinances, and codes. The city staff will work with the applicant to correct any site plan deficiencies, if necessary. Approval of site plans for development proposals shall be by the community development director, who shall denote approval on the face of the site plan for filing in city records. The approved site plan shall be binding on the ultimate design and construction of the project. Prior to decision, the community development director may refer site plans for development proposals to the planning commission for review and comment and shall make such referral when requested by the planning commission.

(Ord. 536 § 19, 1982: Ord. 490 § 19.11(B)(2), 1979) (Ord. No. 1378, § 85, 11-21-2016)

**17.84.140 - Site plan review and decision procedures—Zone changes.**

- A. The site development plan for zone change proposals shall accompany the application for the zone change and shall be reviewed initially by the community development director, building official, public works director and other affected agencies for conformance to standards, ordinances and codes. City staff will work with the applicant to correct any site plan deficiencies, if necessary. Staff findings and recommendations to the planning commission should address the merits of the site plan as well as of the proposed zone change.
- B. The planning commission shall review the zone change application and site development plan together according to normal rezone procedures. The commission's findings and recommendations to the city council should address the merits of the site plan as well as of the zone change. City council approval of the site development plan at the time of rezone approval shall be considered as binding on the development design.
- C. The community development director, public works director, and building official shall check building and construction plans for basic consistency with the approved site development plan prior to issuing permits. If the building and construction plans indicate significant differences in dimensions, setbacks, points of ingress/egress, parking and loading spaces and areas, or other pertinent features from the approved site plan, a revised site development plan shall be required and reviewed and acted on by the city council.

(Ord. 536 § 20, 1982: Ord. 490 § 19.11(B)(3), 1979) (Ord. No. 1378, § 86, 11-21-2016)