

SUPPLEMENTAL STAFF REPORT

Retooling Our Code – 2023 Batch

Ordinance No.	To be determined
Application No.	WLD-2023-001
Issue Date	August 16, 2023
Applicant	City of Woodland
Location	This is a non-project action that could impact all property within the city.
Published	N/A, Notice will be provided for required Public Hearing(s)
Workshop Date	August 17th, 2023. 7 p.m. Woodland City Council Chambers 200 East Scott Ave

I. DESCRIPTION OF PROPOSAL

The City’s Retooling Our Code (ROC) project is designed to identify and correct issues and problems with the code.

This batch of code amendments involves simple, non-policy changes including correction of spelling errors and cross-reference errors and clarification of responsibilities, as well as a number of minor policy changes. Subsequent batches, however, may include updates that involve policy changes.

This is a non-project action that could impact all property owners and tenants citywide.

II. REVIEW AUTHORITY

Per WMC 19.08.030, Zoning Text Amendments shall be approved, approved with conditions, or denied by the City Council after consideration of the Planning Commission and Staff recommendation. The criteria used are outlined in WMC 3.40.

III. FINDINGS OF FACT

The existing Woodland Municipal Code section is shown in BLACK ink.

BLUE ink indicates recommended staff edits or corrections.

RED font indicates new code language recommendations.

NUISANCES | WMC Chapter 8.12

Existing: WMC 8.12.020 – Designated.

The following are declared to be nuisances affecting public health, peace and safety: any accumulation of junk, debris, manure or rubbish; or any rank or unattended growth of underbrush, vegetation, waste shrubs or trees higher than two feet upon private property or over or across or overhanging any sidewalk, street, curb or parking; or throwing or depositing or causing to be deposited in any street, alley or public place any garbage, printed matter, wastepaper, refuse or other offensive matter.

(Ord. 286 § 15(b), 1967)

Proposed: Replace WMC 8.12.020 with WMC 8.12.020 – Purpose and Designation.

- A. All property owners have the right to the full use and enjoyment of their property where such use does not infringe on the rights of adjacent property owners.
- B. In instances where an individual's actions significantly infringe on the use and enjoyment rights of adjacent property owners, the county may act to abate a nuisance.
- C. The keeping of public nuisance junk vehicles, parts thereof, and automobile hulks creates conditions that reduce the value of adjacent private property, become hiding places for rodents, breeding places for mosquitoes and other insects, safety hazards for children, environmental hazards to the soils, surface and groundwaters, and blights on the landscape, all detrimental to the health, safety, welfare, peace and well-being of the general public. Therefore, the purpose and intent of this chapter is to regulate the proliferation of junk vehicles, declare junk vehicles a public nuisance, and to provide for and implement the removal of abandoned and junk vehicles, parts thereof, and automobile hulks from public and private property as authorized pursuant to RCW 46.55.240.

Finding S1: The current code section for the designation of nuisances is adequate but may not be defensible if challenged, depending upon the type of nuisance being encountered.

Finding S2: The proposed code section is quoted from Cowlitz County and is actually CCC 10.27.020. This code section was identified by the city's attorney, who also functions as the attorney for the Mosquito Control District.

Finding S3: The specificity of the code language will make enforcement easier by making it easier to identify nuisances.

Finding S4: The mosquito district's attorney also indicated that inclusion of the mosquito and insect language will make it easier for the district to obtain permission to enter property to treat breeding areas.

Finding S5: The proposed language change will not increase code enforcement efforts on nuisances. Enforcement actions are initiated by the citizen complaints so have a clearer definition of what constitutes a nuisance should not by itself increase the number of complaints.

It will however make enforcement more efficient by providing clear direction on what the community considers a nuisance.

Conclusion:

- Staff supports the proposed code amendment.

General Provisions | WMC Title 1

WMC 1.04 – General Provisions

Existing: WMC 1.04.060 – Locations for posting city notices.

The following locations shall be the official posting places for city notices:

- Woodland City Hall (lobby)*
- Woodland Post Office (lobby)*
- Old National Bank (lobby)*

Proposed: WMC 1.04.060 – Locations for posting city notices.

The following locations shall be the official posting places for city notices:

- Woodland City Hall (lobby)
- Woodland Post Office (lobby)
- ~~Old National Bank (lobby)~~ Woodland Police Department (lobby)

Finding S6: The reference to the Old National Bank is outdated because there no such bank in the city, therefore staff cannot post at a site that does not exist.

Finding S7: The Council Chambers where the city council meets is located at 200 E Scott Avenue, Woodland WA 98683, which is identified as the Woodland Police Department building. As a policy, the city has been posting notices for hearings and meetings on a board located in the lobby of that building so codification of the practice will help the city meet noticing standards.

Conclusion:

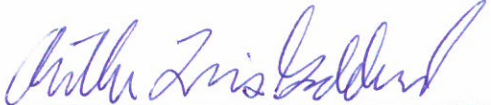
- The proposed code amendment in will have no impact on the application of code.

IV. RECOMMENDATION

Staff recommends that the Planning Commission refer the code changes listed above to Woodland City Council with a recommendation of approval. Approval of these code changes will improve clarity and usability of the Woodland Municipal Code for staff and citizens.

Responsible Official: Travis Goddard, Director
City of Woodland
230 Davidson Ave
Woodland, WA 98661
goddardt@ci.woodland.wa.us

Date: 8/16/2023

Signature: 

cc: Applicant
Parties of Record
File
Website
Mayor
City Administrator