

ORDINANCE NO. 1156

AN ORDINANCE extending the Moratorium (Ordinance No. 1141) on the acceptance of applications for Planned Unit Residential Development (PURD) applications and permits based thereon, by a period of not longer than six (6) months from the effective date of this Ordinance, or until said Ordinance is amended, whichever occurs first; and authorize publication by Summary.

WHEREAS, the Planning Commission and staff developed the revised PURD standards, and the Planning Commission passed a motion at their September 10, 2008 public hearing to forward the revised PURD standards to the City Council for review and adoption.

WHEREAS, the City Council found at their October 20, 2008 meeting that the revised PURD standards would not sufficiently address their concerns. The City Council expressed their interest in holding a joint meeting with the Planning Commission to discuss the PURD standards.

WHEREAS, the City Council and Planning Commission held joint meetings on February 11, 2009 and April 8, 2009 to discuss concerns related to the revised PURD standards. The City Council expressed their interest in continuing to work with the Planning Commission to address their concerns.

WHEREAS, the six (6) month Moratorium established by Ordinance No. 1141 expires on June 1, 2009.

WHEREAS, on Monday, May 4, 2009, the City Council held a regularly held public hearing to consider this Ordinance 1156, which extends the Moratorium (Ordinance No. 1141) on further PURD projects under WMC 16.22; and,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Definitions. For the purpose of this Ordinance, the following definitions shall apply:

A. Non-Exempt Applications: any land use application for PURD development, if such application has not been received by the City on or before the date of the adoption of this Moratorium Ordinance.

B. Exempt Applications: any land use application for PURD development received by the City on or before the date of the adoption of this Moratorium Ordinance.

Section 2. Purpose. The purpose of this Moratorium is to allow the City adequate time to complete a thorough review of the PURD Ordinance, develop ascertainable guidelines to be implemented therein for the purposes of ensuring the developers and the Woodland citizens adequate and lawful exactions, and provide the City manifest standards for PURD approval. It is the intent of the Woodland City Council to treat PURD applicants in a manner consistent with the vested rights doctrine as established by the laws of the State of Washington; that the Moratorium last no more than six (6) months; that it is necessary to address significant issues concerning meaningful consideration and design standards.

Section 3. Findings of Fact. Based on the motion to establish a six (6) month motion to pass a Moratorium, the Council makes the following Findings of Fact:

1. Pursuant to its authority, the City has promulgated Section 16.22 of the Woodland Municipal Code which authorizes Planned Unit Residential Developments (PURDs); and,
2. The intent of said local legislation was to encourage development by providing developers with reasonable alternatives to short and long subdivision which have certain statutory criteria imposed by state law, in exchange for certain consideration to be given to the public such as open space to be used by the public for recreation; and,
3. Some of the PURD projects have possibly failed to meet the intent of the PURD ordinance inasmuch as the level of exactions received by the City in exchange for approval appear to have given the citizens increasingly less meaningful consideration; and,
4. The Council desires review by the staff and the Planning Commission as a condition precedent to further permit issuance pursuant to section 16.22; and,
5. Inasmuch as the public demands appropriate consideration for PURD projects; that the present code does not afford exaction of appropriate consideration, failure to immediately establish a procedure whereby the citizens may receive appropriate consideration for PURD developments creates an emergent situation contrary to the welfare of the public; and,

6. The Council has previously and unanimously passed a motion to suspend the PURD development based on the concerns that the Ordinance authorizing PURD developments does not adequately authorize the City to receive sufficient and meaningful consideration and to establish ascertainable standards regulating design standards of PURD projects; and,
7. The PURD provisions in the Woodland Municipal Code exist purely out of legislative grace from the Woodland City Council.

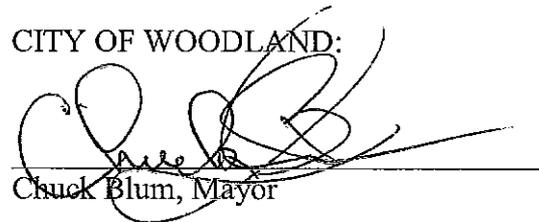
Section 4. Staff and Planning Commission Review and Recommendations. Council hereby directs staff to review comments to be submitted by the City Council, edit and present a revised PURD Ordinance before the Planning Commission for its review and proposed revisions in a manner consistent with the foregoing; that upon completion, an amended PURD ordinance be presented to the Council for adoption.

Section 5. Moratorium on application acceptance and permit issuance. There shall be a six (6) month moratorium on the City's acceptance of any land use applications made pursuant to WMC 16.22 and the City shall not issue permits based thereon during this time period. The Moratorium shall expire exactly six (6) months from the effective date of this Ordinance, or upon adoption of a revised PURD ordinance, whichever comes first. This Moratorium shall apply only to Non Exempt Applications and shall not apply to Exempt Applications as defined herein.

Section 6. Effective Date. This ordinance shall become effective five (5) days after its publication in the media or paper of record as required by law.

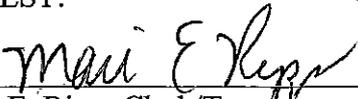
ADOPTED this 18th day of May, 2009.

CITY OF WOODLAND:



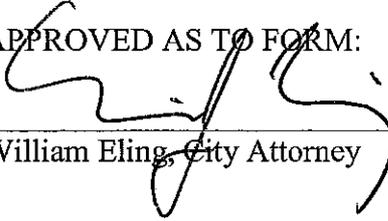
Chuck Blum, Mayor

ATTEST:



Mari E. Ripp, Clerk/Treasurer

APPROVED AS TO FORM:



William Eling, City Attorney

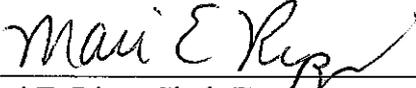
SUMMARY OF ORDINANCE NO. 1156
OF THE CITY OF WOODLAND, WASHINGTON

On May 18, 2009 the City Council of the City of Woodland, Washington, approved Ordinance No. 1156 the main point which may be summarized by its title as follows:

AN ORDINANCE extending the Moratorium (Ordinance No. 1141) on the acceptance of applications for Planned Unit Residential Development (PURD) applications and permits based thereon, by a period of not longer than six (6) months from the effective date of this Ordinance, or until said Ordinance is amended, whichever occurs first; 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 May 18, 2009.



Mari E. Ripp, Clerk-Treasurer

Published: May 27, 2009
Effective: June 1, 2009