



## Staff Report – Ordinance 21-002

February 16<sup>th</sup>, 2021 / Regular Meeting

Ordinance No. 21-002 An Ordinance amending Ordinance 2529 to modify a Covenant Rezone Agreement

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**BACKGROUND:** The City Council conducted a public hearing on January 4<sup>th</sup>, 2021 regarding the proposed changes to the existing Rezone Agreement. Council then approved the agreement and directed the City Attorney to draft an adoptive ordinance for consideration, which is contained in this agenda.

**SUMMARY:** The owner of parcel numbers 986028-434 and 986028-435 is seeking a modification to an existing concomitant rezone agreement that was entered into with the City of Camas back in April of 2010. The site in question consists of two tax parcels located in the Grass Valley area of Camas at the northwest corner of NW 38<sup>th</sup> Avenue and NW Parker Road (See Figure 1). The site is undeveloped and carries a comprehensive plan designation of Industrial with a zoning designation of Light Industrial (LI). The total acreage is approximately 47 acres and includes some wetlands on site. The applicant lists that roughly 9 acres is usable. Access to the property is via a private road just south of the Fire Station off of Parker Road. The property is largely covered in trees, grasses and other vegetation. No development proposal is before the city at this time.

The applicant and current owner, David Lugliani, is seeking a modification to an existing recorded Concomitant Rezone Agreement that is between the owners of the property and the City of Camas. The original agreement was recorded back on April 30<sup>th</sup>, 2010. The zoning of the subject parcels at the time was Light Industrial/Business Park (LI/BP). The original intent behind the rezone agreement was to have allowed uses from the Light Industrial (LI) Zone apply to the subject property to allow for some flexibility. As it was recorded the agreement listed restricted uses, rather than the whole list of uses which has led to some degree of interpretation. As such, the applicant is seeking clarity by proposing to add the entire list of uses for the LI zone to the agreement. The one exception is to strike out mini storage as an allowed use. The proposed modification to the agreement does not apply to the Camas Self Storage site, which was subject to the original agreement.

Staff has reviewed the proposed changes to the modified agreement. Legal has also reviewed and approved as to form. The listed use table in the modified agreement is consistent with the

current Camas Municipal Code table of uses with the exception of mini storage being stricken as a use in the proposal.



**Figure 1: Current Location Map.**

**EQUITY CONSIDERATIONS:**

What are the desired results and outcomes for this agenda item? Staff is seeking direction from Council to return with a final version for action.

What's the data? What does the data tell us? Staff referred to the existing agreement, Camas Municipal Code, and GIS mapping data. The proposed changes would be consistent with adopted policies and codes in Camas.

How have communities been engaged? Are there opportunities to expand engagement? This is a site specific request that does not have a direct impact of neighboring property owners. Once any formal development application is submitted then the established public process associated with land development will allow for formal engagement.

Who will benefit from or be burdened by this agenda item? The owner of the property in question will have more certainty in what allowed uses are permitted on site for future development.

What are the strategies to mitigate any unintended consequences? The City Council does have the ability to modify or terminate the agreement as listed in the recitals within the current and proposed agreement.

Does this agenda item have a differential impact on underserved populations, people living with disabilities, and/or communities of color? Please provide available data to illustrate this impact. N/A

Will this agenda item improve ADA accessibility for people with disabilities? Adopted city codes and policies require full compliance with ADA accessibility when site development is proposed.

What potential hurdles exist in implementing this proposal (include both operational and political)? Having clear, and consistent development standards help alleviate potential for implementing without having to use interpretation and assumption.

How will you ensure accountability, communicate, and evaluate results? The use and adherence to adopted city policies for development activities helps provide consistency and accountability.

**BUDGET IMPACT:** There is no direct impact to the City's budget with the proposed amendments to the rezone amendment. Long term budget implications include, but are not limited to, revenues from future application fees, tax revenue increases from developed property value increases and other permit related impact fees and system development charges. Long term budget impacts to city services and expenditures include, but are not limited to, public works maintenance, emergency service calls, and other services provided by the city staff once the property is developed.

**RECOMMENDATION:** Staff recommends that Council adopt Ordinance 21-002.