

## **Chapter 18.51 COMPREHENSIVE PLAN AND ZONING AMENDMENTS<sup>1</sup>**

### **18.51.010 Application for amendments to comprehensive plan.**

Any interested person, including applicants, citizens, planning commission, city council, city staff, and other agencies, may submit an application in the month of January each year for a comprehensive plan amendment. The application shall specify:

- A. A detailed statement of what is proposed and why;
- B. A statement of the anticipated impacts of the change, including the geographic area affected, and issues presented by the proposed change;
- C. An explanation of why the current comprehensive plan is deficient or should not continue in effect;
- D. A statement of how the proposed amendment complies with and promotes the goals and specific requirements of the growth management act;
- E. A statement of what changes, if any, would be required in functional plans (i.e., the city's water, sewer, stormwater or shoreline plans) if the proposed amendment is adopted;
- F. A statement of what capital improvements, if any, would be needed to support the proposed change which will affect the capital facilities plans of the city;
- G. A statement of what other changes, if any, are required in other city or county codes, plans, or regulations to implement the proposed change; and
- H. The application shall include an environmental checklist in accordance with the State Environment Policy Act (SEPA).

(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

(Ord. No. 17-013, § IV, 10-2-2017)

Ord. No. 17-013, § IV, adopted Oct. 2, 2017, amended the catchline of § 18.51.010 from "Application and criteria therein" to read as herein set out.

### **18.51.020 Application review process for comprehensive plan.**

The comprehensive plan shall be reviewed once a year as a Type IV legislative process, and in accordance with RCW 35A.63.070—073, unless there is an emergency, with the following procedure:

- A. In the months of November and December, city staff and applicants shall complete preapplication meetings;
- B. In the month of January of each year, applicants shall submit an application form containing all of the information required by Section 18.51.010 of this chapter;

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<sup>1</sup>Ord. No. 17-013, § IV, adopted Oct. 2, 2017, retitled Ch. 18.51 from "Comprehensive Plan Amendments" to read as herein set out.

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- C. The city may take as much as sixty days from the closing of the application period (January 31) to complete the initial review of proposals. Environmental determination requirements associated with an application may lengthen this period. If no amendments are received, the chairman of the planning commission shall so report to the mayor and city council, and the annual review of the comprehensive plan shall be considered completed.

(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

(Ord. No. 17-013, §§ I(Exh. A), IV, 10-2-2017)

Ord. No. 17-013, § IV, adopted Oct. 2, 2017, amended the catchline of § 18.51.020 from "Application review" to read as herein set out.

### **18.51.025 Zoning text and map amendments.**

- A. Amendments to the zoning code text or other development regulations shall follow procedures for a Type IV legislative process. Requests amending the zoning code text or development regulation shall include the following information with an application:
  - 1. Narrative that addresses the following:
    - a. The specific code text or the development regulation and the rationale for the amendment;
    - b. A statement of how the amendment is warranted due to changed circumstances, error, or because of a demonstrated need for the change in the zoning text or regulation;
    - c. A statement of how the public safety and welfare is improved by the amendment; and
    - d. A statement of what the effect would be if the amendment is not granted.
- B. Requests for zoning map amendments shall follow procedures for a Type III decision, and include the following information with an application:
  - 1. An application form indicating the applicant(s), application date, property information (including address, size, zoning, and current use), specific map amendment request, and other pertinent information.
  - 2. Narrative that addresses the following criteria:
    - a. The map amendment shall be consistent with the policies and provisions of the comprehensive plan including the comprehensive plan map;
    - b. The amendment shall be compatible with the uses and zoning of the adjacent properties and surrounding areas;
    - c. The amendment is warranted due to changed circumstances, error, or because of a demonstrated need for additional property in the proposed zoning district;
    - d. The subject property is suitable for development in conformance with zoning standards under the proposed zoning district;
    - e. Adequate public facilities and services are likely to be available to serve the development allowed by the proposed zone;
    - f. Specific information about the intended use and development of the property.
- C. An applicant may propose a concomitant rezone in conjunction with a zoning map amendment and shall be subject to a Type IV legislative process. Where a concomitant rezone is proposed by an applicant, the application shall also include the materials identified in Section 18.51.040.

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(Ord. No. 17-013, § I(Exh. A), 10-2-2017)

### **18.51.030 Evaluation criteria.**

For consideration of any proposed amendment to either the comprehensive plan, zoning code text, or development regulations, the planning department shall prepare and submit to the planning commission a staff report which evaluates the following:

- A. Impact upon the city of Camas comprehensive plan and zoning code;
- B. Impact upon surrounding properties, if applicable;
- C. Alternatives to the proposed amendment; and
- D. Relevant code citations and other adopted documents that may be affected by the proposed change.

The report shall include a copy of the application for each proposed amendment, any written comments on the proposals received by the department, and shall contain the department's recommendation on adoption, rejection or deferral of each proposed change; and the SEPA checklist with the determination.

(Ord. 2515 § 1 (Exh. A (part)), 2008: Ord. 2443 § 3 (Exh. A (part)), 2006)

(Ord. No. 17-013, § I(Exh. A), 10-2-2017)

Ord. No. 17-013, § IV, adopted Oct. 2, 2017, amended the catchline of § 18.51.030 from "Staff report" to read as herein set out.

### **18.51.040 ~~Reserved~~ Concomitant Rezone.**

A concomitant rezone may be required by the City or proposed by an applicant in conjunction with a zoning map amendment. Concomitant rezones are appropriate where additional limitations or requirements are necessary to ensure consistency with the comprehensive plan; the proposed zoning could allow a range of uses or intensities not appropriate for the specific site; or the City desires to secure specific land uses, development outcomes, or public benefits.

- A. The City Council may approve a zoning map amendment subject to a concomitant agreement or ordinance.
  - 1. The concomitant rezone shall be implemented through a development agreement, recorded covenant, or ordinance.
  - 2. The provisions of the concomitant rezone shall run with the land and be binding on successors and assigns.
  - 3. The agreement or ordinance shall be recorded prior to issuance of development permits.
- B. Conditions imposed through a concomitant rezone may include, but are not limited to:
  - 1. Limitations on permitted or conditional uses, including the prohibition of specific uses or the requirement to include specific uses or a mix of uses (e.g., minimum percentages of residential, commercial, or mixed-use development, or required active ground floor uses);
  - 2. Additional development standards, including but not limited to minimum or maximum densities, floor area ratios, building height, setbacks, lot coverage, site layout, and design requirements;

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3. Phasing or timing of development, including sequencing of uses or required improvements;
  4. Infrastructure or public facility improvements, including transportation, utilities, open space, or other public amenities;
  5. Environmental protection measures, including enhanced critical area protections, tree retention, or low impact development requirements; and
  6. Other requirements necessary to ensure consistency with the Comprehensive Plan and compatibility with surrounding development.
- C. In addition to the requirements for a zoning map amendment in Section 18.51.025(B), an applicant requesting a concomitant rezone shall provide:
1. A proposed concomitant agreement or a detailed description of proposed conditions;
  2. A site concept plan illustrating intended development, including land use distribution, building locations, access, and open space; AND
  3. Any supporting studies necessary to demonstrate feasibility and impacts.
- D. Development of the property shall comply with the approved concomitant conditions. Where there is a conflict between the underlying zoning and the concomitant conditions, the concomitant conditions shall control.
- E. Modification or Removal
1. A concomitant rezone may be modified or removed only through the same procedure required for a zoning map amendment, unless otherwise specified.
  2. The applicant shall demonstrate that the modification remains consistent with the comprehensive plan and continues to address site-specific impacts.
- F. Enforcement  
Failure to comply with the terms of a concomitant rezone shall constitute a violation of this Code and may result in denial, withholding, or revocation of permits or approvals.

### **18.51.050 Council consideration and decision.**

Subsequent to planning commission review and recommendation, the city council shall consider each request for an amendment to the comprehensive plan or zoning code at a public meeting, at which time the applicant will be allowed to make a presentation. Any person submitting a written comment on the proposed change shall also be allowed an opportunity to make a responsive oral presentation. Such opportunities for oral presentation shall be subject to reasonable time limitations established by the council.

- A. At minimum, the criteria the city council shall use to make a decision on a proposed amendment are as follows:
  1. The application and criteria established therein;
  2. The staff report and recommendation;
  3. The planning commission recommendation;
  4. The public interest.
- B. The city council shall make a decision by motion, resolution, or ordinance as appropriate. The city council decision on a planning commission recommendation following a public hearing shall include one of the following actions:
  1. Approve as recommended;

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2. Approve with additional conditions;
  3. Modify, with or without the applicant's concurrence;
  4. Deny (resubmittal is not allowed until the next year for comprehensive plan amendments);
  5. Remand the proposal back to the planning commission for further proceedings.

(Ord. 2515 § 1 (Exh. A (part)), 2008; Ord. 2443 § 3 (Exh. A (part)), 2006)

(Ord. No. 17-013, § I(Exh. A), 10-2-2017)