

Title 17 Update – Re-Organization

Making the zoning code easier to use!

THE ISSUE

Problem Statement:

Title 17, *Land Use and Development Regulations*, is difficult to use and difficult to administer. Individual zoning district regulations are scattered among twenty different chapters. Many chapters were prepared and adopted separately and results today in a sometimes confusing, hard to follow format with inadvertent repetition and some inconsistencies. As a group, the land use and development regulations:

- Are difficult to navigate – users have to “flip around” to various sections to find key information, and have to check several different chapters to find all standards related to one subject
- Lack clarity – answers to some specific questions are elusive which could lead to inconsistent application of the code
- Duplications of text and other information is found throughout the code
- Use terms inconsistently – key terms have been used inconsistently in different sections and different chapters and may not always have the same meaning when used in different contexts. Duplicate definitions are located throughout the code
- Need “clean up” changes – a draft list of minor changes will be prepared which have not been proposed or adopted

Project Goals:

The goal of this project is to streamline the code and present it in a more coherent, consistent, concise and user-friendly manner, so the information is:

- Clear and Comprehensive – with consistent standards, consistent definitions, consistent format and no duplication
- Usable – by both seasoned code users and the general public
- Adaptable – structured to make it easy to amend, and/or to add or delete provisions in the future
- Minimize substantive changes, if any are needed

Substantive Changes:

The project will be structured to avoid substantive changes to the current regulations. However, there may be situations where substantive changes may be proposed. For example, if

an inadvertent omission or inconsistency is discovered, correcting those minor mistakes may change how future applications are handled.

Examples of non-substantive changes that should be expected:

- Moving sections to group similar subjects together
- Combining two or more chapters, or sections, into one
ex: combine Airport Overlays
- Minimizing or eliminating repetitive paragraphs or clauses
- Using charts, tables and graphics to illustrate definitions and regulations instead of or in addition to text

Examples of substantive changes that may be needed:

- Adding a standard to fill a gap in coverage such as:
 - Changing a setback to make it consistent with other similar zoning districts
 - Adding a use that was inadvertently left out of the code
- Other unforeseen changes to achieve the project goals

THE PROCESS

Small advisory committee:

Limit to two or three meetings

Form in early January

Members –

Stan May, Senior Long Range Planner – project manager, drafter
Lynn Deitrick, Senior Current Planner
Larry Mason, Airport Manager
Cheryl McGee, Lead Permit Tech
Tim Elsea, Public Works Director
Bill Teitzel, Environmental Health
Glen Carter, Chief Civil Prosecuting Attorney
Greg Lund, Realtor/Developer

1st meeting January 22, 2013

1. Discuss and finalize Goals
2. Review/modify/add questions
(*what is missing? What else do we need to know?*)
3. Schedule 2nd meeting (*Late January or Early February?*)

2nd meeting

1. Review findings
2. Finalize general outline of proposed new Zoning Code organization

Review first DRAFT *April-May?* – (schedule 3rd meeting if necessary)

Planning Commission:

Staff to prepare 2nd DRAFT

Introduce to planning commission, *May?*

Schedule workshops based on initial reception by planning commission

Questions for committee:

- How does the code get in the way?
- What regulations/sections are most frequently negotiated?
- What do electeds complain about?
- What things must the staff interpret?
- Why do applicants seek:
 - Variances
 - Special use
 - Permit Modifications
- What else should we ask you?

Codes to review (*good examples*):

Clark Co <http://www.codepublishing.com/wa/clarkcounty.html> (*Title 40*)

Skagit Co <http://www.codepublishing.com/wa/skagitcounty/> (*Title 14*)

Example of an potential Organization/Outline for the Update:

General Provisions

Zoning Districts

Use Regulations

Development Standards

Administration and Procedures

Nonconformities, Variances, Special Use Permits etc.

Enforcement

Definitions