



INFORMATIONAL MEMORANDUM

TO: Planning and Community Development Committee

FROM: Nora Gierloff, AICP, DCD Director

BY: Neil Tabor, AICP, Senior Planner

CC: Mayor Thomas McLeod

DATE: October 7, 2025

SUBJECT: Miscellaneous Code Amendment Package

ISSUE

Staff have identified numerous potential small amendments to the municipal code that would provide greater clarity and useability, while better aligning with City goals. Staff is requesting the Planning and Community Development (PCD) committee approve staff moving forward with developing the code amendments and returning at a later PCD meeting with developed ordinances. In addition, staff is requesting PCD guidance on the desired review process for completion of the Critical Areas Ordinance.

BACKGROUND

The municipal code has seen significant updates in the last few years, both as responses to state mandates and opportunities to improve the code to better align with City goals and priorities. In these recent updates, unforeseen impacts or consistency gaps emerged in application of the code. While many of these changes are as simple as updating the name of a zoning district, staff would also like to take this opportunity to address other items which have caused confusion or have not produced the intended result.

The Council may recall that following the adoption of the City's Comprehensive Plan in 2024, the Growth Management Act requires that the City's Critical Areas Ordinance (CAO) be updated, statutorily by December 31, 2025. Due to delays in securing grant funding from the Washington State Departments of Commerce and Ecology, meeting that original schedule is not feasible. While the City will be out of compliance with GMA's requirement, the most feasible timeline within which to complete the CAO update is before June 30, 2026, concurrent with the grant funding deadline. A consultant team has been identified to complete the work.

DISCUSSION

If approved, proposed code amendments will be provided in draft ordinance format at a later PCD meeting. Topic areas for code amendments can be grouped in the following general categories:

- **Consistency corrections:**
 - This includes updates to remove or update zoning district references which were changed as part of the middle housing update.
 - Example: Replace reference to Medium Density Residential (MDR) zoning district, replaced by Community Residential (CR) zoning district.
 - Example: Remove figure related to previously struck chapter.

- **Clarifications:**

- These updates include text or figure amendments to more directly illustrate the existing standard and its application.
 - Example: Amending language in the subdivision code requiring uniform rectangular lot shapes in the creation of new parcels.
 - Example: Listing separate types of variances as separate permit types in the permit table.

- **Minor substantive updates:**

- These updates include limited changes to create clear regulations for specific development scenarios, or updates to development standards to keep pace with recent trends.
 - Example: Adding code language for temporary wireless communication facilities (cell towers) in instances when a site is redeveloped.
 - Example: Update tree removal standards for single-family and middle housing properties to no longer permit tree removals without any replacement plantings in instances of limited tree removals.

Critical Areas Ordinance Update

While much of the CAO update content is mandated by state law, it is still necessary that the draft Ordinance be reviewed by the City. To manage this review efficiently and to meet the June 30, 2026, grant deadline, Staff recommends that the City Council serve as the review body for the draft, rather than the Planning Commission. This would likely require two to three work sessions with the Council, a public hearing, and adoption of the Ordinance.

An alternative would be to conduct the review at the Planning Commission, however, given their monthly schedule, work program of other planning projects and code changes needed, and the need ultimately for Council adoption, Planning Commission review of the CAO draft does not seem as efficient at completing the update by the required deadline.

Staff is requesting that the PCD approve the Council serving as the review body for the Critical Areas Ordinance update.

FINANCIAL IMPACT

N/A

RECOMMENDATION

Staff is seeking PCD's approval to develop a code amendment package with the outlined changes. Staff is requesting that as these are primarily housekeeping rather than policy issues review of the proposed code amendment be considered at the Council level rather than delegating the topic to the Planning Commission for a recommendation. If granted, staff would return to a later PCD meeting with developed draft ordinances.

Similarly, in order to ensure completion of the CAO update as soon as possible and concurrent with the end of the grant funding supporting the work, Staff is requesting PCD's approval for the Council to consider the CAO update and conduct the associated public hearing and adoption.

ATTACHMENTS

N/A