

CITIZEN PARTICIPATION GUIDE

LAND USE AND GROWTH MANAGEMENT INFORMATION

CITY OF WOODLAND, WASHINGTON

Public participation is one of the most essential elements of the Growth Management of Act (GMA) of the State of Washington. Inputs from the citizens can be provided at various stages of land use planning process. The City of Woodland encourages all citizens to participate in the land use decision making processes because such decisions affect them and the citizens generally have the best ideas as to what works best for their own community.

1) How and when can I take part and make sure that my voice is heard regarding land-use issues?

There are numerous stages in the land use application processes where your concerns and opinions can be heard. One of these stages is the 14-day public comment period following the Notice of Application (NOA) and Notice of SEPA Threshold Determination. These notices are sent to the official paper of record (The Reflector) as well as *property owners of record**¹ within 300 feet from the subject property. Anyone can submit his/her comments during the public comment period.

Another stage involves the public hearing where anyone can comment or submit written comments. Public hearings are of two types, ones conducted by **the Hearing Examiner** and the others by **the Planning Commission**. In general, the Hearing Examiner hears the applications that affect smaller geographic areas than those heard by the Planning Commission. The decisions made at a public hearing can be also appealed to such higher land use authority as the City Council or the Cowlitz County Superior Court under the Land Use Petition Act (LUPA).

Furthermore, citizens can attend a workshop to create goals for the comprehensive plan, serve a term on the planning commission, or answer a public opinion survey to identify community planning priorities.

*¹ *Property owners of record* are those owners on title with the Tax Assessor at the time of the notice.

2) What happens at the Hearings Examiner hearings?

The Hearing Examiner makes land use decisions based on the provisions of the Woodland Comprehensive Plan and Municipal Code, recommendations outlined in the staff report, evidence presented at the hearing, and verbal or written comments from the applicant and the public, etc. Hearing Examiner hearings are scheduled on an as-needed basis. The following land use applications shall be reviewed before the City of Woodland Hearing Examiner:

- Conditional Uses
- Variances
- SEPA appeals
- Preliminary Plats*
- PURD's*
- Shoreline Substantial Development Permits
- *Preliminary Plats / PURD's are heard by the Hearing Examiner **only** if a combined / consolidated hearing were required otherwise Preliminary Plats / PURD's would be heard before the Planning Commission for recommendation to the City Council.

3) What happens at the Planning Commission hearings?

The Planning Commission makes land use decisions based on the Woodland Comprehensive Plan and Municipal Code, recommendations outlined in the staff report, evidence presented at the hearing, and verbal or written comments from the applicant and the public. Citizen inputs can be influential in the eventual outcome of the City Council decisions, and this is the part of the process where it is important to make yourself heard.

Comments may be sent to: Planning Commission, Attn. Nancy Malone, P.O. Box 9, Woodland, WA 98674.

4) How do I participate in the Hearings Examiner hearings and the Planning Commission hearings?

Any person, including representatives of public agencies and the general public, who are interested in a matter being considered by the Hearing Examiner and the Planning Commission, have the opportunity to participate in the process. This can be done by submitting oral as well as written comments and/or materials relevant to the matters to be heard. Any person wishing to be notified of the decision shall sign in prior to the start of the public hearing, which shall include your name, address, and shall be printed legibly in order to ensure notification.

The minutes for all the Planning Commission hearings are available online at:

<http://www.ci.woodland.wa.us/Dept/Gov/plancomm.htm>.

5) How can I appeal a land use decision?

Once you have received notice of the Hearing Examiner's or the Planning Commission's decision, you must file your appeal with the applicable fees within 14 days, except the SEPA appeal within 6 days. The appeal is considered by the City Council as a closed record appeal hearing, the City Council shall consider the matter based upon the hearing minutes, the review body's decision, and the written appeal of the petitioner. Parties of record wishing to make oral and/or written argument before the City Council must file a notice of intent to make arguments with the City Clerk-Treasurer no later than 5 working days preceding the next City Council hearing in which the matter is scheduled to be heard. Written documentation must be filed with the notice of intent. **Oral argument and written documentation not within the scope of the record made before the examiner is inadmissible and shall be excluded.**

At least 5 days prior to the hearing, the parties shall meet and confer with the City Attorney to discuss the procedure and legal issues involved and agree on a stipulated statement of issues which would govern the appeal. **The City Council cannot rule against the Hearing Examiner's or the Planning Commission's decision unless there are issues with the proposal that violate the provisions in the City Municipal Code.**

Final decisions, (after exhausting administrative remedies) may be appealed by a party of record with standing to file a petition under the **Land Use Petition Act (LUPA)** in the Cowlitz County Superior Court. Such petition must be filed within 21 days of issuance of the City Council decision.

Suggestions for providing comments:

- Check deadlines (often times at which various events or decisions occur are important)
- Sign in (if sheet is available)
- List your main points on paper for referencing (in case time is limited)
- Make and distribute copies of your basic outline
- Be sure of facts and time frames
- Don't make personal attacks
- Be civil and courteous
- Keep copies of everything you submit
- Use voicemail and/or email whenever possible
- Avoid the "shotgun" approach

Please see the following websites regarding citizen participation for more information:

1) State of Washington Department of Community, Trade and Economic Development (CTED)

<http://www.cted.wa.gov/site/414/default.aspx>

2) Department of Ecology, State Environmental Policy Act (SEPA)

<http://www.ecy.wa.gov/programs/sea/sepa/citizensguide/citizensguide.htm>

3) Revised Code of Washington (RCW)

<http://apps.leg.wa.gov/RCW/default.aspx?cite=36.70A.020>

<http://apps.leg.wa.gov/RCW/default.aspx?cite=36.70A.035>

<http://apps.leg.wa.gov/RCW/default.aspx?cite=36.70A.140>