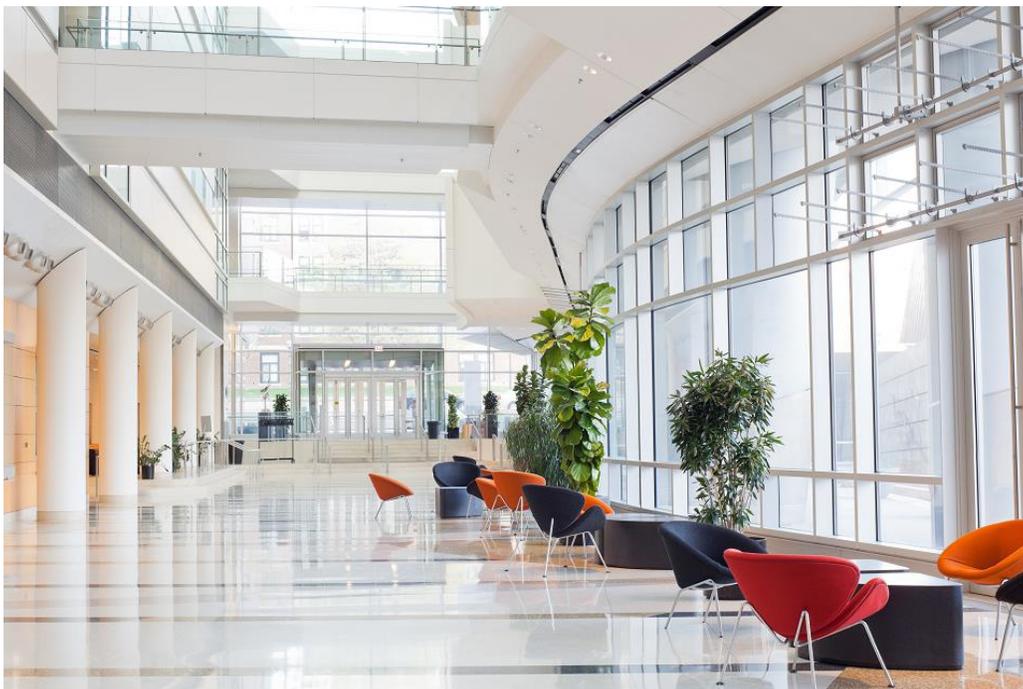




7.0 | ADMINISTRATION





7.1 | OVERVIEW

This chapter outlines the Specific Plan process and its relationship to the subsequent entitlement processes that are necessary to allow construction of individual projects. This chapter also describes the administrative procedures that will occur to implement, amend, interpret and enforce the Specific Plan.

7.2 | SPECIFIC PLAN PROCESS AND RELATED ENTITLEMENTS

This section describes the project entitlements, the relationship between the concurrent approvals which occurred with the adoption of the Specific Plan and the subsequent entitlement process to occur after the WRTP Specific Plan adoption.

7.2.1 Specific Plan and Concurrent Approvals/Actions

Approval of the Specific Plan took place concurrent with the following entitlements and related actions:

1. Final Environmental Impact Report (FEIR)
2. Adoption of the Specific Plan
3. Approval of a General Plan Amendment and Pre Zoning
4. LAFCo Approval and Annexation
5. Approval of Development Agreements by and between the City and the landowners.
6. Approval of a Public Facilities Financing Plan and Nexus Study for the Specific Plan that describes a Capital Improvement Program and a funding and financing strategy for planned improvements.
7. Approval of Public Infrastructure Reimbursement Rules by and between the City and the landowners.

7.2.2 Subsequent Entitlements/Actions

Individual development projects are subject to review and approval of subsequent permits and entitlements by the City of Woodland and other agencies. Once the actions described in Section 7.2.1 have occurred, and all pre-development obligations as outlined in the Development Agreement or the Specific Plan have been satisfied unless otherwise permitted by the Community Development Director, landowners may submit and process applications for subsequent entitlements, as required, to implement the Specific Plan. Future approvals may include, but are not limited to:

1. Tentative Subdivision Maps
2. Tentative Parcel Maps

3. Lot Line Adjustments
4. Site Plan Review/Design Review
5. Use Permits
6. Variances

7.2.3 Environmental Clearance

An Environmental Impact Report (EIR) was prepared for this Specific Plan and was certified concurrent with the approval of the Specific Plan. The EIR serves as the base environmental document for subsequent entitlement approvals within the Plan Areas. Section 65457(a) of the California Government Code and Regulations Section 15182 and 15183 of Title 14 of the California Code of Regulations (pertaining to the California Environmental Quality Act (“CEQA”)) provide that no EIR or negative declaration is required for any residential project undertaken in conformity with an adopted Specific Plan for which an EIR has been certified. Moreover, no additional environmental review is required for projects that are consistent with the zoning for which an EIR was certified, except as might be necessary to examine whether there are project-specific effects that are peculiar to the project or its site. The EIR certified for this project has been written to qualify all future residential projects for these exemptions, assuming they are consistent with the adopted Specific Plan and fulfill all conditions and CEQA mitigation measures outlined in the EIR. Non-residential projects may also rely upon the EIR assuming they are consistent with the adopted Specific Plan and fulfill all conditions and CEQA mitigation measures.

The City will assess consistency of each development application within the Specific Plan area with the Environmental Review and determine whether additional review is required under CEQA Section 15183 and 15182(a), or whether no further review is required.

Additional CEQA review may be required in the following instances: substantial changes to the Specific Plan are proposed, substantial changes occur to the circumstances under which the project is being undertaken, or new information becomes available that could not have been known upon certification of the Environmental Review. A supplemental review or an addendum may be required if any of these circumstances ensue.

The Specific Plan allows for a range of densities and intensities of development consistent with the goals and policies of the 2035 General Plan. However, it is anticipated that the Specific Plan area at build out will realize approximately 1,600 residential units and 2.2 million square feet of non-residential uses including business park, light industrial, retail and hospitality related commercial uses. Similarly, the EIR for the WRTP Specific Plan anticipates and analyzed these yields for purposes of environmental impacts. Should development within the Specific Plan exceed the anticipated residential or commercial development yields as analyzed within the EIR, discretionary review of such project(s) shall be required. The project proponent may be required

to submit documentation substantiating said development is in conformance with the Specific Plan, EIR, its mitigation monitoring program, the General Plan, and Municipal Code, or a subsequent EIR may be required.

A mitigation monitoring program (Appendix A-2) has been adopted with the EIR in accordance with Public Resources Code 21081.6 to ensure implementation of EIR mitigation measures.

7.2.4 Specific Plan Findings

Approval of all land division, planning entitlements and building permits shall be contingent upon a determination of substantial compliance with the provisions of this Specific Plan, the City of Woodland General Plan and with applicable provisions of the Zoning and Subdivision Ordinances. All proposed development projects or subdivision applications shall demonstrate the following:

1. Consistency with the goals and policies of the Specific Plan and all applicable laws and regulations.
2. Consistency with the overall intensity of land uses as provided for in the Specific Plan
3. Consistency with the Specific Plan implementation strategy and availability of infrastructure to serve the development.
4. The project will not degrade services and/or facilities beyond the capacities approved by the Specific Plan.
5. Consistency with the project scope and impacts addressed in the Specific Plan EIR or that environmental impacts of the project are addressed in subsequent environment impact studies that may be required under the California Environmental Quality Act (CEQA).

7.3 | SUBSEQUENT ENTITLEMENTS

Following adoption of the Specific Plan, subsequent development and/or proposed land use, including tentative map applications, within the Plan Area will be reviewed for consistency and compliance with the Specific Plan and any other City regulations in effect at the time of development. Application and processing requirements shall be in accordance with the City's Zoning Ordinance and other regulations, unless otherwise modified by this Specific Plan. In acting to approve a project or permit, the City may impose conditions as are reasonably necessary to ensure that the project is in substantial compliance with the Specific Plan and all applicable plans and regulations.

7.4 | SPECIFIC PLAN ADMINISTRATION

The Specific Plan serves as an implementing tool of the Woodland 2035 General Plan, which provides the foundational elements, vision and direction for the Specific Plan. As an implementing

tool, the Specific Plan establishes zoning, land use and development standards for projects within the Plan Area boundary.

Upon adoption of the Specific Plan, all land use regulations, development standards, and design guidelines of this Specific Plan shall supersede those of the Zoning Ordinance and Community Design Standards. Where direction is not provided in this Specific Plan, the standards of the City's Zoning Ordinance shall apply including use permit, variance, public notice and hearing and appeals provisions.

The City's Subdivision Ordinance will regulate individual requests for land divisions within the Specific Plan Area, unless otherwise addressed herein. To the extent that a component or regulation of the Specific Plan differs from a requirement of the Ordinance, the Specific Plan will take precedence. Where the Specific Plan is silent or vague, the Subdivision Ordinance will be used for the purpose of interpretation, and/or directly applied as appropriate.

Unless otherwise approved as part of the Specific Plan, off-site improvements under the control of the City shall be subject to City of Woodland regulations and requirements in effect at the time the improvement plans are submitted. Improvements not under the control of the City (e.g. improvements to State highways) shall be subject to the regulations and requirements of the responsible agency.

7.4.1 Major Specific Plan Amendments, Minor/Administrative Modifications

During the long-term build out of the Plan Area, amendments to the adopted Specific Plan may be necessary because of changed circumstances. Additionally, because of unforeseen circumstances, some design guidelines or development standards may not be feasible on a particular parcel or may hinder innovative design concepts. In these situations, the procedures listed below will be followed to amend the adopted Specific Plan or allow for minor/administrative modification from development or design standards.

1. MAJOR SPECIFIC PLAN AMENDMENTS

Any changes proposed to the Specific Plan that could significantly increase environmental impacts or result in any of the following substantive changes shall require a Specific Plan amendment:

1. Substantively change the boundaries of the Specific Plan.
2. Substantively change the text, figures, or table of the Specific Plan.
3. Substantially change the location of planning districts, zones or key elements of the Plan including the linear park. (See Minor/Administrative Modifications below for zone boundary adjustments.)

4. Substantively change any element of the Plan or implementing documents (infrastructure plans, design guidelines, capital improvement plan, nexus study, development agreements, public infrastructure reimbursement rules and financing plan) such that they would be inconsistent with Specific Plan policy, text or land use.

The Specific Plan may be amended by the same procedure as the Plan was adopted and shall require a recommendation of approval by the Planning Commission and approval by the City Council. An amendment may be initiated by the City Council, the Community Development Director (Director), property owner or any authorized agent of the property owner. Any amendment requested by a property owner or project applicant may be subject to the fee schedule adopted by City Council. Any amendment to the Specific Plan must be consistent with the City's General Plan.

2. MINOR/ADMINISTRATIVE MODIFICATIONS

Modification(s) to the standards as proposed by a developer/builder during site development and design review of individual Planning Areas and/or Tentative Maps, may be considered subject to the following provisions. A minor/administrative modification to Specific Plan design and/or development standards may be considered and approved or conditionally approved by the Community Development Director if it is determined by the Director that the revision is in substantial conformance with all of the applicable criteria:

The Director determines that the modification does not have a significant impact on the character of the Plan.

1. The proposed modification to the development standards or design guidelines are offset by the merits of the design and do not significantly change the anticipated physical characteristics of the development.
2. The proposed modification to the development standards further the goals of the Specific Plan and enhance the appearance or functionality of the project, while remaining compatible with and not detrimental to adjacent properties or uses.
3. The proposed modification does not modify or exceed the original standard by more than 10 percent (e.g. 10% deviation from setback standard, lot coverage, building height or similar. Does not apply to density which must remain in conformance with General Plan guidelines).
4. The proposed modification would not be detrimental to the health, safety and general welfare of the public or injurious to the property or improvements in the vicinity or the zone in which the subject property is located or the modification proposed.

5. Proposed changes to the alignment of streets, street segments or street sections, which if adopted, would not substantially alter the overall land use and will continue to support the circulation concepts set forth in this Specific Plan.
6. Proposed changes to Specific Plan zone boundaries that result in less than 1 acre or 10 percent acreage difference, that remain compatible with and not detrimental to adjacent properties or uses; residential densities proposed along the Harry Lorenzo/linear greenbelt do not change; overall development densities remain consistent with development concepts set forth in this Specific Plan; zone boundary adjustments take place prior to or at the time of tentative map approval (See Specific Plan Amendments above for planning district amendments.)
7. Adverse environmental impacts are not significantly increased, as defined by the CEQA Guidelines Sections 15162, 15182 and 15183, as a result of the proposed variance.

In granting a Minor / Administrative Modification, the Community Development Director may impose conditions to safeguard public health and safety and to ensure development remains consistent with the objectives and intent of the Specific Plan.

At the discretion of the Community Development Director, any proposed minor/administrative modification may be referred to the Planning Commission and/or City Council for action. An administrative modification may be appealed to the Planning Commission or City Council, as applicable, consistent with the provisions of the Woodland Municipal Code for Zoning Administrator Appeals.

7.5 | INTERPRETATIONS

The Director shall have the responsibility to interpret the provisions of this Specific Plan. If an issue or situation arises that is not sufficiently provided for or is not clearly understandable, those General Plan policies and/or regulations of the Zoning Ordinance that are most applicable and relevant may be used as a guide for resolving the issue.

In determining land use where a specific use is not listed, the Director shall have the authority to make an interpretation as to whether the use is similar to other allowed uses in a particular zoning district, or whether such use should not be permitted based on the guiding principles and vision for a particular development district within the Plan Area. The Director may refer any matter for interpretation to the Planning Commission for their consideration or the Director's interpretation may be appealed to the Planning Commission. The Planning Commission's decision, when applicable, may be appealed to the City Council. The City shall keep records of the official determinations on file for future reference and to ensure consistency of interpretations over time.

7.6 | SEVERABILITY AND ENFORCEMENT

If any regulation, condition, program or portion of the Specific Plan is held invalid by a California or Federal Court of competent jurisdiction, such portions shall be deemed separate, distinct, and independent provisions, and the invalidity of such provisions shall not affect the validity of the remaining provisions thereof.

Any person who violates a requirement of this Specific Plan or fails to obey an order issued by the City or comply with a condition of approval of any permit or entitlement issued under this Specific Plan shall be subject to the penalty provisions as provided in the City of Woodland Municipal Code.

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