

ORDINANCE NO. 36

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, CREATING A PLANNING COMMISSION, ESTABLISHING THE DUTIES THEREOF, AND AMENDING ORDINANCE NOS. 11 AND 21 BY UNIFORMLY REFERENCING THE CITY OF SHORELINE PLANNING COMMISSION CREATED IN THIS ORDINANCE WHEN CONSTRUING OR INTERPRETING THE CODES AND DEVELOPMENT REGULATIONS ADOPTED BY REFERENCE FROM KING COUNTY.

WHEREAS, the City of Shoreline will incorporate on August 31, 1995; and

WHEREAS, the City Council conducted public hearings on June 19 and June 26 at which testimony from members of the public was heard regarding the proposed land use comprehensive plan, subdivision, zoning, and other development regulations; and

WHEREAS, on June 26, 1995 the City adopted by reference the 1994 King County Comprehensive Plan, Title 21A of the King County Code as the City's Zoning Code and other development regulations from King County in order to have a comprehensive plan, zoning and development regulations in effect on the date of incorporation; and

WHEREAS, the City Council wishes to respond to the expressed concerns of citizens that immediately after incorporation the City begin a comprehensive planning process; and,

WHEREAS, the City of Shoreline wishes to encourage citizen input into the planning process by establishing a planning commission which can shape a comprehensive plan, zoning code and other development regulations bettered tailored to meet local needs than the interim plans and codes and forward recommendations onto the City Council for review and adoption; NOW, THEREFORE,

**THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON,
DOES ORDAIN AS FOLLOWS:**

Section 1. Created--Purpose. There is created the Planning Commission. The purpose of the Planning Policy Commission is to provide guidance and direction for Shoreline's future growth through continued review and improvement to the City's comprehensive land use plan, zoning code, shoreline management, environmental protection and related land use documents.

Section 2. Membership.

1. **Qualifications:** Members of the Planning Commission shall be selected from individuals who have an interest in environmental affairs, planning, land use, and residential and commercial development as evidenced by training, experience or actions. An intent of the selection process shall be to evenly represent the areas of interest as stated herein. Membership in the Planning Commission shall be limited to residents or owners of property within the City. No member shall serve longer than two consecutive terms.

2. **Number of Members/Terms:** The Planning Commission shall consist of nine (9) members, each of whom shall be appointed for a term of four (4) years. To allow the staggering of terms for the initial Planning Commission and appointment or reappointment as appropriate, the initial terms shall be as follows; four (4) members for terms of two and one-half years; five (5) members for terms of four and one-half years. Subsequent terms shall be for four (4) years. Terms shall expire the thirty first day of March 31st of each year.

3. **Appointment:** Members of the Planning Commission shall be appointed by the Planning & Community Development Committee subject to an open recruitment process approved by the City Council. Members shall be confirmed by a majority vote of the City Council. Commissioners shall be selected without respect to political affiliations and shall serve without compensation.

4. **Removal:** Members of the Commission may be removed by the City Manager, with the concurrence of the City Council, for neglect of duty, conflict of interest, malfeasance in office, or other just cause, or for unexcused absence from more than three (3) consecutive regular meetings. Failure to either reside or own property in the City shall constitute a forfeiture of office. The decision of the City Council regarding membership on the Planning Commission shall be final and there shall be no appeal therefrom. Members finding themselves unable to attend regular meetings are expected to tender their resignation.

5. **Vacancies:** Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms in the same manner as for appointments as provided in this ordinance.

6. **Conflicts of Interests:** Members of the Planning Commission shall fully comply with RCW 42.23, Code of Ethics for Municipal Officers, RCW 42.36, Appearance of Fairness, and such other rules and regulations as may be adopted from time to time by the City Council regulating the conduct of any person holding appointive office within the City.

Section 3. Meetings--Rules.

1. The Planning Commission shall organize and elect from its members a Chair, who shall preside at all meetings of the Commission, and a Vice-Chair. A majority of the Commission members shall constitute a quorum for the transaction of business, and a majority vote of those present shall be necessary to carry any proposition.
2. The Commission shall determine a regular meeting schedule (time, place and frequency), as necessary, but no less frequent than once every two (2) months. All meetings shall be open to the public.
3. The Commission shall adopt such rules and regulations as are necessary for the conduct of its business and shall keep a taped record of its proceedings and such written notes as the Commission may from time to time direct. The taped record and any written notes shall be a public record.

Section 4. Staff Support. Administrative staff support to the Planning Commission shall be provided by the City Manager or designee.

Section 5. Rezone Hearings. The Planning Commission shall conduct public hearings and make a recommendation to the Council on rezones in the City of Shoreline.

Section 6. Duties and Responsibilities.

1. The Planning Commission shall direct the preparation of a comprehensive plan and development regulations in compliance with RCW 36.70A. This includes establishing procedures providing for early and continuous public participation in the development and amendment of the comprehensive land use plan for the City and the development regulations implementing the plan and make recommendations concerning these matters to the City Council.
2. The Planning Commission shall review land use management, shoreline management and environmental protection ordinances and regulations of the City and make recommendations regarding them to the City Council.
3. The Planning Commission shall review potential annexations to the City as requested by the City Council, and make recommendations concerning them.
4. Where design review is required by land use ordinances of the City, the Planning Commission shall perform such design review unless that review is delegated to some other appointed body or City staff.
5. The Planning Commission shall recommend, establish priorities for, and review studies of geographic sub-areas in the City.

6. The Planning Commission shall submit written periodic reports annually to the City Council setting forth its progress in completing its work program for the current fiscal year.
7. The Planning Commission shall be encouraged to maintain liaison with the planning staff of the City.
8. The Planning Commission may hold public hearings in the exercise of its duties and responsibilities as it deems necessary.
9. The Planning Commission shall make recommendations to the City Council regarding the subdivision of land pursuant to RCW 58.17.100 and in conformity with other ordinances of the City.
10. The Planning Commission shall have such other duties and powers as may be conferred upon the Commission from time to time by ordinance, resolution or motion of the City Council.
11. Unless otherwise assigned by ordinance to another body, all public hearings required to be held in the course of adoption or amendment to the comprehensive plan, the zoning code, adoption or amendment of the zoning map, or adoption or amendment of regulations for the subdivision of land, shorelines management and environmental protection regulations, shall be heard by the planning commission.

Section 7. Amending Ordinance Nos. 11 and 21. This ordinance supersedes and replaces any reference to Planning Commission as defined in King County Code 21A which was adopted by reference in Ordinance No. 11, in King County Code Title 20 which was adopted by reference in Ordinance No. 21, or as elsewhere referenced in Titles 7, 8, 9, 13, 14, 16, 17, 18, 19, 23, 25, or 27 of the King County Code which were adopted by reference in Ordinances 12 - 24. The term planning commission as referenced in those ordinances shall be uniformly construed and interpreted to mean the City of Shoreline Planning Commission created in this ordinance.

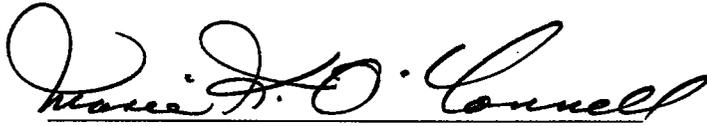
Section 8. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect and be in full force five (5) days after the date of publication or the date of incorporation as the law may require.

PASSED BY THE CITY COUNCIL ON JULY 31, 1995.



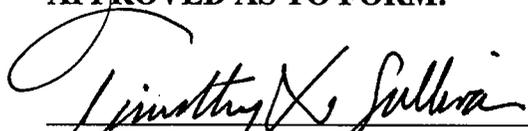
Mayor Connie King

ATTEST:



Marie K. O'Connell, Interim City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, Interim City Attorney

Date of Publication: 8/3/95

Effective Date: 8/8/95