

**ORDINANCE NO. 174**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON ESTABLISHING A PLANNING COMMISSION WHICH IS ADVISORY TO THE CITY COUNCIL, PROVIDING FOR THE APPOINTMENT AND REMOVAL OF MEMBERS, ESTABLISHING REQUIREMENTS FOR APPOINTMENT TO THE COMMISSION, ESTABLISHING FOUR YEAR TERMS FOR MEMBERS, ESTABLISHING THE POWERS AND DUTIES OF THE PLANNING COMMISSION AND REPEALING ORDINANCE NO. 65**

WHEREAS, RCW 35A.63.020 provides that code cities may establish a planning agency which is advisory to the City Council; and

WHEREAS, RCW 35A. 63.060 provides that the planning agency shall be charged with the development of a comprehensive plan for the city; and

WHEREAS, pursuant to RCW 35A.63.070, a code city must hold a public hearing before its planning agency prior to the adoption of or amendment to a comprehensive plan; and

WHEREAS, citizen involvement in land use planning is both desired by the City Council and required under the State Growth Management Act; and

WHEREAS, the City Council desires that a citizen Planning Commission guide the development and amendment of the comprehensive plan and development regulations and involve citizens in the planning process per RCW 36.70A.140; and

WHEREAS, an Interim Planning Commission was established by Ordinance 65 on August 28, 1995 with all appointments expiring on December 31, 1997; and

WHEREAS, this is an appropriate time to establish a permanent planning commission;  
NOW THEREFORE

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

Section 1. Planning Commission established. The City Council hereby establishes the City of University Place Planning Commission.

Section 2. Purpose. The purposes of the Planning Commission are to advise the City Council on the following topics: growth management; general land use and transportation

planning; long range capital improvement plans; and other matters as directed by the City Council. The Planning Commission shall also hold hearings on and develop a comprehensive plan for the City and make recommendations to the City Council on amendments to the comprehensive plan, the zoning code and map, and the development regulations of the City.

Section 3. Membership. The Planning Commission shall be comprised of nine (9) members. Members shall be City residents, except one member may reside outside the City. The Planning Commission shall be appointed by the City Council and be advisory to the Council. Members of the Planning Commission shall serve without compensation. No more than two members shall be engaged in the same kind of occupation, business, trade or profession. In addition, it is desirable, but not mandatory, that the Planning Commission members be drawn from throughout the City.

Section 4. Appointment Term. Members of the Planning Commission shall be appointed for four year terms. For the first Planning Commission, to provide for staggered terms, Commissioners shall draw lots to determine which three Commissioners shall serve two year terms, which three shall serve three year terms, and which three shall serve four year terms. Terms shall expire on December 31. A commission member whose term has expired shall continue to hold office until a successor has been appointed.

Section 5. Vacancies and Removal of Members. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired term in the same manner as for an original appointment. Members may be removed by the City Council for inefficiency or nonperformance of duty; misconduct; or malfeasance in office. A Planning Commission member may be removed for having more than two unexcused absences, or four excused absences, during a twelve month period.

Section 6. Organization. The City Council may appoint the Planning Commission Chairperson. If the City Council chooses not to appoint a chair, the Planning Commission shall elect a chair from its members. The Commission shall elect its own vice-chairperson, and create and fill such other offices as it may determine it requires. The vice-chairperson shall preside in the absence of the chairperson. The Chairperson and Vice-chairperson shall be voting members of the Commission. The Commission shall hold at least one regular meeting each month for not less than ten months in each year. A majority of the members of the Commission shall constitute a quorum. The Commission shall adopt rules for transaction of business, and shall keep a written record of meetings, transactions, and findings which shall be a public record. The Commission shall keep a tape recording or other verbatim record of any public hearing.

Section 7. Voting. A majority vote of a quorum of the Planning Commission shall be necessary to legally act on any matter before the Commission.

Section 8: Conflict of interest. A member of the Planning Commission shall not participate in any Commission proceeding or action in which any of the following has a direct or substantial financial interest: the member or the spouse, brother, sister, child, parent, father-in-law, mother-in-law of the member; any business in which the member is then serving or has

served within the previous two years; or any business for which the member is negotiating or for which the member has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the Commission where the action is being taken. In addition, a member shall not participate in any quasi-judicial proceeding which would involve a violation of the appearance of fairness doctrine.

Section 9: Consultants and advisors. The Commission may recommend to the City Council the retention of a planning consultant, or other consultants as may be needed, to assist the Commission in its studies and reviews. Upon approval by the City Council, the consultant shall be hired by the City. In addition, the Commission, through its chairperson, may request formal opinions or recommendations from the City Attorney, Public Works Director /City Engineer, or Planning and Community Development Director, on any matter pending before it.

Section 10: Powers and Duties. The Planning Commission will assist the City Council as follows:


- A. Develop and recommend a Comprehensive Plan and development codes that comply with State growth management regulations;
- B. Involve citizens in the planning process in a variety of ways such as hearings, workshops, forums and resource or focus groups;
- C. Review and recommend on all proposals for amendments to the Comprehensive Plan, zoning map, zoning code and other development codes;
- D. Such other duties as may be assigned by the City Council.

Section 11. Staff Support. The Planning and Community Development Director shall appoint staff to support Commission tasks and shall hire consultants for technical needs as funds are budgeted and approved by the City Council.

Section 12. Repealing Ordinance No. 65. Ordinance No. 65 which established an Interim Planning Commission is hereby repealed.

Section 13. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect five days after publication.


**PASSED BY THE CITY COUNCIL ON DECEMBER 1, 1997**

  
Debbie Klosowski, Mayor Pro Tem

**ATTEST:**

  
Susan Matthew, City Clerk

**APPROVED AS TO FORM:**

  
Timothy X. Sullivan, City Attorney

Publication Date: December 4, 1997

Effective Date: December 9, 1997

OFFICIAL DOCUMENT