

ORDINANCE NO. 65

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON ESTABLISHING AN INTERIM PLANNING COMMISSION THROUGH DECEMBER 1997.

WHEREAS, pursuant to RCW 35A.63.070, code sites must hold a public hearing before their planning agencies on the adoption or amendment of comprehensive plans. Planning agencies include planning commissions.

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 of the comprehensive plan, development regulations and encourage the involvement of citizens in the planning process per RCW 36.70A.140; NOW THEREFORE,

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

Section 1. Planning Commission established. The City Council hereby establishes an Interim Planning Commission.

Section 2. Purpose. The purpose of the Planning Commission is to advise the City Council on general land use and transportation planning issues; development codes, area wide Comprehensive Plan or Zoning Map amendments; long range capital improvement programs; annexations; and other matters as directed by the City Council.

Section 3. Membership. There shall be 9 members of the Commission. Members shall be City residents, except one of the nine may reside outside the City. The Commission is appointed by the Council, and is advisory to the City Council. The Commission is interim, with appointments to the more permanent Commission be made by the City Council by December 1997.

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 Commissioners come from various geographic areas of the City.

Section 4. Compensation. The Planning Commission shall serve without compensation.

Section 5. Vacancies and Removal of Members. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired term. Members may be removed, after public hearing, 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 shall appoint the Commission Chairperson. 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 its meetings, resolutions, transactions, findings and determinations which shall be a public record. The Commission shall keep a tape recorded record of any public hearing.

Section 7. Voting. A majority vote of those members present constitutes a quorum at an open meeting of the 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 servicing 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 Expenditures. Any expenditures of the Commission shall be within the amounts appropriated for the purpose by the City Council.

Section 10: Consultants and advisors. The Commission may recommend to the 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 11: Powers and Duties. The Commission will assist the Council as follows:

- A. Develop and recommend a multi-year Work Plan and Budget estimate by December 15, 1995 to accomplish the Commission tasks by December, 1997;


- B. Develop and recommend the “permanent” Growth Management Act Comprehensive Plan Elements and Development Codes (replacing the “interim” Plan and Codes) to the City Council for adoption;
- C. Develop and recommend a Citizen Involvement Program for Comprehensive Planning as a part of the Work Plan;
- D. Review and make recommendations on all proposals for amendments to the Comprehensive Plan or Map, Zoning Ordinance or Maps, or other land use regulations including but not limited to the City’s Subdivision Regulations; Site Development Regulations; Critical Area and Natural Resource Lands; Street and Storm Drainage Standards;. Shoreline Management Use Regulations; and Water Quality Ordinance; except for those applications that are determined to be quasi-judicial in nature, which shall be directed to the Hearings Examiner or staff, as directed by City Codes.
- E. Recommend to the Council and other public authorities plans for regulating the future growth, development and design of the City in respect to its public and private buildings and works, streets, parks, grounds and vacant lots; and plans to secure to the City and its inhabitants sanitation, proper service of public utilities and telecommunications utilities, and shipping and transportation facilities, and appropriate measures for energy conservation.
- F. Development, review and recommendation on a multi-year capital improvement program and capital facilities plan;
- G. Review any parks plans for consistency with the Comprehensive Plan, Specific area plans and Capital Improvement Plans.
- H. Review and recommend on any proposed “Impact Fees” that the City may be considering for streets, parks, fire protection or schools;
- I. Co-ordinate the work of, and review and recommend any proposed changes to the Comprehensive Plan as the result of special studies on issues, or certain geographical areas of the City, including those outlined in the Interim Comprehensive Plan.
- J. Provide research and fact-finding for the City in regard to land uses, housing, capital facilities, utilities, transportation, critical areas and other such matters. The Commission may undertake such surveys, analyses, research and reports as may be generally authorized or as may be specifically requested by the City Council. The Commission is specifically authorized to join with and cooperate with the planning agencies or other cities, Pierce County, and state or regional planning agencies, in furtherance of such research and planning.

Section 12. Staff Support. The Planning and Community Development Director shall appoint a staff liaison coordinator to support Commission tasks and shall hire consultants to support on technical needs as funds are budgeted.

Section 13. Term. All appointments are through December 31, 1997. Reappointment or appointment of other Commissioners thereafter shall be subject to action of the then City Council.


Section 14. Effective Date. This ordinance shall take effect five days after its publication.

PASSED BY THE CITY COUNCIL ON AUGUST 28, 1995


Stanley L.K. Flemming, Mayor


Susan Matthew, City Clerk

APPROVED AS TO FORM:


Robert J. Backstein, Interim City Attorney

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