

ORDINANCE NO. 2014-1867

AN ORDINANCE OF THE CITY OF PACIFIC, WASHINGTON, RELATING TO THE AUTHORITY OF THE PLANNING COMMISSION, DEFINING THE TYPES OF ACTIONS FOR WHICH THE PLANNING COMMISSION WILL HOLD HEARINGS AND MAKE RECOMMENDATIONS TO THE CITY COUNCIL AS THOSE RELATING TO LEGISLATIVE COMPREHENSIVE PLAN AND DEVELOPMENT REGULATION AMENDMENTS, AND CLARIFYING THE APPLICATION OF CHAPTER 16.06 TO SPECIFIC TITLES OF THE MUNICIPAL CODE, AMENDING PACIFIC MUNICIPAL CODE SECTIONS 2.36.010 AND 16.06.010, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Pacific plans under the Growth Management Act (GMA); and

WHEREAS, the GMA includes a definition of “development regulations” in RCW 36.70A.030(7); and

WHEREAS, the GMA includes a number of detailed procedures for public participation, including, but not limited to RCW 36.70A.035; and

WHEREAS, both GMA and chapter 35A.63 RCW acknowledge the planning commission’s role in holding public hearings and making recommendations to the city council on comprehensive plan and development regulation amendments; and

WHEREAS, the Pacific Planning Commission’s authority, as expressed in Pacific Municipal Code Section 2.36.010 is to “review and prepare recommendations on amendments to the comprehensive plan, official zoning map and zoning and other development regulations of the City;” and

WHEREAS, Pacific Municipal Code Section 16.06.010 provides a list of the titles in the City Municipal Code which comprise the City’s “development regulations,” but not all of these code provisions are “development regulations” as defined by the GMA; and

WHEREAS, the City Council desires to define the scope of the Planning Commission’s authority to eliminate confusion to ensure that the Planning Commission’s schedule is not unduly

burdened with unnecessary reviews of ordinances that are not defined as “development regulations,” in GMA and to expedite review and adoption of such ordinances; and

WHEREAS, the SEPA Responsible Official has determined that adoption of this Ordinance is exempt from SEPA under WAC 197-11-800(19) as relating solely to procedure; and

WHEREAS, on August 11, 2014, the City Council considered this Ordinance during its regular meeting and adopted it; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF PACIFIC, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 2.36.010 of the Pacific Municipal Code is hereby amended to read as follows:

2.36.010 Creation.

Pursuant to Chapter 35A.63 RCW, there is established a planning commission for the City. The planning commission shall be an advisory body to the city council, and shall have the following duties and responsibilities:

- A. Preparation and review of the comprehensive plan of the City;
- B. The planning commission will hold public hearings and make recommendations to the city council on zoning code text and development regulation amendments, area-wide rezones and adoption of comprehensive plan amendments. “Development regulations” are defined as “controls placed on development of land use activities by the city including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls, PUD ordinances, subdivision ordinances, binding site plan ordinances, together with any amendments thereto.” Review and preparation of recommendations on amendments to the comprehensive plan, official zoning map; and zoning and other development regulations of the City.
- C. Such other advisory duties as may be assigned by the city council.

Section 2. Section 16.06.010 is hereby amended to read as follows:

16.06.010 Organization of these development regulations. The provisions of this title shall apply to PMC Titles 13 through 24.

- A. ~~The following PMC Titles 13 through 24 shall constitute the Pacific development regulations: PMC Title 13, Streets and Sidewalks; PMC Title 14, Water and Sewers; PMC Title 15, Public Utilities; PMC Title 16, Land Use and Environmental Procedures; PMC Title 17, Buildings and Construction; PMC Title 18, Mobile Home Parks; PMC Title 19, Subdivisions; PMC Title 20, Zoning; PMC~~

~~Title 21, Shorelines Management; PMC Title 22, Impact Fees; PMC Title 23, Critical Areas; and PMC Title 24, Stormwater.~~

~~B. — The provisions of this title shall apply equally to all development regulations, PMC Titles 13 through 24.~~

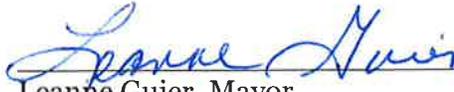
Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 5. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

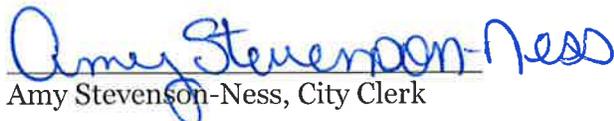
ADOPTED by the City Council of the City of Pacific and attested by the City Clerk in authentication of such passage on this 11th day of August, 2014.

APPROVED by the Mayor this 11th day of August, 2014.



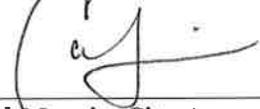
Leanne Guier, Mayor

ATTEST/AUTHENTICATED:



Amy Stevenson-Ness, City Clerk

APPROVED AS TO FORM:



Carol Morris, City Attorney

FILED WITH THE CITY CLERK: 08/01/14
PASSED BY THE CITY COUNCIL: 08/11/14
PUBLISHED: 08/15/14
EFFECTIVE DATE: 08/20/14
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