

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

| | |
|----------------------|--|
| AGENDA TITLE: | Request the Planning Commission to Conduct a Public Hearing and Provide a Recommendation to Council on Proposed Amendments to the Development Code and Shoreline Municipal Code Regarding Enhancements to the Code Enforcement Program |
| DEPARTMENT: | Planning and Development Services |
| PRESENTED BY: | Tim Stewart, Director of Planning and Development Services |

PROBLEM/ISSUE STATEMENT:

Section 6 of Ordinance No. 36 establishes the duties of the Planning Commission. The regulatory changes proposed to improve the effectiveness of the Code Enforcement program will require amendments to both the Development Code and the Shoreline Municipal Code (SMC). Ordinance 36 states that the Planning Commission has been given the responsibility to conduct public hearings on amendments to the City's Development regulations. It is unclear when the Planning Commission has been granted the authority to conduct public hearings on amendments to other titles in the Shoreline Municipal Code. However, Ordinance 36 Section 6 (10) states: "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."

In an effort to make the public process of review and comment on the proposed amendments to the City's code enforcement standards consistent and "straight forward", staff recommends allowing the Planning Commission to conduct the public hearing on all proposed amendments to code enforcement standards regardless of the code it will affect. Staff believes that splitting the amendments into "those that the Planning Commission have been given the authority to hold a public hearing upon" and "those the Planning Commission have not been given the authority to hold a public hearing on" would be confusing to the public who are interested in commenting and following the process. The Council may still opt to conduct its own public hearing on the same package of amendments to allow an opportunity for additional public comment, as has been the practice for some legislative items.

ALTERNATIVES ANALYZED:

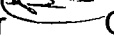
- **Splitting the amendments into two packages.** Package 1: would contain only the proposed amendments to the Development Code. The Planning Commission would conduct the public hearing; Package 2: would be contain both the amendments proposed to the Development Code and the Shoreline Municipal Code. The City Council would hold the public hearing on this package.

- **Consolidating the amendments into one cohesive package.** Currently, amendments are being proposed for consideration to the Development Code (SMC Title 20) and Titles 10 (Vehicles and Traffic), 13 (Garbage Code) and 15 (Buildings and Construction) of the Shoreline Municipal Code. Even though the proposed amendments are to different chapters, all of the amendments are related to code enforcement.

RECOMMENDATION

Staff recommends that Council move to confer to the Planning Commission the duty of conducting the public hearing and providing a recommendation to Council on all of the amendments proposed in 2005 related to enhancement of the City's Code Enforcement program.

Approved By:

City Manager  City Attorney 