

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

<p>AGENDA TITLE: Public Hearing to consider adopting interim procedures to transfer Quasi-Judicial hearings on certain matters from Planning Commission to Hearing Examiner</p> <p>PREPARED BY: Steven Cohn, Senior Planner, 546-1418</p>

BACKGROUND

A review of the Planning Commission's 2008 work program shows that the Commission has an abundance of policy related work on its schedule. In addition to its policy work, the Commission is also tasked with reviewing proposals of a quasi-judicial nature that require public hearings before the Planning Commission. Staff's initial attempt to schedule the Commission's work over the next year (Attachment 1) shows that the work program is expected to be so full that the Commission will barely be able to begin discussion of the Town Center Subarea Plan by the end of the year. The attached work program assumes that a major component of the Commission's workload will be quasi-judicial items. Over the past two years, quasi-judicial issues (rezones and formal subdivisions) have represented roughly 25% of the work program - about 3 months of meetings.

Staff believes that the Planning Commission is best used as a policy advisory body; and that the implementation of policy could be efficiently handled by a different hearing body. Quasi-judicial public hearings could be conducted by a Hearing Examiner, rather than the Planning Commission. Shoreline already uses a Hearing Examiner for some hearings; it is staff's proposal that the Examiner handle additional quasi-judicial functions as well. The use of a Hearing Examiner to perform a variety of functions would be consistent with many jurisdictions around the Puget Sound region. In many medium sized cities in King County, Hearing Examiners deal with most quasi-judicial issues, including rezones and formal subdivisions.

To alleviate a portion of the Commission's workload and to allow time to focus on pressing policy matters over the next year, staff proposes that the Council temporarily reassign rezones and formal subdivision hearings to the Hearing Examiner, with two exceptions:

- 1) If a proposed rezone is located within an area designated to be studied during a Subarea planning process that is on the work program in the upcoming year, the request would be heard by the Planning Commission.

- 2) If a proposed rezone is located in a special study area, the rezone would be heard in conjunction with a comprehensive plan amendment before the Planning Commission.

Under this proposal, formal subdivision proposals would be sent to the Hearing Examiner for a public hearing, regardless of whether they are within a subarea or special study area.

TIMING & SCHEDULE

If this proposal is adopted, the City Council would adopt an interim ordinance with a sunset clause of 12 months. The interim ordinance would not amend the development code, but would temporarily take the place of the existing code section on quasi-judicial matters.

NEXT STEPS

The Commission will hold a public hearing and can choose to recommend approval or denial or modification. The Commission's recommendation will be forwarded to the City Council for a final decision.

If you have questions about the proposal, please contact Steven Cohn, scohn@ci.shoreline.wa.us, 206-546-1418.

Attachment

1. Preliminary Commission Work Plan Timeline for 2008

Planning Commission Work Plan Timeline

Subject	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Catalina Co. Rezone	X											
Housing Density in CB Zones		X	X									
Midvale Street Vacation		X										
2008 Comprehensive Plan Docket		X										
Quasi-judicial hearings from PC to HE			X									
Hart Rezone		X										
Matulovich Rezone			X									
Transition Regulations			X	X								
Crista Master Plan				X	X							
Housing Strategy Update				X								
Rezone #4					X							
Planned Area Regulations for Institutional Districts						X	X	X				
Misc. Development code Amendments - Bundle #1						X	X					
Shoreline CC Subarea Plan phase 1				X	X							
Misc. Development Code Amendments - Bundle #2									X	X		
2008 Planning Commission Retreat							X					
Rezone #5								X				
SE Shoreline Subarea Plan Update								X				
Goal 6 implementation										X	X	
Low Impact Development Regulations										X		
Rezone #6											X	
Comprehensive Plan designations/MU discussion												X
Is Shoreline's Vision still valid?												X
Town Center Subarea Plan												X
SE Shoreline Subarea Plan												X

* Quasi-Judicial Public Hearings