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ORDINANCE NO. 1995-09-09

AN ORDINANCE relating to the Clark County Planning Commission: dissolving the present commission; creating a new commission and providing for appointments thereto; prescribing the powers and duties of the commission; and providing for its' organization and meetings.

WHEREAS, in 1993 the Board determined that it would reexamine the role and size of the Clark County Planning Commission following adoption of the Growth Management Comprehensive Plan and implementing regulations, which adoption occurred in December of 1994; and

WHEREAS, in anticipation of potential changes, appointments or reappointments to the Planning Commission in 1993 and 1994 were for short terms which have now expired; and

WHEREAS, the Board is in receipt of recommendations from a subcommittee appointed to study this matter; and

WHEREAS, as a result of this undertaking, it has come to the attention of the Board that the Planning Commission as presently constituted does not comply with applicable statutory provisions in that:

- (1) The Commission was originally created by a resolution adopted on November 30, 1959 which established a nine-member commission with staggered four-year terms pursuant to the planning authority of Chapter 36.70 RCW;

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RESOLUTION - 1

(2) By Ordinance 1977-04-40 the Board elected to instead operate under the provisions of Chapter 35.63 RCW which in RCW 35.63.030 provides for six-year staggered terms; and

(3) Since 1977 Planning Commission members continued to be appointed or reappointed for four-year terms; and

WHEREAS, the Board has determined that a seven-member planning commission would be most effective; now, therefore,

BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, as follows:

Section 1. Planning Commission Dissolved. The current Clark County Planning Commission originally created by resolution adopted on November 30, 1959, is hereby dissolved.

Section 2. Planning Commission Created. Pursuant to Chapter 35.63 RCW there is hereby created a Clark County Planning Commission consisting of seven members to be appointed by the Chair of the Board of County Commissioners with the approval of the Board.

Section 3. Terms. Except as provided below, the term of office for each member shall be six years. Vacancies occurring otherwise than through the expiration of terms shall be filled for the unexpired term. In order to provide that the fewest possible terms expire in any one year, the expiration date for the first appointed members shall be staggered as follows: Position 1 (December 31, 1996); Position 2 (December 31, 1997); Position 3 (December 31, 1998); Position 4 (December 31, 1999); Position 5 (December 31, 1999⁷); Position 6 (December 31, 2000); and Position

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7 (December 31, 2001).

Section 4. Powers and Duties. The Planning Commission shall have such powers and perform such duties as are prescribed by Chapter 35.63 RCW, other applicable State law, and the Clark County Code. When so directed by the Board, the Commission shall also perform such other duties as are not inconsistent with State law.

Section 5. Organization.

(1) At its' January meeting in each year the Planning Commission shall elect a chair, vice-chair, and such other officers as the Commission determines it requires. The term of office for each officer shall run until the subsequent election: PROVIDED, that vacancies caused by resignation or removal shall be filled for the remaining term of office.

(2) The Planning Commission shall adopt rules for the transaction of its' business.

(3) The Planning Commission may appoint standing or special committees to which it may assign specific responsibilities, provided that such committee(s) shall make no recommendations except to the Planning Commission.

Section 6. Meetings.

(1) The Planning Commission shall establish a regular monthly meeting date pursuant to Chapter 42.30 RCW: PROVIDED, that if no matters over which the planning agency has jurisdiction are pending, a regular meeting may be cancelled. Special meetings of the Planning Commission may be called pursuant to the provisions of State law.

(2) Four members of the Planning Commission shall constitute
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a quorum. All actions of the Planning Commission shall be determined by a majority vote in a meeting at which a quorum is present.

Section 7. Transition. Notwithstanding the provisions of Sections 1 and 3 above, members of the former planning commission whose terms as stated in their letters of appointment or reappointment have not expired shall serve on the planning commission created herein in the position indicated below for the duration of said prior terms as follows: Jack Burkman whose term expires December 31, 1995 (Position No. 7); Vaughn Lein whose position expires December 31, 1995 (Position No. 4); and Ben Shafton whose term expires June 30, 1996 (Position No. 5). Subsequent appointments or reappointments to said three positions shall be for the remainder of the respective initial terms for such positions as provided for in Section 3.

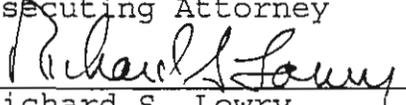
Section 8. Codification. Sections 2 through 6 of this Ordinance shall be codified as a new chapter in Title 2 of the Clark County Code, to be entitled "Planning Commission."

ADOPTED this 5th day of September, 1995.

Attest:

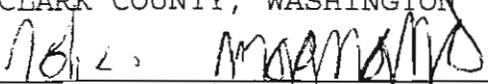

Clerk to the Board

Approved as to Form Only
ARTHUR D. CURTIS
Prosecuting Attorney

By 
Richard S. Lowry
Deputy Prosecuting Attorney

REQUIRES CODIFICATION

BOARD OF COUNTY COMMISSIONERS
FOR CLARK COUNTY, WASHINGTON

By 
John C. Magnano, Chair

By _____
Mel Gordon, Commissioner

By _____
David W. Sturdevant,
Commissioner

REQUIRES CODIFICATION

SUMMARY REPORT
OF PLANNING COMMISSION
REORGANIZATION

JULY 12, 1995

Subcommittee Members:

Dave Sturdevant, Board of Commissioners
Vaughn Lein, Planning Commission Chairman
Marilyn Koeninger, Planning Commissioner
Chris Orman, Planning Commissioner

SUMMARY REPORT OF PLANNING COMMISSION REORGANIZATION

I. Mission

The planning commission serves as an advisory body to the board of county commissioners to provide advice and recommendations to the board on land use issues. Specifically, the planning commission advises the board on changes to the Comprehensive Plan, changes to the zoning map when they are associated with the Comprehensive Plan, and changes to legislative matters related to land use, such as changes to the zoning ordinance and new zoning related regulations.

II. Expectations

What are the expectations of a planning commission member? In choosing to select appointment to the planning commission a considerable commitment is being made. This commitment includes the following:

- Regularly attend meetings and workshops.
- Prepare for meetings.
- Participate in the discussion of issues.
- Advise the board of county commissioners on issues which are difficult for both their implications and their complexity. The BOCC requires and expects careful analysis by the Planning Commission on the issues reviewed by them.
- Expect controversy in making decisions.
- Make timely decisions
- Understand the distinction between applying policy and recommending policy. Members must uphold the policies of the plan and the zoning ordinance, even those policies with which a member may disagree, during the forum of the planning commission meetings. The opportunity to recommend changes in policy is present at times, but should not be the object of discussion when policies are being applied.

- Be fair.
- Consider all viewpoints.
- Recognize that not all recommendations will be upheld.
- Expect that some issues may be remanded so that they can be dealt with in a more comprehensive or clear manner.

What should the planning commission members expect of the county?

- Provide information in a timely, understandable, and accurate way.
- Provide feedback on decisions made by the county in their final form.
- Promptly reappoint vacancies on the commission.
- Make appointments which enhance the effectiveness of the commission.
- Meet with board at regular intervals to discuss issues. Quarterly is preferred and should be scheduled one year in advance.
- Provide orientation and training materials as necessary.
- Provide forums to resolve issues of concern.

III. Advisory Role

The advisory role of the planning commission is set forth in statute. In making decisions the planning commission operates in both legislative and quasi-judicial roles. Legislative matters involve the entire community, or large segments of it. Updates of plan policies or text changes in a zoning ordinance reflect this kind of decision making. Quasi-judicial decision making is more narrow as it involves single properties or small groups of properties. In this role the members are required to be impartial, objective, free of entangling influences, and must appear to be fair to the average person. Planning commission deliberations may be conducted over a long period of time, may be reported in detail in the media, and may be the subject of strongly held views in the community. In this quasi-judicial role, members must avoid discussing matters with other planning commission members or with the public while the matter is under consideration.

Planning commission members are typically selected because they represent a diversity of opinion within the community. This diversity

also is reflected in the judgements made both individually and collectively by the commission. To avoid communication difficulties the commission and board members try to get together at regular intervals to better understand each others viewpoint.

IV. Abstentions and Conflict of Interest

Conflict of interest is governed by statute. A general discussion of the statute is found in the following paragraphs. Members are expected to participate in the discussions of issues before the planning commission. Members should not abstain from voting on issues which are before them except in those cases where a conflict of interest is present. No member of the planning commission shall vote on a matter in which they have a direct financial interest, or where a close family member has a direct financial interest. If a member has had ex parte contact with anyone regarding a particular case, that member should reveal that contact and allow any person to object to their participation in the case. Members may step down from proceedings in which they have been challenged. Members may also step down from the proceeding if they believe they can not fairly review any case or that their participation would raise questions of fairness. The appearance of fairness doctrine can not be used to defeat a quorum if members disclose the basis for their disqualification. The appearance of fairness doctrine (RCW 42.36) will not apply to much of the planning commission actions.

V. Planning Commission Appointments

The planning commission shall be appointed by the board of county commissioners. The planning commission shall have seven members. The following is provided as guidance to the board in making appointments to the planning commission but is not mandatory:

- A. The seven members of the planning commission should be selected from various geographic areas of the county including two from each board district with one member at-large.
- B. Members should reflect occupational diversity. No more than two members should be engaged principally in the buying, selling, or developing of real estate for profit.
- C. Members should reflect broad community interests.

**Requirements to Change
the Form of the Clark County Planning Commission**

- The Board of Commissioners has the authority to create and appoint members of the planning commission. (RCW 35.63.020)
- The number of members of the commission can be variable from 3-12. (RCW 35.63.030)
- For a newly appointed body terms may be staggered from 1-6 years. (RCW 35.63.030)
- Terms must be set which spreads the expiration of terms out so that they don't expire in a single year. (RCW 35.63.030)
- Replacement terms are for six years, however unexpired terms shall be filled out by the replacing appointment. (RCW 35.63.030)
- Members select their own chair. (RCW 35.63.040)
- The details of how a planning commission is formed may be set forth in a resolution or ordinance. (RCW 35.63.030)
- Clark County has specified some duties for the planning commission in Chapter 2.51 of the Clark County Code. (CCC 2.51.180 & 190)

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- 3) The vacancy of an office caused by the resignation or removal of any officer of the Commission during his/her term of office shall be filled for the remaining term of office by the vote of a majority of the County Commissioners.

IV. CHAIR

- 1) The Chair shall preside over the meetings of the Commission and may exercise all the powers usually incident to the office retaining, however, as a member of the Commission, the full right to have his/her own vote recorded in all deliberations of the Commission.
- 2) The Chair shall have full power to create temporary committees of one or more members. Standing committees of the Commission shall be created at the direction of the Commission and appointed by the Chair. Standing or temporary committees may be charged with such duties, examinations, investigations and inquiries relative to one or more subjects of interest to the Commission. No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program without the approval of the Commission.
- 3) The Vice Chair shall in the absence of the Chair, perform all the duties incumbent upon the Chair. The Chair and Vice Chair, both being absent, the members present may elect for the meeting a temporary Chair who shall have the full powers of the Chair during the absence of the Chair and Vice Chair.

V. SECRETARY

- 1) The Secretary shall keep a record of all meetings of the Commission and its committees when requested to do so, and these records shall remain the property of the Commission and be retained at such office as the Commission may direct. In the absence of the Secretary from any meeting, a Secretary pro-tem shall be appointed by the Chair.

RULES OF PROCEDURE

CLARK COUNTY PLANNING COMMISSION

WE, THE MEMBERS of the Planning Commission of Clark County, State of Washington, created by Ordinance, dated November 30, 1959, of the County of Clark, Board of County Commissioners, pursuant to Chapter 44, Laws of 1959 (RCW 35.63), do hereby adopt, publish and declare the following rules of procedure.

I. NAME

- 1) The official name shall be "The Clark County Planning Commission."

II. MEETINGS

- 1) Meetings will be held at the Vancouver City Hall, Vancouver, Washington, unless otherwise directed by the Chair of the Planning Commission. Regular meetings shall be held at least monthly, on the third Thursday of each month and shall be open to the public.
- 2) Special meetings shall be at the call of the Chair.
- 3) When a regular meeting day falls on a legal holiday, the Commission will convene at the call of the Chair.
- 4) If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be cancelled at the notice of the Chair.
- 5) Except as notified by these rules of procedure, Robert's Rules of Order shall govern the conduct of the meetings.

III. ELECTION OF OFFICERS

- 1) The officers of the Commission shall consist of a Chair and Vice Chair elected from the appointed members of the Commission and such other officers as the Commission may, by the majority vote, approve and appoint.
- 2) The election of officers shall take place once each year on the occasion of the last meeting in December of each calendar year. The term of office of each officer shall run until the subsequent election.

VI. QUORUM

- 1) A simple majority of the appointed members shall constitute a quorum for the transaction of business. The Commission can receive reports or petitions whenever a quorum is present. No action of the Commission, however, may be taken without the affirmative vote of the majority of the quorum present.

VII. ABSENCE OF MEMBERS

- 1) In the event of a member being absent for three (3) consecutive regular meetings, or being absent from 25% of the meetings, without being excused by the Commission, the Chair shall, at the discretion of the Commission, request that the Chair of the Board of County Commissioners ask for his/her resignation.

VIII. APPLICATION AND PETITION

- 1) Petitions and applications will be accepted by the Planning Commission only when properly filed with the Department of Community Development.
- 2) In order that proper deliberation and consideration be given any application, the Planning Commission reserves the right to withhold any decision on any application for a period not to exceed time as set forth in the governing ordinance.

IX. AGENDA

An agenda shall be prepared for each meeting, consisting of the following order of business:

- 1) CALL TO ORDER
- 2) ROLL CALL & INTRODUCTION GUESTS
- 3) GENERAL & NEW BUSINESS
- 4) OLD BUSINESS
- 5) REPORTS
- 6) PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION
- 7) COMMENTS FROM PLANNING COMMISSION MEMBERS
- 8) ADJOURNMENT

X. AMENDMENT

- 1) The rules of procedure may be amended at any regular or called meeting of the Commission by a majority vote of the entire membership if the proposed amendment is presented in writing at a preceding regular or called meeting.

DATED this 1 day of December, 1993.

SIGNED:


Chair of the Clark County Planning Commission

SW\bylaws

"If a name change is approved, which of the following should be the new name?"

(insert name)
(insert name)
 Vote for one."

Voters may select a name change whether or not they vote in favor of changing the name of the city or town. If a majority of the votes cast on the first proposition favor changing the name, the name that receives at least a majority of the total number of votes cast for an alternative name shall become the new name of the city or town effective thirty days after the certification of the election results.

If no alternative name receives a simple majority vote, then an election shall be held at the next November special election date, at which voters shall be given the option of choosing which of the two alternative names that received the most votes shall become the new name of the city or town. This ballot proposition shall be worded substantially as follows:

"Which of the following names shall become the new name of the city (or town) of (insert name) ?

(insert name)
(insert name)
 Vote for one."

The name that receives the majority vote shall become the new name of the city or town effective thirty days after the certification of the election results. [1990 c 193 § 3.]

35.62.060 Results—Certification. Whenever any city or town has changed its name, the clerk shall certify the new name to the secretary of state prior to the date when the change takes effect. [1965 c 7 § 35.62.060. Prior: 1925 ex.s. c 146 § 6; RRS § 8891-6.]

Chapter 35.63

PLANNING COMMISSIONS

Sections

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35.63.030	Commissioners—Number—Tenure—Compensation.
35.63.040	Commissions—Organization—Meeting—Rules.
35.63.050	Expenditures.
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35.63.080	Restrictions on buildings—Use of land.
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35.63.100	Restrictions—Recommendations of commission—Hearings—Adoption of comprehensive plan—Certifying—Filing or recording.
35.63.105	Amendments to comprehensive plan to be adopted, certified, and recorded or filed in accordance with RCW 35.63.100.
35.63.110	Restrictive zones.
35.63.120	Supplemental restrictions—Hearing—Affirmance, disaffirmance, modification of commission's decision.
35.63.125	Development regulations—Consistency with comprehensive plan.
35.63.130	Hearing examiner system—Adoption authorized—Alternative—Functions—Procedures.

35.63.140	Residential care facilities—Review of need and demand—Adoption of ordinances.
35.63.150	Conformance with chapter 43.97 RCW required.
35.63.160	Prohibitions on manufactured homes—Review required—"Designated manufactured home" defined.
35.63.170	Definitions.
35.63.180	Child care facilities—Review of need and demand—Adoption of ordinances.
35.63.185	Family day-care providers home facility—City may not prohibit in residential or commercial area.
35.63.200	Moratoria, interim zoning controls—Public hearing—Limitation on length.
35.63.210	Accessory apartments.
35.63.220	Treatment of residential structures occupied by persons with handicaps.

Acquisition of interests in land for conservation, protection, preservation, or open space purposes by cities or towns: RCW 64.04.130.

Airport zoning: Chapter 14.12 RCW.

Appearance of fairness doctrine—Application to local land use decisions: RCW 42.36.010.

Approval of proposed plats, subdivisions, and dedications of land: Chapter 58.17 RCW.

Boundaries and plats: Title 58 RCW.

Counties, planning enabling act: Chapter 36.70 RCW.

County sewerage, water and drainage systems: Chapter 36.94 RCW.

Housing authorities law: Chapter 35.82 RCW.

Joint operations by municipal corporations or political subdivisions, deposit and control of funds: RCW 43.09.285.

Local governmental organizations, actions affecting boundaries, etc., review by boundary review board: Chapter 36.93 RCW.

Municipal revenue bond act: Chapter 35.41 RCW.

Police and sanitary regulations: State Constitution Art. 11 § 11.

Recording of plats: Chapter 58.08 RCW.

35.63.010 Definitions. As used in this chapter the following terms shall have the meaning herein given them:

"Appointive members" means all members of a commission other than ex officio members;

"Board" means the board of county commissioners;

"City" includes every incorporated city and town;

"Commission" means a city or county planning commission;

"Council" means the chief legislative body of a city;

"Ex officio members" means the members of a commission chosen from among city or county officials;

"Highways" include streets, roads, boulevards, lanes, alleys, viaducts and other traveled ways;

"Mayor" means the chief executive of a city;

"Municipality" includes every county and city. [1965 c 7 § 35.63.010. Prior: 1935 c 44 § 1; RRS § 9322-1.]

35.63.015 "Solar energy system" defined. As used in this chapter, "solar energy system" means any device or combination of devices or elements which rely upon direct sunlight as an energy source, including but not limited to any substance or device which collects sunlight for use in:

(1) The heating or cooling of a structure or building;

(2) The heating or pumping of water;

(3) Industrial, commercial, or agricultural processes; or

(4) The generation of electricity.

A solar energy system may be used for purposes in addition to the collection of solar energy. These uses include, but are not limited to, serving as a structure

member or part of a roof of a building or structure and serving as a window or wall. [1979 ex.s. c 170 § 2.]

Severability—1979 ex.s. c 170: See note following RCW 64.04.140.

Local governments authorized to encourage and protect solar energy systems: RCW 64.04.140.

35.63.020 Commissioners—Manner of appointment. If any council or board desires to avail itself of the powers conferred by this chapter it shall create a city or county planning commission consisting of from three to twelve members to be appointed by the mayor or chairman of the municipality and confirmed by the council or board: PROVIDED, That in cities of the first class having a commission form of government consisting of three or more members, the commissioner of public works shall appoint the planning commission, which appointment shall be confirmed by a majority of the city commissioners. Cities of the first class operating under self-government charters may extend the membership and the duties and powers of its commission beyond those prescribed in this chapter. [1965 c 7 § 35.63.020. Prior: (i) 1935 c 44 § 2, part; RRS § 9322-2, part. (ii) 1935 c 44 § 12; RRS § 9322-12.]

35.63.030 Commissioners—Number—Tenure—Compensation. The ordinance, resolution or act creating the commission shall set forth the number of members to be appointed, not more than one-third of which number may be ex officio members by virtue of office held in any municipality. The term of office for ex officio members shall correspond to their respective tenures. The term of office for the first appointive members appointed to such commission shall be designated from one to six years in such manner as to provide that the fewest possible terms will expire in any one year. Thereafter the term of office for each appointive member shall be six years.

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 appointing official, with the approval of his council or board, for inefficiency, neglect of duty or malfeasance in office.

The members shall be selected without respect to political affiliations and they shall serve without compensation. [1965 c 7 § 35.63.030. Prior: 1935 c 44 § 2, part; RRS § 9322-2, part.]

35.63.040 Commissions—Organization—Meeting—Rules. The commission shall elect its own chairman and create and fill such other offices as it may determine it requires. The commission shall hold at least one regular meeting in each month for not less than nine months in each year. It shall adopt rules for transaction of business and shall keep a written record of its meetings, resolutions, transactions, findings and determinations which record shall be a public record. [1965 c 7 § 35.63.040. Prior: 1935 c 44 § 3; RRS § 9322-3.]

35.63.050 Expenditures. The expenditures of any commission or regional commission authorized and established under this chapter, exclusive of gifts, shall be within the amounts appropriated for the purpose by the council or board. Within such limits, any commission may employ

such employees and expert consultants as are deemed necessary for its work. [1965 c 7 § 35.63.050. Prior: 1935 c 44 § 4; RRS § 9322-4.]

35.63.060 Powers of commissions. The commission may act as the research and fact finding agency of the municipality. To that end it may make such surveys, analyses, researches and reports as are generally authorized or requested by its council or board, or by the state with the approval of its council or board. The commission, upon such request or authority may also:

(1) Make inquiries, investigations, and surveys concerning the resources of the county, including but not limited to the potential for solar energy development and alternative means to encourage and protect access to direct sunlight for solar energy systems;

(2) Assemble and analyze the data thus obtained and formulate plans for the conservation of such resources and the systematic utilization and development thereof;

(3) Make recommendations from time to time as to the best methods of such conservation, utilization, and development;

(4) Cooperate with other commissions and with other public agencies of the municipality, state and United States in such planning, conservation, and development; and

(5) In particular cooperate with and aid the state within its territorial limits in the preparation of the state master plan provided for in RCW 43.21A.350 and in advance planning of public works programs. [1988 c 127 § 1; 1979 ex.s. c 170 § 3; 1965 c 7 § 35.63.060. Prior: 1935 c 44 § 10; RRS § 9322-10.]

Severability—1979 ex.s. c 170: See note following RCW 64.04.140.

35.63.065 Public notice—Identification of affected property. Any notice made under chapter 35.63 RCW that identifies affected property may identify this affected property without using a legal description of the property including, but not limited to, identification by an address, written description, vicinity sketch, or other reasonable means. [1988 c 168 § 9.]

35.63.070 Regional commissions—Appointment—Powers. The commissions of two or more adjoining counties, of two or more adjacent cities and towns, of one or more cities and towns and/or one or more counties, together with the boards of such counties and the councils of such cities and towns may cooperate to form, organize and administer a regional planning commission for the making of a regional plan for the region defined as may be agreed upon by the commissions, boards and councils. The regional commission when requested by the commissions of its region, may further perform any of the other duties for its region that are specified in RCW 35.63.060 for city and county commissions. The number of members of a regional commission, their method of appointment and the proportion of the cost of regional planning, surveys and studies to be borne respectively by the various counties and cities in the region, shall be such as may be agreed upon by commissions, boards and councils.

Any regional planning commission, or the councils or boards respectively of any city, town, or county, are autho-

rized to receive grants-in-aid from the government of the United States or of any of its agencies, and are authorized to enter into any reasonable agreement with any department or agency of the government of the United States to arrange for the receipt of federal funds for planning in the interest of furthering the planning program. [1965 c 7 § 35.63.070. Prior: 1957 c 130 § 1; 1935 c 44 § 11; RRS § 9322-11.]
Commission as employer for retirement system purposes: RCW 41.40.010.

35.63.080 Restrictions on buildings—Use of land. The council or board may provide for the preparation by its commission and the adoption and enforcement of coordinated plans for the physical development of the municipality. For this purpose the council or board, in such measure as is deemed reasonably necessary or requisite in the interest of health, safety, morals and the general welfare, upon recommendation by its commission, by general ordinances of the city or general resolution of the board, may regulate and restrict the location and the use of buildings, structures and land for residence, trade, industrial and other purposes; the height, number of stories, size, construction and design of buildings and other structures; the size of yards, courts and other open spaces on the lot or tract; the density of population; the set-back of buildings along highways, parks or public water frontages; and the subdivision and development of land; and may encourage and protect access to direct sunlight for solar energy systems. A council where such ordinances are in effect, may, on the recommendation of its commission provide for the appointment of a board of adjustment, to make, in appropriate cases and subject to appropriate conditions and safeguards established by ordinance, special exceptions in harmony with the general purposes and intent and in accordance with general or specific rules therein contained. [1979 ex.s. c 170 § 4; 1965 c 7 § 35.63.080. Prior: 1935 c 44 § 5; RRS § 9322-5.]

Severability—1979 ex.s. c 170: See note following RCW 64.04.140.

35.63.090 Restrictions—Purposes of. All regulations shall be worked out as parts of a comprehensive plan which each commission shall prepare for the physical and other generally advantageous development of the municipality and shall be designed, among other things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote a coordinated development of the unbuilt areas; to encourage the formation of neighborhood or community units; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; to encourage and protect access to direct sunlight for solar energy systems; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements, including protection of the quality and quantity of ground water used for public water supplies. Each plan shall include a review of drainage, flooding, and storm water runoff in the area and nearby jurisdictions and provide guidance for corrective actions to mitigate or cleanse those discharges that pollute Puget Sound or waters entering Puget Sound.

[1985 c 126 § 1; 1984 c 253 § 1; 1979 ex.s. c 170 § 5; 1965 c 7 § 35.63.090. Prior: 1935 c 44 § 7; RRS § 9322-7.]

Severability—1979 ex.s. c 170: See note following RCW 64.04.140.

35.63.100 Restrictions—Recommendations of commission—Hearings—Adoption of comprehensive plan—Certifying—Filing or recording. The commission may recommend to its council or board the plan prepared by it as a whole, or may recommend parts of the plan by successive recommendations; the parts corresponding with geographic or political sections, division or subdivisions of the municipality, or with functional subdivisions of the subject matter of the plan, or in the case of counties, with suburban settlement or arterial highway area. It may also prepare and recommend any amendment or extension thereof or addition thereto.

Before the recommendation of the initial plan to the municipality the commission shall hold at least one public hearing thereon, giving notice of the time and place by one publication in a newspaper of general circulation in the municipality and in the official gazette, if any, of the municipality.

The council may adopt by resolution or ordinance and the board may adopt by resolution the plan recommended to it by the commission, or any part of the plan, as the comprehensive plan.

A true copy of the resolution of the board adopting or embodying such plan or any part thereof or any amendment thereto shall be certified by the clerk of the board and filed with the county auditor. A like certified copy of any map or plat referred to or adopted by the county resolution shall likewise be filed with the county auditor. The auditor shall record the resolution and keep on file the map or plat.

The original resolution or ordinance of the council adopting or embodying such plan or any part thereof or any amendment thereto shall be certified by the clerk of the city and filed by him. The original of any map or plat referred to or adopted by the resolution or ordinance of the council shall likewise be certified by the clerk of the city and filed by him. The clerk shall keep on file the resolution or ordinance and map or plat. [1967 ex.s. c 144 § 8; 1965 c 7 § 35.63.100. Prior: 1935 c 44 § 8; RRS § 9322-8.]

Effective date—1967 ex.s. c 144: The effective date of 1967 ex.s. c 144 is July 30, 1967.

Severability—1967 ex.s. c 144: See note following RCW 36.900.030.

Validation—1967 ex.s. c 144: "Any city comprehensive plan and all amendments thereto which have been filed or recorded with the county auditor prior to the effective date of this 1967 amendatory act shall be valid and need not be refiled with the clerk of the city to remain valid and in full force and effect." [1967 ex.s. c 144 § 10.]

35.63.105 Amendments to comprehensive plan to be adopted, certified, and recorded or filed in accordance with RCW 35.63.100. All amendments to a comprehensive plan shall be adopted, certified, and recorded or filed in the same manner as authorized in RCW 35.63.100 for an initial comprehensive plan. [1967 ex.s. c 144 § 9.]

Severability—1967 ex.s. c 144: See note following RCW 36.900.030.

Validation—1967 ex.s. c 144: See note following RCW 35.63.100.