

RESOLUTION NO. 1367

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, EXPRESSING INTENT TO REMOVE THE CITY COUNCIL AND OTHER VOLUNTEER CITIZEN BOARDS FROM QUASI-JUDICIAL PERMIT PROCESSING TO THE EXTENT ALLOWED BY LAW UPON ADOPTION OF THE REVISED EDMONDS COMMUNITY DEVELOPMENT CODE.

WHEREAS, the city has undertaken a comprehensive review of the city's land use permit processing regulations; and

WHEREAS, the city council has played a quasi-judicial role in certain land use permits for many years; and

WHEREAS, the city council has been deliberating whether to continue serving in that role; and

WHEREAS, the city council understands that many citizens want the city council to serve in a quasi-judicial role, believing that the council would be more responsive to the desires of the public than a hearing examiner who is not elected; and

WHEREAS, that desire of some of the public underscores one of the main difficulties with the council serving in that role, namely, that the council may be pressured to make a decision that may be contrary to the standards that the council has adopted to govern such decision-making; and

WHEREAS, that difficulty also increases the legal risk to both city and to the councilmembers themselves; and

WHEREAS, council engagement in quasi-judicial decision-making also prevents the city council from being able to freely discuss pending land use matters with constituents and suggests that councilmembers should not testify before the hearing examiner out of concern that they might later need to recuse themselves in the event of an appeal to the city council; and

WHEREAS, the city council believes that it can adopt additional procedures that will ensure that the city council stays abreast of pending land use applications and that the public interest in access to justice is adequately addressed; now therefore

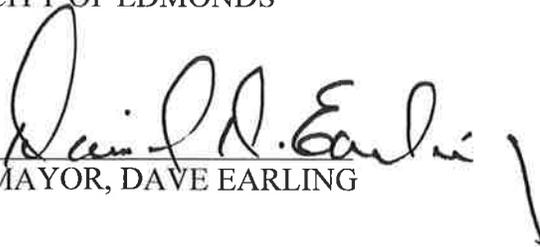
THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. The city council intends to adopt revisions to the Edmonds Community Development Code that will remove quasi-judicial decision-making responsibility from the city council and other volunteer citizen boards to the extent allowed by state law.

Section 2. The city council hereby requests that city staff and the planning board prepare and forward to the city council revisions to the Edmonds Community Development Code that are consistent with this resolution.

RESOLVED this 9<sup>th</sup> day of August, 2016.

CITY OF EDMONDS

  
MAYOR, DAVE EARLING

ATTEST:

  
CITY CLERK, SCOTT PASSEY

FILED WITH THE CITY CLERK:	August 5, 2016
PASSED BY THE CITY COUNCIL:	August 9, 2016
RESOLUTION NO.	1367