

**CITY OF SULTAN  
WASHINGTON  
ORDINANCE NO. 1245-16**

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**AN ORDINANCE OF THE CITY OF SULTAN,  
WASHINGTON, AMENDING SMC 2.17 REGARDING THE  
PLANNING DEPARTMENT; PROVIDING FOR  
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE  
DATE**

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WHEREAS, Ordinance 904-06 established a Community Development Department under SMC 2.17 providing for a Community Development Director; and

WHEREAS, the city would be better served to change SMC 2.17 to a Planning Department under the direction of the Planning Director;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SULTAN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. SMC 2.17 is hereby amended to read as follows:

Chapter 2.17  
PLANNING DEPARTMENT

Sections:

- 2.17.010 Department created.
- 2.17.020 Designation of department of Planning as planning agency.
- 2.17.030 Position established.
- 2.17.040 Appointment.
- 2.17.050 Powers and duties of director.
- 2.17.060 Salary.
- 2.17.070 Senior planner and staff.

2.17.010 Department created.

There is created a separate administrative department in and for the city of Sultan entitled the Department of Planning, to consolidate all planning, environmental and permitting functions into a single department under the supervision of a planning director and/or city administrator.

2.17.020 Designation of department of planning as planning agency.

The department of Planning is hereby designated as the planning agency for the city of Sultan to perform all duties, directly or indirectly, by contract or agreement, required of a planning agency as imposed by law. Where provisions in the Revised Code of Washington or the city's municipal code reference a "planning agency" and/or "planning commission," from and after the effective date of the ordinance codified in this section, such references shall refer to the Department of Planning.

2.17.030 Position established.

There is established the position of Planning Director of the Department of Planning in and for the City of Sultan.

2.17.040 Appointment.

The mayor shall have the power of appointment and removal of the Planning Director of the Department of Planning. Such appointment and removal shall be subject to confirmation by a majority vote of the city council.

2.17.050 Powers and duties of director.

The powers, duties and responsibilities of the Planning Director of the Department of Planning, except where the director may act in a quasi-judicial manner, shall be subject to the direction, authority and supervision of the city administrator, and shall include, without limitation, the following:

- A. Perform, or cause to be performed for the city, all duties as imposed under the Sultan Municipal Code on the city planner and/or zoning official;
- B. Issue administrative determinations under the city's unified development code;
- C. Serve as the city's designated official under the State Environmental Policy Act (SEPA);
- D. Serve as the city's Shoreline Master Program Administrator;
- E. Serve as the city's zoning official;
- F. Perform directly or by designee all duties imposed on the planning director of the department of planning of the city of Sultan under Sultan Municipal Code;
- G. Supervise the performance of all staff planners and such permit technicians as authorized by the city's annual budget;
- H. Except where he/she acts in a quasi-judicial capacity, supervise the performance of the city's building official and/or contract and the city's code enforcement officer;
- I. Participate in and prepare an annual budget for the department of planning; and
- J. Cause to be performed the duties of the department of planning as established by this chapter.

2.17.060 Salary.

The planning director of the department of planning shall receive a salary in such amount as the city council may from time to time establish by ordinance for a permanent hire, and such amount as the mayor may negotiate and the council approve by resolution for an interim appointment.

2.17.070 Senior planner and staff.


Staff planner(s) and staff, as authorized by the city's budget, may be appointed by the mayor and/or city administrator. In the absence of a Planning Director of Department of Planning, the staff planner shall have all of the powers and duties of the director of the department of planning under the direction of the City Administrator.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 22<sup>nd</sup> DAY OF SEPTEMBER, 2016.


CITY OF SULTAN

  
Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:

  
Laura Koenig, City Clerk

Approved as to form:

  
Amy Mill, City Attorney

Published: October 5, 2016

Effective: October 10, 2016