

**CITY OF SULTAN
WASHINGTON
ORDINANCE NO. 1233-16**

**AN ORDINANCE OF THE CITY OF SULTAN, WASHINGTON,
AMENDING CHAPTER 2.19, PLANNING BOARD TO PROVIDE
FOR CHANGES IN APPOINTMENTS TO THE PLANNING
BOARD; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, the Planning Board establishment was included in SMC 2.19 along with the creation of the Department of Community Development; and

WHEREAS, in the best interest of the city, the creation of a city position and policy board should be separate; and

WHEREAS, the City Council has the authority to establish the Planning Board and provide for terms, rules and set the powers and duties of the Planning Board;

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

Section 1. Sultan Municipal Code Chapter 2.19, Planning Board, is hereby amended to read as follows:

2.19.080 Planning board.

There is hereby established a planning board consisting of five members.

The term "planning board" shall be synonymous with the term "planning commission" and either term may be used in referring to the planning board. The term "planning board member" shall be synonymous with the term "planning commissioner" and may be used interchangeably

2.19.090 Appointments to planning board.

All members of the planning board shall be appointed by the mayor and confirmed by the city council. Appointments shall be made in a nondiscriminatory manner, without regard to age, race, sex or political affiliation. Four members shall be registered voters who reside within the corporate limits of Sultan. One member may be a registered voter residing with the urban growth boundary as established by the comprehensive plan in effect at the time of their appointment. One member of the Planning Board may be a business owner, operator or management level employee, or qualified representative, for a business located within the City of Sultan who is not a resident of the city. Members shall serve without compensation.

2.19.100 Terms of appointments to the planning board.

Appointments to the planning board shall be for a term of four years, beginning with appointments made after July 01, 2016, unless the appointment is to fill the balance of an existing term, in which event the term shall be the balance of the term. Members may be reappointed for up to three consecutive terms, after which at least two years shall lapse before the same person shall be available for appointment for up to three additional terms, after which another two years shall lapse before the person is available for appointment to further terms on the same cycle.

2.19.110 Vacancy. A member's position on the planning board shall be deemed vacant if a member resigns, or if a member misses 25 percent of the meetings, including regular meetings, workshops, joint meetings or other duly advertized meetings of the board, within a calendar year.

2.19.120 Removal from membership on the planning board.

A member of the planning board may be removed by the mayor for inefficiency, neglect of duty or malfeasance in office.

2.19.130 Meetings of the planning board.

The planning board shall hold at least one regular meeting in each month for not less than nine (9) months in each year, and conduct such other meetings as required to complete the duties assigned to the planning board by the City Council. Notice of said meeting shall be issued by the director in accordance with the requirements of law. Each January, the board shall set the schedule of regular meetings for the year.

2.19.140 Quorum for meeting of the planning board.

The presence of a minimum of three members shall constitute a quorum. Except to adjourn, no action may be taken in the absence of a quorum. Final action of the planning board in the form of a recommendation shall require the affirmative vote of a majority of the members present when a quorum has been established. Any meeting called and cancelled due to a lack of quorum shall constitute a meeting and count towards the required number of yearly meetings.

2.19.150 Rules and regulations.

The planning board may adopt rules and regulations for the conduct of its affairs. In the absence of any such rules and regulations, the planning board shall follow the most analogous rules used either by the city council for its meetings or by the city's hearing examiner.

2.19.160 Powers and duties.

A. The planning board is to act as an advisory body to the city council on the comprehensive plan, development standards as presented in the zoning code, subdivision code, and related land use codes of the city, and other matters related to land use as delegated by the city council. The planning board has a role in seeking information from and taking information to the community;

B. In consultation with the director of community development, the planning board shall review and monitor the city's comprehensive plan and development regulations, both as defined in the Growth Management Act of the state of Washington, to establish a list of tasks to be undertaken to keep the city's comprehensive plan and development regulations up-to-date and in compliance with the Growth Management Act;

C. In consultation with the director of community development, the planning board shall implement a public participation process and conduct such public meetings and hearings as required to fulfill the city's public participation obligations under Chapter 36.70A RCW;

D. In consultation with the director (of community development), the planning board shall develop Sultan's comprehensive plan and/or updates and amendments thereto, and revise development regulations that implement its comprehensive plan and make recommendation concerning the same to the director of community development and to the city council;

E. In consultation with the director of community development, the planning board shall annually make a recommendation for training and assistance to the board and a budget request to the city council.

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.

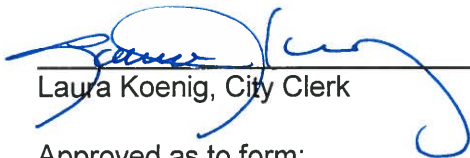
ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE 28TH DAY OF APRIL, 2016.

CITY OF SULTAN



Carolyn Eslick, Mayor

ATTEST/AUTHENTICATED:



Laura Koenig, City Clerk

Approved as to form:



Amy Mill, City Attorney

Date of Publication: 05/02/2016

Effective Date: 05/07/2016