Ordinance No. 1674

(Amending or Repealing Ordinances)

CFN=174 – Planning Commission
Passed 8/17/1970
Creating the City of Kent Planning Department and Director

Amended by Ord. 3512 (now Sec. 2.30)
Amended by Ord. 3926 (Sec. 2.30)
AN ORDINANCE of the City of Kent, Washington, creating and establishing the City of Kent Planning Agency; providing for the powers and duties of such agency; repealing City of Kent Ordinance numbers 764, 997 and 1668; creating the City of Kent Planning Department and designating the Kent Planning Commission, together with the Kent Planning Department, as the Planning Agency for the City of Kent; providing for a director of the Kent Planning Department; prescribing the relationship of the Planning Department to the Planning Commission; prescribing the duties and powers of the City Administrator in relation to the Planning Agency; placing the City of Kent Planning Agency under Ch. 35A.63 of Ch. 119, Laws of 1967 Ex. Sess.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. The Planning Commission and Planning Department designated as the Planning Agency of the City of Kent. The Planning Agency of the City of Kent is hereby created. The Agency shall consist of the Planning Commission and the Planning Department. The Agency shall serve in an advisory capacity to the City Administrator and the City Council.

Section 2. Creation of the City of Kent Planning Commission. There is hereby created the City of Kent Planning Commission, hereinafter referred to as the Commission.

Section 3. Membership, terms, residence requirements, compensation of the Commission. The Commission shall consist of nine (9) appointed members, each of which shall be appointed by the Mayor and confirmed by the City Council. Ex officio members of the Commission shall consist of the City Engineer and City Attorney, which members shall not have a vote.

The term of office of the first three Commissioners appointed following the adoption of this Ordinance shall expire July 1, 1972; the terms of office of the second three Commissioners appointed following the adoption of this Ordinance shall expire July 1, 1973; the terms of office of the final three Commissioners appointed after the adoption of this Ordinance shall expire July 1, 1974. After the effective date of this Ordinance, when a vacancy
occurs on the Commission, appointment for that position shall be for four years, or for the remainder of the unexpired term, whichever is the shorter period of time.

Members of the Commission may be dismissed by the Mayor, with approval of the City Council, for the reasons of neglect of duty, for missing twenty-five percent (25%) of the regularly scheduled meetings in a twelve (12) month period, inefficiency or malfeasance in office.

On and after January 1, 1975, at least five (5) persons appointed to serve on the Commission shall reside within the corporate limits of the City of Kent, and the others at least within an area designated by the City Council as being within the sphere of interest of the City.

The appointive members of the Commission shall serve without compensation except that reimbursement for authorized travel expenses may be made. Reimbursement for such travel expenses shall come from the budget category designated "Planning Commission" which category may be part of the annual Planning Department's authorized budget.

Section 4. Commission Organization, Meetings and Records. The Commission shall elect a Chairman and Vice-Chairman from among its voting members. Such officers shall hold office for one year. The Secretary of the Planning Commission shall be the Planning Director. The Secretary shall prepare the Commission agenda, prepare minutes and keep such records as are necessary for the proper operation of the Commission, all of which will be a matter of public record.

The Commission shall meet at least once each month and shall operate under a set of by-laws, which by-laws shall prescribe the rules of procedure and dates of meetings of the Commission.

Section 5. Duties and Powers of the Commission. The Commission shall conduct public hearings relating to the Comprehensive Plan and the implementation thereof; conduct public hearings on all rezone applications and all initial zoning for newly annexed territory to the City of Kent. The Commission shall review all proposed amendments to the zoning ordinance, subdivision ordinance and other regulatory ordinances which designate the Commission as having responsibility for such ordinance.

The Commission shall be represented by the Planning
Director or his designated representative on any Citizen Advisory Committee or body appointed by the City Council, the Commission or any officer of the City of Kent to investigate, analyze, review and make recommendations for plans for the physical, social and economic development of the City of Kent. The findings and recommendations of any such committee shall be reviewed by the Planning Director, presented to the Commission, and forwarded to the City Council with the Commission’s comments and recommendations.

The Commission, through the Planning Director, shall act in an advisory capacity to the City Council on planning matters.

The Commission shall present to the Planning Director proposed programs and recommendations for budgetary appropriations to be included in the following year's budget.

Section 6. Creation of the City of Kent Planning Department. There is hereby created the City of Kent Planning Department, hereinafter referred to as the Planning Department.

Section 7. Duties and Powers of the Planning Department. The Planning Department is responsible for collecting, analyzing and using technical data to determine logical matters of urban development within the City. The Planning Department shall be responsible for preparing and updating the Comprehensive Plan, preparing and amending the Zoning Ordinance, subdivision ordinance and any other ordinances which are determined by the City Administrator or City Council to be within the area of responsibility of the Planning Agency.

The City Council shall not approve any Planning consultant until the Planning Department has made a recommendation to the Council concerning the scope of work to be undertaken by the consultant, and background information concerning the consultant. The Council shall determine the rate and amount of compensation to be paid to the consultant.

The Planning Department shall maintain close contact with the City Council through the office of the City Administrator of the City. The Planning Department may carry out special projects at the request of the City Council which requests shall be forwarded to the Planning Director through the office of the City Administrator of the City.

The Planning Department shall function as an administrative department within the organization of the City of Kent,
The Planning Department shall advise the City Planning Commission on all rezone matters, on zoning for annexations to the City, on amendments to the Comprehensive Plan, on new ordinances and amendments to ordinances which fall within the range of the planning function of the City. Special projects carried out for the City Council or City Administrator need not be coordinated through the Planning Commission unless they amend the Comprehensive Plan or any developmental ordinance.

The Planning Department shall advise the City Board of Adjustment on all variance and conditional exceptions.

Section 8. Creation of the Office of City Planning Director. There is hereby created the office of City Planning Director, hereinafter referred to as the Director.

Section 9. Method of Appointment and Dismissal of the Planning Director. The Planning Director shall be appointed and dismissed according to the policies adopted by the City Council for the appointment and dismissal of City of Kent Department Heads.

Section 10. Duties and Powers of the Planning Director. The Director shall have complete charge of work done by the Planning Department. The Director shall prepare an annual planning program and an annual budget to implement this program. The Director shall represent the Planning Department before government officials and the public. The Planning Director shall be present at all City Council, Planning Commission and Board of Adjustment public hearings, or designate a member of the Planning Department staff as an alternate.

Upon request by the City Council or City Administrator, the Director may represent the City of Kent on matters concerning urban, rural or regional planning before other City Planning Commissions, State and Federal agencies.

The Director is responsible for hiring or terminating employees of the Planning Department after consultation with the City Administrator.

Section 11. Authority. The City Council hereby declares its intention to perform all planning functions under the Optional Municipal Code, Chapter 35A.63, titled Planning and Zoning in Code Cities.
Section 12. Repealing Ordinances Nos. 764, 997 and 1668.

Kent City Ordinances Nos. 764, 997 and 1668 are hereby repealed.

Section 13. Should any section, subsection, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 14. This Ordinance shall take effect and be in force five (5) days after its passage, approval and publication as provided by law.

ATTEST:

DONALD E. MIRK, City Attorney

Passed the 17th day of August, 1970.

Approved the 18th day of August, 1970.

Published the 21st day of August, 1970.

I hereby certify that this is a true copy of Ordinance No. 1674, passed by the City Council of the City of Kent and approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, City Clerk