Ordinance No. 3252

(Amending or Repealing Ordinances)

CFN=174 – Planning Commission
Passed 11/21/1995
Repealing Ch. 2.56 and Amending Ch. 2.30

Amended by Ord. 3512
Amended by Ord. 3926 (Sec. 2.30)
ORDINANCE NO. 3252

AN ORDINANCE of the City Council of the City of Kent, Washington, repealing Chapter 2.56 of the Kent City Code relating to the Planning Commission; and further, amending Chapter 2.30 of the Kent City Code establishing a Land Use and Planning Board as part of the Planning Agency of the City of Kent.

WHEREAS, the City Council desires to reorganize the planning agency of the City of Kent; and

WHEREAS, as part of this reorganization, the City Council desires to establish a new land use and planning board to replace the duties and responsibilities of the planning commission; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 2.56 of the Kent City Code entitled "Planning Commission" is hereby repealed in its entirety.

SECTION 2. Chapter 2.30 of the Kent City Code entitled "Planning" is hereby amended to read as follows:
CHAPTER 2.30. PLANNING AGENCY

PART 1. GENERALLY

Sec. 2.30.010. Planning authority.

The city council hereby declares its intention to perform all planning functions under RCW ch. 35A.63 regarding planning and zoning in code cities.

Sec. 2.30.020. Designation.

The planning authority agency of the city is hereby created. The planning authority agency shall consist of the planning commission, land use and planning board, and the planning department, and other bodies established by the city council to perform planning functions on behalf of the City of Kent. They shall serve in an advisory capacity to the mayor and the city council.

PART 2. PLANNING DEPARTMENT

Sec. 2.30.060. Creation.

There is created the city planning department.
Sec. 2.30.070. Duties and powers.

A. 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 code, subdivision code and any other codes or ordinances which are determined by the mayor or city council to be within the area of responsibility of the planning agency.

B. The planning department shall maintain close contact with the city council through the office of the mayor. 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 mayor.

C. The planning department shall function as an administrative department of the city aiding in the coordination of city planning activities within the overall administrative program of the city government.

D. The planning department shall advise the city planning commission, land use and planning board on all rezoning matters, on zoning for annexation 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 mayor need not be coordinated through the planning commission.
land use and planning board unless they amend the comprehensive plan or any developmental ordinance.

E. The planning department shall advise the city hearing examiner on all variances and conditional exceptions.

Sec. 2.30.080. Planning director--Creation.

There is hereby created the office of city planning director.

Sec. 2.30.090. Same--Appointment.

The planning director shall be appointed in accordance with the provisions of the City of Kent Policies and Procedures Manual.

Sec. 2.30.100. Same--Duties and powers.

A. The planning director shall have charge of the planning department. The planning director shall prepare an annual planning program and an annual budget to implement this program. The planning director shall represent the planning department before government officials and the public. The planning director shall be present at all city council, planning commission land use and planning board and hearing examiner public hearings, or designate a member of the planning department staff as an alternate.
B. Upon request of the city council or mayor, the planning director may represent the city on matters concerning urban, rural or regional planning before other city planning boards and commissions, state and federal agencies.

C. The planning director is responsible for supervising employees of the planning department.

Sec. 2.30.110. Office of housing and human services--Created.

There is hereby created in the city the office of housing and human services. The office of housing and human services shall not be a separate department, but rather shall be a division of the planning department, reporting directly to the planning director.

Sec. 2.30.120. Same--General duties and powers.

The office of housing and human services shall plan, organize, and administer the activities and functions concerning human service issues, including the development and assessment of human service needs, determination of priorities for human services, evaluation and recommendation of funding requests, and the monitoring of performance of services provided by human service organizations and agencies. The office of housing and human services shall coordinate activities with other human service planning agencies and organizations. Additionally, the office of housing and human services shall coordinate human service activities between city administration and the city human
services commission, and shall implement policy recommendations established by the human services commission and provide necessary support to the human services commission in the performance of its duties.

Sec. 2.30.130. Same--Manager.

The housing and human services manager shall manage the office of housing and human services under the direct supervision of the planning director as delegated pursuant to RCW Title 35A. The housing and human services manager shall be appointed by the planning director.

Sec. 2.30.140. Same--Staff.

The housing and human services manager shall, in accordance with appropriate city policy, recruit and hire employees as may be budgeted from time to time by the city council to the office of housing and human services. Staff employees shall report directly to the housing and human services manager.

Sec. 2.30.150. Same--Salary of staff.

The salary of the housing and human services manager and staff employees shall be that as established in the city annual budget.
Sec. 2.30.160. Same--Transfer of functions and positions.

By the creation of the office of housing and human services pursuant to this chapter, all of the housing and human services functions currently performed by the housing and human services section of the planning department shall be transferred to the office of housing and human services. The senior planner position in the planning department currently performing housing and human services duties shall be eliminated and the functions currently performed by this position shall be transferred to the housing and human services manager position created in section 2.32.130. Additionally, the planning and home repair staff positions currently serving under the senior planner position being eliminated in this section shall be transferred to the office of housing and human services and shall report directly to the housing and human services manager.

PART 3. LAND USE AND PLANNING BOARD

Sec. 2.30.170. Creation.

There is hereby created the land use and planning board.

Sec. 2.30.180. Membership, terms and compensation.

A. The land use and planning board shall consist of those council members serving on the city council planning committee as currently appointed and as reappointed from time to time by the city council. The term of each member of the land use and
planning board shall be the same term that he or she serves on the planning committee.

B. The members of the land use and planning board shall serve without compensation except for compensation paid to council members for serving on the city council and except that reimbursement for authorized travel may be made pursuant to the policies established for council members for such expenses.

Sec. 2.30.190. Organization, meetings and rules.

A. The chairperson of the land use and planning board shall be the chairperson of the planning committee. The secretary of the land use and planning board shall be the planning director. The secretary shall prepare the agenda and minutes and maintain the public records for the land use and planning board.

B. The land use and planning board shall hold hearings and other public meetings and shall establish rules of procedure for the conducting of business for which the board was established.

Section 2.30.200. Duties and powers.

A. The land use and planning board shall conduct public hearings relating to the comprehensive plan and the implementation thereof. The land use and planning board shall review proposed amendments to the zoning and subdivision ordinances which fall within the planning function and other regulatory ordinances for which the board has responsibility.
B. The land use and planning board shall act in an advisory capacity to the city council on planning matters and shall perform other duties and responsibilities as directed by the city council.

Sec. 2.30.210. References to planning commission.

All references in the Kent City Code to the planning commission shall mean the land use and planning board.

SECTION 3. All matters currently pending before the planning commission shall be continued and rescheduled before the land use and planning board.

SECTION 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 5. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its final passage as provided by law.

JIM WHITE, MAYOR

Not signed by Mayor

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ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED 21 day of November, 1995.

APPROVED ______ day of ___________, 1995.

PUBLISHED 26 day of November, 1995.

I hereby certify that this is a true copy of Ordinance No. 3252, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK

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