AN ORDINANCE of the city council of the city of Kent, Washington, amending Chapter 2.30 of the Kent City Code, entitled “Economic and Community Development Department.”

RECITALS

A. The city’s Economic and Community Development department was last reorganized in 2009, when development review, and review, inspection, investigation and enforcement of international building codes and fire codes all came under the direction of the economic and community development director.

B. Having been in operation for over six years, and with staffing changes recently affecting key personnel, it is appropriate to clarify the authority of the position of the economic and community development director as well as the department’s role within the overall city organization in a manner that is consistent with the city council’s practice with other departments.

C. The planning director position, which was carried over in 2009 when the planning department became part of the larger economic and community development department, should be eliminated, and consistent with other city departments, the economic and community development director should be authorized to establish and fill, subject to appropriate
authorization, a deputy economic and community development director as well as departmental subdivision managers.

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

ORDINANCE

SECTION 1. Amendment. Chapter 2.30 of the Kent City Code, entitled, "Economic and Community Development Department," is hereby amended as follows:

Chapter 2.30
ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT*

Sections:
2.30.010. Department created.
2.30.020. Economic and community development director – Creation and appointment.
2.30.030. Qualifications.
2.30.040. Duties and powers.
2.30.060. Planning division – Authority.
2.30.061. Planning division created.
2.30.063. Planning division duties and responsibilities.
Sec. 2.30.010. Department created. There will be an economic and community development department created for the purpose of performing community planning and all public and private permitting and development review, approval, inspection, and enforcement functions, also to include fire plan review, inspection, investigation, enforcement and emergency preparedness functions. The economic and community development department director shall supervise the department and shall have complete charge of all of the work in the department and shall be responsible to hire, supervise, and discipline department employees. The department, through the director, shall report to the chief administrative officer or his or her designee. The functions of the economic and community development department shall be as follows:

A. Community planning;

B. Permit processing;

C. Development engineering;

D. Building code development review and inspection;

E. Critical areas and storm water development permitting review;

F. Code enforcement; and

G. Economic development.
Sec. 2.30.020. Economic and community development director - Creation and appointment. The department will be managed by the position of economic and community development director, is created and shall be subject to appointment by the mayor in accordance with the provisions of The economic and community development director will be appointed by, and serve at the direction of, the mayor and will be subject to the rights and obligations of the City of Kent Policies and Procedures Manual, as may be amended from time to time. The mayor’s appointment will be made solely on the basis of professional experience, education and demonstrated knowledge of accepted practices relating to the duties of the department. The economic and community development director will have complete charge of all department work and will be responsible for hiring and supervising department employees.

Sec. 2.30.030. Qualifications. The economic and community development director must have the following or equivalent qualifications: he or she must be a graduate of a recognized college or university and have at least five (5) years’ experience in economic and community development permit processing or similar fields.

Sec. 2.30.040. Duties and powers. It will be the duty of the economic and community development department, under the supervision of its director, to have the following duties and powers:

A. With the exception of those aspects of permit issuance pertaining to the fire code under the supervision of the fire department, to examine, review, condition, deny, or approve all aspects of public and private development permits issued by the city, including public and private street, utility, and other infrastructure construction.
B. To operate all economic development functions within the city to encourage and support new residential and business development and redevelopment.

C. To operate the duties and responsibilities of the planning division, as specified in this chapter. Operate community planning, zoning, land use and code amendment functions.

D. To implement all applicable building codes and fire codes, as enacted under the Kent city code and the state Building Code Act, when examining, modifying, conditioning, approving, or denying building plans and when conducting building inspections.

E. To collaborate with affected departments on inspections of all development extensions or connections to public utilities.

F. To conduct code enforcement within all areas of the city code that implement the duties and powers vested in the economic and community development department.

G. Under the direction of the mayor, perform other duties as the city council, mayor, or chief administrative officer may require or as may be required by law.

Sec. 2.30.050. Salary. The salary or salary range of the economic and community development director shall be that as established in the city budget.

Sec. 2.30.060 Planning division—Authority. The city council hereby declares its intention to perform all planning functions under Chapter 35A.63 RCW regarding planning and zoning in code cities.
Sec. 2.30.061—Planning division created. There is created the planning division, which shall serve as the city planning agency in conjunction with the land use and planning board. The planning division shall perform planning and zoning functions, conduct plan reviews, and perform other duties as established by the city council. The division shall be supervised by the economic and community development director.

Sec. 2.30.063—Planning division—Duties and responsibilities. The planning division shall have the following duties and responsibilities:

A. The planning division shall be responsible for all planning matters, including, but not limited to, comprehensive plan formulation and amendments, annexation zoning, and the zoning code, subdivision code, and other assigned codes. It shall be the duty of the planning division to set the agenda for the land use and planning board hearings, workshops, and meetings; to prepare all materials, such as agendas, staff reports, and special reports, for the land use and planning board; to collect and to analyze and use technical data to determine logical matters of urban development within the city. The planning division shall be responsible for preparing and updating the comprehensive plan and preparing amendments to the zoning code, the subdivision code, and any other related codes or ordinances.

B. Under the direction of the economic and community development director, the planning division shall advise the mayor and city council on planning matters. The planning division may carry out special projects at the request of the city council, which requests shall be forwarded to the economic and community development department through the office of the mayor.
C. The planning division shall be responsible for all planning matters, including, but not limited to, comprehensive plan formulation and amendments, annexation zoning, zoning code, subdivision code, and other assigned codes. It shall be the responsibility of the planning division to prepare the plans and codes for these planning matters and the responsibility of the land use and planning board to hold public hearings on these plans and codes when advised to do so by the planning division. The planning division shall forward items for consideration to the land use and planning board. The land use and planning board, after holding one (1) or more public hearings, shall forward its recommendation to the city council for final action. The council may hold public hearings and perform other related functions on specific planning matters in addition to or in lieu of delegating this function to the land use and planning board.

Sec. 2.30.065. Planning division — Planning director — Position created, salary, and appointment. There is hereby created the position of city planning director, who shall be appointed by the economic and community development director, in accordance with the provisions of the City of Kent Policies and Procedures Manual, on the basis of professional experience, education, and demonstrated knowledge of accepted practices relating to the duties of the division. The salary of the planning director shall be that as established in the annual city budget. All references in the Kent City Code to the planning manager, with respect to the functions of the planning division as set forth in this code, shall mean the planning director.

Sec. 2.30.067. Planning division — Planning director — Qualifications. The planning director must have the following or equivalent qualifications: he or she must be a graduate of a recognized college or university and have at least three (3) years' experience in municipal planning.
Sec. 2.30.069. Planning division—Planning director—Duties and responsibilities:

A. The planning director shall be in charge of the planning division. The planning director shall prepare an annual planning program and an annual budget to implement this program. The division shall represent the city before government agencies and the public as deemed necessary. The planning director or a designated planning staff member shall be present at all city council and land use and planning board meetings and public hearings. The planning director shall perform such other duties as the economic and community development director may direct or as may be required by the laws of the state.

B. The planning director, or his or her designee, shall act as the State Environmental Policy Act (SEPA) responsible official as set forth in Ch. 11.03 KCC.

Sec. 2.30.070. Building official — Position created and appointment. There is hereby created the will be a position known as building official. The building official is an employee of the economic and community development department and shall will be appointed by, and shall serve at the direction of, the economic and community development director in accordance with the provisions of the City of Kent Policies and Procedures Manual on the basis of professional experience, education, and demonstrated knowledge of accepted practices relating to the duties of the office.

Sec. 2.30.072. Building official — Qualifications. The building official must have the following or equivalent qualifications: he or she must be a graduate of a recognized college or university, have at least three (3) years’ experience in the field of building and land development, be familiar
with the International and Uniform Building Codes, or have experience in a similar field as deemed appropriate to the position by the appointing authority.

Sec. 2.30.074. Building official—Duties and powers. It shall be the duty of the building official to examine building plans and perform building inspections as prescribed by the Kent City Code. The building official shall perform such other duties as the economic development director, or his or her designee, may direct or as may be required by the laws of the state.

Sec. 2.30.110 Salary:
Repealed by Ord. No. 3926.

SECTION 2. — Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. — Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state or federal laws, codes, rules, or regulations.

SECTION 4. — Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage and publication, as provided by law.
I hereby certify that this is a true copy of Ordinance No. 4154 passed by the city council of the city of Kent, Washington, and approved by the Mayor of the city of Kent as hereon indicated.