

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2227

**AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON,
REVISING THE TERMS OF THE PLANNING COMMISSION'S CHAIR
AND VICE CHAIR AND AMENDING CHAPTER 2.16 OF THE
SNOHOMISH MUNICIPAL CODE**

WHEREAS, the Planning Commission was created to serve in an advisory capacity to the Snohomish City Council pursuant to RCW 35A.63.020; and

WHEREAS, with enactment of Ordinance 1929, the City Council established the requirement that a "new and different" chair be elected each calendar year; and

WHEREAS, the land use planning matters that come before the Planning Commission have over time become increasingly complex; and

WHEREAS, the chair of the Planning Commission is responsible for conducting meetings and overseeing deliberations in an orderly, diplomatic, and lawful manner; and

WHEREAS, meeting facilitation skills, knowledge of parliamentary procedures, and knowledge of municipal procedures can be enhanced through a combination of professional training, experience, and repetition; and

WHEREAS, the research, analysis, deliberation, and public involvement undertaken by the Planning Commission is enhanced when meetings are facilitated in an effective manner; and

WHEREAS, during the regular meetings of July 6, 2011 and October 5, 2011, the Planning Commission reviewed existing provisions relating to the terms of officers and subsequently directed staff to prepare legislation allowing officers to serve up to two consecutive terms as chair or as vice chair; and

WHEREAS, the City Planner, acting as the City's SEPA Responsible Official, determined that the amendments contained within this Ordinance constitute procedural actions and are therefore exempt from SEPA threshold determination and EIS requirements as allowed by WAC 197-11-800(19); and

WHEREAS, the City Council finds that the amendments contained within this Ordinance will support continued excellence on behalf of the Planning Commission in the execution of its duties and will promote the public's health, safety, and welfare;

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

Section 1. Chapter 2.16 of the Snohomish Municipal Code is hereby amended to read as follows:

2.16.010 Created—Number. A City Planning Commission is created to serve in an advisory capacity to the Snohomish City Council pursuant to RCW 35A.63.020 and shall consist of seven members.

2.16.020 Members—Qualifications. The members of the Planning Commission shall be appointed by the Mayor, subject to confirmation by the City Council, consistent with the requirements of SMC 2.06.030 and 2.06.035. The Mayor shall strive to maintain a diverse representation of membership.

2.16.030 Appointment to the Commission — Terms — Vacancies — Compensation. Terms of appointment for the appointive members shall be in such manner as to provide that the fewest possible terms expire in any one year. The term of office for all Planning Commissioners is six years. If a Planning Commissioner resigns prior to the normal end of his term, an appointment will be made for completion of the unexpired term.

Members shall serve without compensation.

2.16.040 Powers. The powers of the Planning Commission shall be as provided by City Ordinance and RCW Chapter 35A.63, as amended.

2.16.050 Purpose and Objectives. The Planning Commission is created for the purpose of considering land-use, regional and comprehensive plan issues, and making recommendations to the City Council. The Planning Commission may recommend moratoria and/or interim land-use controls and hold public hearings as deemed necessary by the City Council. The City's vision statement establishes the framework for Planning Commission review.

2.16.060 Officers, Rules, Election of Officers, Records, and Expenses. The Commission shall adopt rules and regulations for the conduct of its business, subject to the approval of the City Council. A majority of the membership shall constitute a quorum for the purpose of transacting business. Action by the Commission shall be by majority vote. A tie vote on a motion to approve shall constitute a failure of the motion.

~~((To provide the opportunity for each Planning Commission member to serve as chair or other officer, each))~~ Each December, the Planning Commission shall elect from among its members a ~~((new and different))~~ chair and ~~((such other officers as it may deem necessary for the ensuing calendar year))~~ vice chair. Such officers shall occupy their respective offices beginning January 1st ~~((for a period of one))~~ of the following year. Members serving part or all of a one-year term as chair or vice chair shall be eligible for election to one additional consecutive one-year term at that officer position, for a maximum of two consecutive one-year terms.

A commissioner elected to serve two, consecutive one-year terms as vice chair or chair would, the following year, be ineligible for election to that same officer position. Following one year of ineligibility, the commissioner would again be eligible for election to that same position.

A commissioner elected to serve two, consecutive one-year terms as vice chair or chair and then two, consecutive one-year terms in the other officer position (four consecutive years total) would, the following year, be ineligible for election to any officer position. Following one year of ineligibility, the commissioner would again be eligible for election to either officer position.

The City Planner, or his duly authorized representative, shall serve as executive secretary of the Commission, and shall be responsible for all records. All meetings of the Board shall be subject to the Open Public Meetings Act. The Commission shall keep minutes of its proceedings and such minutes shall be kept on file in the office of the City Clerk.

The Planning Commission shall (~~write~~) provide an annual report to the City Council on its activities for the previous year and make special reports as necessary in response to specific Council requests.

The City shall provide the Commission with necessary administrative support and expense budget as needed to perform the function described by this chapter.

2.16.070 Removal. Planning Commissioners may be removed after public hearing by the Mayor with the approval of the City Council for inefficiency, neglect of duty, or malfeasance in office.

Section 2. Severability. If any section, subsection, 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 preempted by state or federal law or regulation, such a decision or preemption shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other persons or circumstances.

Section 3. Effective Date. This ordinance shall be effective January 1, 2012.

PASSED by the City Council and **APPROVED** by the Mayor this 1st day of November, 2011.

CITY OF SNOHOMISH

By _____
KAREN GUZAK, MAYOR

Attest:

Approved as to form:

By _____
TORCHIE COREY, CITY CLERK

By _____
GRANT K. WEED, CITY ATTORNEY