

ORDINANCE NO. 2014-06

AN ORDINANCE OF THE CITY OF VADER, WASHINGTON, RELATING TO THE PLANNING COMMITTEE, REDUCING THE NUMBER OF MEMBERS FROM 9 TO 5, ELIMINATING ALTERNATE PLANNING COMMITTEE MEMBERS AND THE PROCEDURES RELATED THERETO, ELIMINATING CERTAIN PROCEDURES RELATING TO DISQUALIFICATIONS, ELIMINATING THE REQUIREMENT THAT A COUNCILMEMBER ATTEND ALL PLANNING COMMISSION HEARINGS AND MEETINGS; ELIMINATING CERTAIN DUTIES OF THE MAYOR, ALLOWING THE PLANNING COMMITTEE TO SET THEIR OWN REGULAR MEETING TIME AND DATE, AMENDING SECTIONS 1 THROUGH 9 OF ORDINANCE NO. 2006-01.

WHEREAS, the City Council desires to make certain changes to Ordinance No. 2006-01 for convenience and conformance to law; and

WHEREAS, the City's SEPA Responsible Official finds that this Ordinance is exempt from SEPA as merely procedural under WAC 197-17-800(19); **NOW, THEREFORE,**

THE CITY COUNCIL OF THE CITY OF VADER, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 1 of Ordinance 2006-01 is hereby amended to read as follows:

- A. "Planning Committee" shall be defined as a Committee created pursuant to the authority conferred on the City of Vader, Washington, by chapter 35A.63 RCW.
- B. "Comprehensive Plan" means the policies and proposals approved by the City Council as set forth in RCW 35A.63.060 through RCW 35A.63.072 and containing, at least, the elements set forth in RCW 35A.63.061.
- C. "Development Regulations" means the controls placed on development or land use activities by the City, including, but not limited to, zoning ordinances, critical areas ordinances, shoreline master programs, official controls such as the Official Zoning Map, planned unit development ordinances, subdivision ordinances, binding site plan ordinances, and any amendments thereto.

D. "City Council" shall include, and shall be, the City Council of the City of Vader, Washington.

E. "Mayor" shall be and include the Mayor of the City of Vader, Washington.

Section 2. Section 2 of Ordinance No. 2006-01 is hereby amended to read as follows:

Membership/Terms/Appointment/Compensation. The Planning Committee shall consist of five members who shall serve without compensation and be selected as follows:

A. All members shall be appointed by the Mayor and confirmed by the City Council. All appointments and reappointments to a position shall be made in writing by the Mayor and confirmed by the City Council. If the Mayor seeks to remove a member of the Planning Committee, he shall notify the member in writing of such intent, and the date of the hearing that will be held before the City Council on such intended removal. At the end of the hearing, if the Mayor decides to remove the member, it shall be effective upon confirmation by the City Council.

The Mayor, elected and appointed officials and employees of the City of Vader shall not be appointed as regular members of the Planning Committee.

B. At the time of appointment and throughout the term of his/her term of office, each member of the Planning Committee shall reside within the City of Vader or in Lewis County within three miles of the city limits of the City of Vader. Any member who ceases to qualify as a member of the Planning Committee under this subsection during his/her term of office shall forfeit the office.

C. Members' initial terms will be staggered as follows:

1. Three members shall serve a one-year term.
2. Two members shall serve two-year terms.

Each appointment of a member thereafter shall be for a period of three years, except that appointment to replace any terminated members shall be for the duration of said members' unexpired term.

All members are required to take an oath of office prior to assuming their term of office.

D. Any Planning Committee member who is absent for three meetings within a one-year period without being excused by a majority vote of the Planning Committee shall be removed from office.

E. A member appointed to the Planning Committee shall forfeit their office, creating a vacancy, if they cease to have the qualifications prescribed for such office by law or ordinance, or if they are convicted of a crime involving violation of the oath of office.

F. If any member on the Planning Committee concludes that he/she has a conflict of interest or appearance of fairness problem with respect to a matter pending before the Planning Committee, he/she shall disqualify himself/herself from participating in the deliberations and the decision-making process with respect to the matter.

Section 3. Section 3 of Ordinance No. 2006-01 is hereby amended to read as follows:

Powers/Duties/Limitations.

A. The Planning Committee shall have all the powers and perform any or all of the duties specified in chapter 35A.63 RCW, together with any other duties or authority which may hereafter be conferred upon it by the laws of the State of Washington, or the City Council of Vader, Washington.

B. The Planning Committee is required and directed to review the Comprehensive Plan for the City of Vader and to prepare amendments thereto as shall be deemed necessary and in the best interest of the citizens of the City of Vader, or as directed by the City Council. Such amendments shall be in compliance with the requirements of the Growth Management Act ~~of 2004~~, which includes the Comprehensive Plan and Zoning, as amended by subsequent legislation.

C. The Planning Committee shall review and submit recommendations to the City Council on all applications for amendments to the Comprehensive Plan and development regulations.

D. The City Council may refer to the Planning Committee for its recommendation and written report on any ordinance, resolution or other proposal relating to any matters and subjects referred to in chapter 35A.63 RCW, and chapter 36.70A RCW, and the Planning Committee shall promptly report in writing to the City Council thereon, making such recommendations and giving such counsel as it may deem proper in the circumstances.

Section 4. Section 4 of Ordinance 2006-01 is hereby amended to read as follows:

Chairperson. Annually, in early December, the Planning Committee shall vote to decide which Planning Committee member shall serve as Chairperson.

Section 5. Section 5 of Ordinance 2006-01 is hereby amended to read as follows:

Secretary. The Mayor, with confirmation by the City Council, shall designate a member of the Planning Committee to act as the Planning Committee Secretary. The Secretary shall prepare written minutes of the Planning Committee meetings and present same for approval at the next regular meeting of the Planning Committee.

Section 6. Section 6 of Ordinance 2006-01 is hereby amended to read as follows:

Quorum.

A. The presence of three members of the Planning Committee shall constitute a quorum. A simple majority of the quorum shall be sufficient to conduct the business of the Planning Committee.

B. Action of the Planning Committee shall be deemed final upon vote of the Planning Committee unless it specifically delays said final action to prepare and adopt findings, conclusions and other documentation in support of its recommendation.

Section 7. Section 7 of Ordinance 2006-1 is hereby amended to read as follows:

Meetings/Notice/Publication.

A. The Planning Committee shall meet on the first Monday of each month at 5:30 P.M. in City Hall. In the event that any regular meeting date falls upon a city holiday, the meeting shall be conducted on the next regular business day.

B. The Planning Committee may schedule special meetings when required, as long as notice is provided under the procedures set forth in RCW 42.30.080.

C. The Chairperson of the Planning Committee shall preside at all meetings, which shall be conducted according to Roberts Rules of Order.

D. All meetings both regular and special, shall be open to the public in accordance with chapter 42.30 RCW, the State Open Meetings Act.

E. Notice and publication of all meetings shall be made according to law.

Section 8. Section 9 of Ordinance 2006-01 is hereby amended to read as follows:

Budget/Expenditures. The Planning Committee shall prepare and submit its proposed budget to the Clerk/Treasurer in conformance with the format and schedule of the City's annual budget preparation process. All expenditures of the Planning Committee must be reviewed and approved in advance by the City Council. The Planning Committee, in exercising its duties, may also require expenditures for activities such as mapping, public hearings, copying, etc.

Section 9. Section 10 of Ordinance 2006-01 is hereby amended to read as follows:

Application Forms/Fee Schedules.

The Clerk/Treasurer will prepare application forms and other appropriate forms to be used in the Planning Committee's deliberations.

Section 10. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be 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 11. **Publication.** This Ordinance shall be published by an approved summary consisting of the title.

Section 12. **Effective Date.** This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Vader and attested by the City Clerk in authentication of such passage on this _____ day of _____, 2014.

APPROVED by the Mayor this ____ day of _____, 2014.

Kenneth Smith, Mayor

ATTEST/AUTHENTICATED:

Jill Nielson, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

FILED WITH THE CITY CLERK: _____

PASSED BY THE CITY COUNCIL: _____

PUBLISHED: _____

EFFECTIVE DATE: _____

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