

ORDINANCE NO. 2022- 14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, AMENDING SECTION 2.50.100 OF THE SUNNYSIDE MUNICIPAL CODE (SMC) RELATING TO PLANNING COMMISSION SPECIFIC REQUIREMENTS.

WHEREAS, the current language of SMC Section 2.50.100 provides for the governing law, membership, meetings and commissioner duties and responsibilities; and

WHEREAS, in order to more fully include the membership participation of commissioners in the general community, it is appropriate to expand the number of commissioners who reside within the Sunnyside School District boundaries, though not necessarily within the City limits; and

WHEREAS, it is also appropriate to accommodate the need for flexibility as to the day and time for the monthly meetings of the Planning Commission.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF SUNNYSIDE, WASHINGTON, as follows:

Section 1. Amendment to City Code. That Section 2.50.100 of the Sunnyside

Municipal Code is hereby amended to read as follows:

2.50.100 Planning Commission specific requirements.

A. Governing Law. The Planning Commission is created pursuant to Chapter 35A.63 RCW.

B. Membership. The Planning Commission shall consist of seven members. At least ~~five~~ four members of the Planning Commission shall reside within the boundaries of the City or the City's Urban Growth Area (UGA), as now existing or hereafter altered, and up to ~~two~~ three members may reside within any area within the boundaries of Sunnyside School District No. 201, as such now exist or are hereafter altered.

C. Meetings. The Planning Commission shall hold one regularly scheduled meeting each month at the hour of 5:30 p.m., on the second Tuesday of each and every month, provided, that if no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled by the chairperson. The Planning

Commission may meet at any other time as needed when called by the chairperson, majority of members thereof, or the City Council; provided, that any such special meeting shall be properly noticed in accordance with SMC 2.50.070. In the event any meeting date should be a legal holiday, then any such meeting falling on such holiday shall be held on the next succeeding business day at 5:30 p.m., unless otherwise specifically provided.

D. **Duties and Responsibilities.** The responsibility of the Planning Commission shall be to consider all amendments, modifications or alterations to the City's comprehensive plan, to conduct hearings as otherwise specified by law, to hear, review, and recommend proposed annexations of the City, and to perform other planning functions as required by the City Council and State law. [Ord. 2020-7 § 1 (Exh. A), 2020; Ord. 2018-3 § 1 (Exh. A), 2018; Ord. 2015-9 § 1 (Exh. A), 2015; Ord. 2011-3 § 1 (Exh. A), 2011.]

Section 2. Severability. That if any portion of this Ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this Ordinance.

Section 3. Corrections. That upon the approval of the City Attorney, the City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to, the correction of scrivener's/clerical errors, references, Ordinance numbering, sections/subsections numbers and any references thereto.

Section 4. Effective Date. That this Ordinance shall take effect and be in full force five (5) days after its passage, approval and publication.

PASSED this 9th day of May, 2022.



DEAN BROERSMA, MAYOR

ATTEST:



JACQUELINE RENTERIA, CITY CLERK

APPROVED AS TO FORM:



KERR FERGUSON LAW, PLLC
Attorneys for the City of Sunnyside