

ORDINANCE NO. 1098

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, DEFINING WHAT CONSTITUTES A QUORUM FOR DESIGN REVIEW BOARD MEETINGS RELATED TO CERTIFIED LOCAL GOVERNMENT ACTIVITIES AND DEFINING WHAT CONSTITUTES A QUORUM FOR PROJECT REVIEW MEETINGS BY THE DRB; AMENDING SECTION 2.21.060 OF THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the Design Review Board serves two functions for the city: as the City's historic preservation board to perform certified local government activities and as the City's board to review those projects which do not meet the specific requirements of chapter 17.99 GHMC, the Design Manual; and

WHEREAS, the Design Review Board consists of seven board members, two of which are appointed for their experience and knowledge of historic preservation, as defined GHMC 2.21.020(B)(6); and

WHEREAS, those two historic preservation members are required to attend all meetings related to certified local government activities, but may choose not to attend meetings related to Design Manual project review, as allowed by GHMC 2.21.020(B)(6); and,

WHEREAS, the current quorum requirement does not distinguish between certified local government meetings and Design Manual project review meetings and therefore requires four of the seven members to be present at all meetings to conduct business; and,

WHEREAS, if the historic preservation members choose to not attend meetings related to Design Manual project review, four of the five remaining members must attend the meetings to conduct business; and,

WHEREAS, the City desires to amend the quorum requirements to distinguish between the two types of meetings the Design Review Board conducts and acknowledge the allowance for the historic preservation members to opt-out of project review; and,

WHEREAS, the City's SEPA Responsible Official has determined that the adoption of this Ordinance is merely procedural and is therefore exempt from SEPA under WAC 197-11-800(20); and

WHEREAS, the City Planning Commission held a public hearing on this Ordinance on June 7, 2007 and made a recommendation of approval to the City Council; and

WHEREAS, the Gig Harbor City Council considered the Ordinance at first reading and public hearing on July 23, 2007; and

WHEREAS, the Gig Harbor City Council voted to adopt this Ordinance during the second reading on August 13, 2007; and

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Subsection 2.21.060(B) of the Gig Harbor Municipal Code is hereby amended, to read as follows:

2.21.060 Organization.

The city's design review board shall be organized as follows:

* * *

B. Quorum. No business shall be conducted without a quorum at the meeting. ~~A quorum shall exist when the meeting is attended by a majority of the appointed members of the DRB, which may include the chairman.~~

1. Certified local government meetings pursuant to Chapter 17.97 GHMC. A quorum shall exist when the meeting is attended by a majority of the appointed members of the DRB, including all historic preservation members as defined in GHMC 2.21.020(B)(6).

2. Project review meetings pursuant to Chapter 17.98 GHMC. A quorum shall exist when the meeting is attended by a majority of the appointed members of the DRB, excluding historic preservation members as defined in GHMC 2.21.020(B)(6).

* * *

Section 2. Severability. If any section, sentence, clause or phrase of this Ordinance is 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, clause or phrase of this Ordinance.

Section 3. Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 13th day of August, 2007.

CITY OF GIG HARBOR

CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 07/18/07
PASSED BY THE CITY COUNCIL: 08/13/07
PUBLISHED: 08/22/07
EFFECTIVE DATE: 08/27/08
ORDINANCE NO: 1098