



ORDINANCE 2010-002

AN ORDINANCE AMENDING SECTION 16.08.010 OF THE DEVELOPMENT CODE PERTAINING TO THE APPOINTMENT OF THE HEARINGS OFFICER

WHEREAS, The City currently appoints one hearings officer to serve for a period of two years after an interview and application process as determined in the development code; and

WHEREAS, the City has an established hiring process for contract professionals through a personal service contract; and

WHEREAS, the proposed amendment allows the City Council greater flexibility in the appointment and interview process by using the personal service contract criteria; and

WHEREAS, the proposed amendment allows the City Council to appoint an additional Hearings Officer to serve as an alternate should the primary Hearings Officer be unavailable; and

WHEREAS, the proposed amendment allows the City Council to monitor the length of appointment; and

WHEREAS, the proposed amendment was reviewed for compliance and consistency with the Comprehensive Plan, regional and state regulations and found to be fully compliant; and

WHEREAS, The proposed amendments were subject to full and proper notice and review and a public hearing was held before the Planning Commission on January 12, 2010; and

WHEREAS, the Planning Commission voted to forward a recommendation of approval to the City Council based on the analysis and findings of the staff report contained in Exhibit 1 including the proposed development code modifications in Exhibit 1-A; and

WHEREAS, the City Council held a public hearing on February 16, 2010 and determined that the proposed changes to the Development Code met the applicable Comprehensive Plan criteria and continued to be consistent with regional and state standards.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Findings. After full and due consideration of the application, the Planning Commission recommendation ("Exhibit 1"), the record, findings, and of the evidence presented at the public hearing, the Council finds that the text of the SZCDC shall be amended as

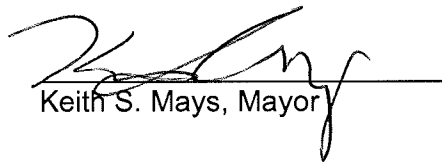
documented in Exhibit 1-A; therefore, the Council adopts the findings of fact contained in the Planning Commission recommendation attached as Exhibit 1.

Section 2. Approval. The proposed amendments for Plan Text Amendment (PA) 09-06 identified in Exhibit 1-A, are hereby **APPROVED**.

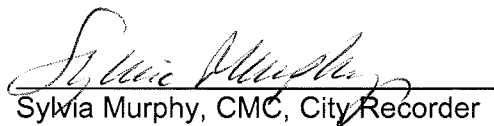
Section 3 - Manager Authorized. The Planning Department is hereby directed to take such action as may be necessary to document this amendment, including notice of adoption to DLCD and necessary updates to Chapter 16 of the municipal code in accordance with City ordinances and regulations.

Section 4 - Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 16th day of February 2010.


Keith S. Mays, Mayor

ATTEST:


Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Folsom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Weislogel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grant	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heironimus	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mays	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Exhibit 1A-Planning Commission Recommendation

PA 09-06

Hearings Officer Appointment Process and Criteria Code Amendment

~~Existing Code~~ Proposed Code Language

16.08.010 Appointment

A. ~~The City Council shall appoint a Hearings Officer for a term of two (2) years. to serve at the pleasure of the City Council. The Hearings Officer shall be selected as provided in the City's contracting rules for personal service contracts. The Hearings Officer shall be selected after requesting applications and interviewing selected candidates.~~ The Hearings Officer may be terminated by a majority vote of the City Council.

B. The City Council may appoint another Hearings Officer to serve as a backup to the Hearings Officer under § 16.08.010 A. above. The Hearings Officer appointed under § 16.08.010.A. shall notify the City when the Hearings Officer is unavailable.

B. C. If the office of the Hearings Officer is vacant or the a Hearings Officer is unavailable, the Planning Commission shall perform all duties of the Hearings Officer.