

**10a. Staff Report - Update of Planning Commission By-Laws (Rules of Procedure)**

Planning Commission Meeting Date: June 6, 2019

**Agenda Item 10a.**

**PLANNING COMMISSION AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	<b>Update of Planning Commission By-Laws (Rules of Procedure)</b>		
<b>DEPARTMENT:</b>	<b>Planning Commission Subcommittee/City Attorney's Office</b>		
<b>PRESENTED BY:</b>	<b>Planning Commission Subcommittee – By-Laws Julie Ainsworth-Taylor, Assistant City Attorney</b>		
<input type="checkbox"/> <b>Public Hearing</b>	<input type="checkbox"/> <b>Study Session</b>	<input type="checkbox"/> <b>Recommendation On</b>	
<input checked="" type="checkbox"/> <b>Discussion</b>	<input type="checkbox"/> <b>Update</b>	<input type="checkbox"/> <b>Other</b>	

**INTRODUCTION AND BACKGROUND**

Shoreline Municipal Code (SMC) 2.20.030(C) requires the Planning Commission to adopt rules and regulations for the conduct of its business. The Planning Commission's By-Laws were first adopted in 1996 and have been amended from time to time, with the last amendment occurring in October 2016.

At the request of the City Council, the Planning Commission formed a subcommittee to consider possible amendments to the By-Laws. The subcommittee is comprised of Commissioners Craft, Malek, and Mork.

The subcommittee, with the assistance of the Assistant City Attorney, met in February 2019 to discuss possible amendments. Amendments were drafted and provided to the subcommittee for its review and comment. In May 2019, the subcommittee mutually agreed to present the proposed amendments to the Planning Commission as a whole.

**DISCUSSION**

Many of the amendments are simply housekeeping amendments that reorganize the rules to provide for greater clarity and readability in a new format with sections. A copy of the proposed amendments is set forth in **Attachment A**. A copy of the current By-Laws is set forth in **Attachment B**.

Due to the format change and expansion of provisions, a legislative version of the amendments is not provided. In summary, by Article, the amendments are:

Document Title – By-Laws

- Retitled to "Rules of Procedures" to better reflects content and aligns with City Council's title for its rules

Article I - Authority

- Retitled to "Authority and Purpose"

**Approved By:** Project Manager \_\_\_\_\_

**Planning Director** \_\_\_\_\_

## **10a. Staff Report - Update of Planning Commission By-Laws (Rules of Procedure)**

- Provides more detail as to the formation of the Planning Commission and its role.

### Article II – Membership

- Separated for better readability with section titles
- Commissioners sworn in by Mayor, Deputy Mayor, or any City Councilmember
- Resignation provision expanded to required reasonable notice in writing to the Clerk of the Planning Commission who submits to City Council (RCW 42.12.020)

### Article III – Duties of Commission, Officers, and Clerk

- Separated for better readability with section titles
- Section A: General duties of the Planning Commission expanded; new provision for Commissioners to be familiar with the matter so as to make an informed decision
- Section B: Combined Sections 2 and 3, setting forth the officers and their duties; duties of Chair in relation to meetings, public, and official papers
- Section C: Duties of Clerk expanded to pattern those of the Clerk of the City Council

### Article IV – Elections

- Separated for better readability with section titles

### Article V – Meetings

- Separated for better readability with section titles
- Denoted meetings are at City Hall unless Planning Commission directs otherwise
- Section A Regular Meetings and Section B Special meetings, adhere to Open Public Meetings Act, set days and time for meetings
- Section C Order of Business now provides that the Director's Report is optional
- Section D Public Comment aligns with City Council's rules and provides limits and decorum.
- Section E Noticing aligns with state law and current City practices

### Article VI – Rules of Meetings

- Separated for better readability with section titles
- Section A Attendance includes policy for excused/unexcused absences
- Section D Voting expanded to align with City Council's rules and provides no proxy, result of a silent vote or abstention
- Section E Adjournment/Recess/Continuation expanded language for continuances

### Article VII – Committees

- Separated for better readability with section titles
- Denotes committee meetings are open to public

### Article VIII – Code of Ethics

- Title changed to "Code of Ethics and Decorum"
- Expanded to align with City Council's rules and state law

## **10a. Staff Report - Update of Planning Commission By-Laws (Rules of Procedure)**

Article IX – Amendments

- Separated for better readability with section titles

### **RECOMMENDATION**

The Planning Commission subcommittee recommends approval of the amendments.

The Planning Commission should move to repeal the current By-Laws as set forth in Attachment B in their entirety as provided in Article IX and adopt the Rules of Procedures as set forth in Attachment A.

### **ATTACHMENTS**

Attachment A – Draft Amendments

Attachment B - Current Planning Commission By-Laws, last amended October 6, 2016.

**CITY OF SHORELINE  
Planning Commission By-Laws**

Original Adoption  
February 15, 1996

Revisions  
November 6, 1997  
October 15, 1998  
January 18, 2001  
April 5, 2001  
April 3, 2003  
April 7, 2005  
March 16, 2006  
May 1, 2008  
October 1, 2009  
March 18, 2010  
December 1, 2011  
March 7, 2013  
October 6, 2016  
**XXXX, 2019**

**ARTICLE I - AUTHORITY AND PURPOSE**

As authorized by RCW 35A.63.020, on July 31, 1995, the Shoreline City Council adopted Ordinance 36, creating the Shoreline Planning Commission. Chapter 2.20 of the Shoreline Municipal Code (SMC) provides for the membership, organization, and duties of the Planning Commission.

The Planning Commission serves as an advisory body to the City Council. The purpose of the Planning Commission, as set forth in SMC 2.20.010, is to provide guidance and direction for Shoreline's future growth through continued review and improvement to Shoreline's comprehensive land use plan, zoning code, shoreline management, environmental protection, and related land use documents.

Pursuant to SMC 2.20.030, the Planning Commission is authorized to adopt such rules and regulations as are necessary for the conduct of its business. These Bylaws are such rules and regulations.

**ARTICLE II - MEMBERSHIP**

**A. Appointment and Term**

1. The Planning Commission shall consist of seven (7) Commissioners, appointed by majority vote of the City Council.

## **Update of Planning Commission By-Laws - Att. A - Draft Amendments**

2. Each Commissioner shall be appointed for a term of four (4) consecutive years. No Commissioner shall serve longer than two (2) consecutive terms. A Commissioner who has served more than half a term is considered to have served a full term.
3. New Commissioners, or those reappointed for an additional term, shall be sworn in by the Mayor, Deputy Mayor, or other designated City Councilmember.

### **B. Resignation of Office**

Any Commissioner desiring to resign from the Planning Commission shall provide written notice of his/her resignation as soon as reasonably possible, but no less than thirty (30) calendar days prior to the effective date of resignation except under extenuating circumstances. Written notice shall be submitted to the Clerk of the Planning Commission. The Clerk shall promptly present the resignation to the City Council.

### **C. Removal or Forfeiture of Office**

1. A Commissioner must be a resident or own property within the City of Shoreline. If at any time during a Commissioner's term a Commissioner fails to reside or own property in the City of Shoreline, then the Commissioner shall be deemed to have forfeited his/her appointment. Forfeiture is effective immediately as the individual no longer satisfies the qualifications of membership set forth in SMC 2.20.020.
2. Commissioners may be removed by a majority vote of the City Council for neglect of duty, conflict of interests, malfeasance in office, or other just cause, including unexcused absence.

### **D. Vacancies**

Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms by the City Council in the same manner as for appointments as provided in Shoreline Municipal Code 2.20.020(C).

## **ARTICLE III - DUTIES OF THE COMMISSION, OFFICERS, AND CLERK**

### **A. Duties of the Commission**

1. The Planning Commission shall undertake the duties and responsibilities as set forth in SMC 2.20.060 and any other duties as may be conferred upon the Planning Commission from time to time by ordinance, resolution, or motion of the City Council.
2. When participating in a recommendation, it shall be the obligation of every Commissioner to be familiar with the facts on a matter in order to reach an informed, reasoned decision. If a Commissioner was absent from a meeting, the Commissioner shall familiarize himself/herself with the subject matter, using the file of record and the video recording of the meeting.

### **B. Officers**

Planning Commission Officers shall consist of a Chair and a Vice-Chair; both appointed members of the Planning Commission and voted into office by the Planning Commission.

#### **1. Chair of the Planning Commission**

- a. The Chair shall be a full voting member of the Planning Commission.

## **Update of Planning Commission By-Laws - Att. A - Draft Amendments**

- b. The Chair shall serve as the Presiding Officer for all meetings and public hearings and shall:
    - i. Call the meeting to order and adjourn the meeting,
    - ii. Keep the meeting to its order of business,
    - iii. Control discussion in an orderly manner,
    - iv. Give each Commissioner an opportunity to speak when recognized by the Chair,
    - v. Permit public participation at the appropriate times, and
    - vi. Maintain the decorum, respect, and order of the meeting or hearing.
  - c. The Chair shall appoint all committees and their respective chairs; and may act as an ex-officio member of a committee but without voting privileges. Prior to making such appointments, the Chair shall solicit interest from Commissioners as to service.
  - d. The Chair may delegate duties to other Commissioners with the consent of the Planning Commission.
  - e. The Chair may speak on behalf of the Planning Commission before the City Council, the public, and City staff. When the Chair is representing the Planning Commission, the Chair must support and advocate the official position of the Planning Commission, not a personal viewpoint.
  - f. The Chair shall sign all official papers involving the authority of the Planning Commission which are transmitted to the City Council.
- 2. Vice Chair of the Planning Commission**  
The Vice Chair shall assume the duties and powers of the Chair when the Chair is absent.
- 3. Chair Pro Tem of the Planning Commission**  
In absence of both the Chair and Vice Chair, members shall elect a Chair pro tem in the same manner as the Chair is appointed in Article IV Elections.
- 4. Term**  
The term of an Officer shall be defined as one year. An Officer may serve in the same capacity for no more than two (2) consecutive one-year terms.

### **C. Clerk of the Planning Commission**

1. The Clerk shall prepare and post the agendas of all regular and special meetings and all notices of cancellation for such meetings.
2. At the minimum, the Clerk shall post agendas and notices of cancellation on the bulletin board at the Shoreline City Hall and on the City's website.
3. The Clerk shall prepare summary minutes, which must be approved by the Planning Commission.
4. The Clerk shall record each meeting of the Planning Commission either by audio or audio/visual.
5. The Clerk shall retain such recordings, minutes, and any official records of the Planning Commission, including staff reports and recommendations, in conformance with chapter 40.14 RCW and the Local Government Common Records Retention Schedule.

**ARTICLE IV – ELECTIONS**

**A. Elections**

The Planning Commission shall elect a Chair and a Vice Chair each year. Generally, the Chair and Vice Chair shall be elected and take office annually at the first regular public meeting of the Planning Commission in April of each year. Such election shall take place as the first item of new business of that meeting, and elected Officers shall immediately assume their duties at the close of elections.

**B. Election of the Chair**

The election of Chair will be conducted by the Clerk of the Planning Commission. No one Commissioner may nominate more than one (1) person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nomination, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary. After nominations have been closed, voting for the Chair takes place in the order nominations were made. Only affirmative votes shall be given, and Commissioners will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote of the Planning Commission as a whole (four (4) affirmative votes), the Clerk will declare him/her elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single candidate receives a majority vote.

**C. Election of Vice Chair**

Upon election, the Chair conducts the election for Vice Chair following the same process set forth for the election of the Chair.

**D. Vacancies**

1. Should the Office of Chair be vacated prior to the completion of the Term, the Vice-Chair shall become the Chair and assume the duties and responsibilities of the Chair for the remainder of the said Term. The new Chair shall then conduct elections for a new Vice-Chair.
2. Should the Office of the Vice-Chair be vacated prior to the completion of the Term, the Chair shall conduct elections for a new Vice-Chair to serve out the remainder of the Term at the next regular meeting.
3. Time spent fulfilling a vacated Term shall not count towards the two (2) consecutive Term limit for Chair and for Vice-Chair.

**ARTICLE V - MEETINGS**

All Planning Commission regular and special meetings and hearings shall be properly noticed and open to the public in compliance with the requirements of the Open Public Meetings Act (OPMA), chapter 42.30 RCW, as amended from time to time, and this Article.

Meetings of the Planning Commission shall be held in the Council Chambers of Shoreline City

## **Update of Planning Commission By-Laws - Att. A - Draft Amendments**

Hall, 17500 Midvale Avenue N, Shoreline, Washington. All meetings shall be held at this location except when the Planning Commission, by majority vote of those present at any regular or special meeting, directs otherwise.

### **A. Regular Meetings.**

1. Regular meetings shall be held at 7:00 pm on the first and third Thursday of each month. Should a regular meeting day be an observed legal holiday, the scheduled meeting shall be postponed to the succeeding Thursday, unless a majority of the Planning Commission, at the immediately preceding regular meeting, vote to select another day or to cancel the meeting.
2. Any Planning Commission meeting, present or future, regular or special, may be cancelled by a majority vote of the Planning Commissioners present at the meeting where cancellation is being considered. The Chair, or Vice Chair if serving as Chair pro tem, may cancel a Planning Commission meeting for lack of agenda items.
3. The Clerk of the Planning Commission shall post timely notice of the cancelled meeting as provided in this Article.

### **B. Special Meetings**

1. Special meetings may be called by the Chair of the Planning Commission, the City Council or Mayor, City Manager, or by the request of any four (4) Commissioners by delivering written notice personally or by electronic mail to each member of the Commission at least 24 hours before the time specified for the proposed special meeting.
2. Notices of special meetings shall conform to the requirements of the OPMA and specify the time and place of the special meeting and the subjects to be considered, and no subject other than those specified in the notice shall be considered.
3. No special meetings shall be scheduled between December 15th and the end of the year.
4. The agenda for a special meeting need not conform to that specified in Section C of this Article.

### **C. Order of Business**

The order of business for each regular meeting of the Commission shall be as follows:

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
5. General Public Comment
6. Public Hearings
  - a. Staff/Applicant Presentation
  - b. Public Testimony
7. Study Items
  - a. Staff/Applicant Presentation
  - b. Public Comment
8. Director's Report (optional)
9. Unfinished Business
10. New Business



## Update of Planning Commission By-Laws - Att. A - Draft Amendments

11. Reports of Committees/Commissioners/Announcements
12. Agenda for next meeting
13. Adjournment

### **D. Public Comment and Testimony**

Planning Commission regular meetings may allow the public to express its views during three (3) comment periods: "General Public Comment", "Public Hearing Testimony" and "Study Item Public Comment".

1. During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled on that meeting's agenda. General Public Comment at a Special Meeting is not required.
2. During Public Hearings or Study Sessions, the Planning Commission will take public testimony and/or comment after the Staff Presentation and any initial questions by the Commissioners which follows the presentation.
3. Individuals may speak for three (3) consecutive minutes or less, depending on the number of people wishing to speak. If more than ten (10) people are signed up to speak for any of the comment periods, each speaker will be allocated two (2) minutes.
4. An individual may only speak once on an agenda item unless the Chair authorizes otherwise. Time cannot be donated by one speaker to another.
5. The Chair or the Vice Chair, acting as Chair pro tem, has discretion to limit or extend time limitations and the number of people permitted to speak.
6. The Clerk of the Planning Commission shall be the timekeeper for all public comment or testimony.
7. The Chair shall advise all speakers that their testimony or comment is being recorded and to address the Planning Commission with all testimony or comments. In all cases, speakers are asked to come to the podium to have their testimony or comments recorded. Each speaker must begin by clearly stating their first and last name, city of residence, and if applicable, the organization they are representing.
8. Any person making disruptive, impertinent, or slanderous remarks while addressing the Planning Commission or during the meeting shall be asked to leave by the Chair and barred from further audience before the Planning Commission at that meeting.

### **E. Noticing**

1. The Clerk of the Planning Commission shall cause the preliminary agenda for the forthcoming Planning Commission meeting to be posted on the bulletin board at Shoreline City Hall and on the City's website at least twenty-four (24) hours in advance of the meeting's start time.
2. Except when not reasonably possible, the Clerk of the Planning Commission shall make staff reports and supporting documentation for any meeting or public hearing available on the City's website at least seven (7) days in advance of the meeting. However, no staff report shall be made available less than five (5) days in advance of a hearing.
3. The Clerk of the Planning Commission shall provide notice of the agenda, staff reports, and supporting documentation available through any other means, including electronic mail to persons requesting notice, as deemed necessary by the Planning Commission or the City Manager.
4. Notice of a public hearing before the Planning Commission shall conform to SMC Chapter 20.30 Subchapter 4 and shall be the responsibility of the Planning and

# Update of Planning Commission By-Laws - Att. A - Draft Amendments

Community Development Department.

## ARTICLE VI - RULES OF MEETINGS

### A. Attendance

1. Attendance is expected of each Commissioner at all regular and special meetings. In the event that a Commissioner must miss a meeting, that Commissioner must notify the Clerk of the Planning Commission as soon as reasonably possible prior to the meeting. If a Commissioner is unable to contact the Clerk, the Commissioner shall contact the Director of Planning and Community Development, who shall convey the message to the Chair.
2. If a Commissioner fails to provide the required notice, the absence will be considered unexcused. The unexcused absence of a Commissioner from more than three (3) consecutive regular meetings may be cause for removal.
3. Emergency requests for an absence may be considered. The Chair may approve such an absence.

### B. Quorum

At all Planning Commission meetings, the presence of four (4) Commissioners constitutes a quorum and is required for transaction of business and the taking of official action. In the absence of a quorum, the Commissioners present at the meeting shall adjourn that meeting to a later date.

### C. Rules of Procedure

The most current edition of Robert's Rules of Order Newly Revised shall provide the basis for meeting structure and official decisions shall be made by motion and vote of the Planning Commission. The Clerk of the Planning Commission or, if in attendance, the City Attorney or Assistant City Attorney, shall serve as the parliamentarian for the Commission, however, each Commissioner should adhere to Robert's Rules of Order.

### D. Voting

1. Each Commissioner shall have one (1) vote.
2. Only Commissioners present at a meeting may vote. No vote may be cast by proxy.
3. All votes shall be taken by voice, except that at the request of any Commissioner, a roll call vote shall be taken by the Clerk of the Planning Commission.
4. In instances where a vote is called for or required, the present majority is sufficient to act (providing a quorum is present).
5. If a Commissioner is silent on a vote, it shall be recorded as an affirmative vote. If a Commissioner abstains, it shall be recorded as an abstention and not included in the vote tally.
6. The Chair may vote on any issue. If the Chair does not vote on an issue and the vote results in a tie, then the Chair shall vote to resolve the issue. No action is taken if the Chair votes and the tie continues.
7. A majority vote shall carry, and minority opinions shall be formally registered in the summary minutes and reported to the City Council.

# Update of Planning Commission By-Laws - Att. A - Draft Amendments

## E. Adjournment, Recess, and Continuance

1. Meetings shall be adjourned by a majority vote of the Planning Commission or by the Chair when it appears that there is no further business to be conducted.
2. The Planning Commission may, by a majority vote or consensus, recess a meeting for a short break. The proposal to recess may set a time limit or can be until the Chair calls the meeting back to order.
3. Any meeting may, by majority vote of present members, be continued to any subsequent meeting of the Planning Commission. Whenever a meeting is continued, the Chair shall state the time and place for the continued meeting. Notice of the continuation shall be posted as soon as reasonably possible on the bulletin board in Shoreline City Hall and the City's website.

## ARTICLE VII - COMMITTEES

Committees may be appointed by the Chair and serve at the pleasure of the Planning Commission.

### A. Committees

1. A committee shall consist of no more than three (3) Commissioners, with the chair of the committee selected by the Chair.
2. A Committee shall be formed based on subject areas and shall analyze issues and receive subject matter briefings in advance of full Planning Commission consideration.
3. A Committee shall establish their own meeting schedule, and the deliberations thereof shall take the form of written reports, submitted to the entire Planning Commission.

### B. Committee Meetings

Meetings of committees are not required to conform to the notice and recording keeping provisions of Article III or Article IV. HOWEVER, if a member of the public requests attendance at a committee meeting, the committee shall accommodate such a request.

## ARTICLE VIII - CODE OF ETHICS AND DECORUM

A Planning Commissioner is a representative of the City of Shoreline and, therefore, a Commissioner's actions should reflect that representation.

- A. Members of the Planning Commission shall fully comply with chapter 42.23 RCW, Code of Ethics for Municipal Officers, and the most current version of the City of Shoreline Code of Ethics, as adopted by the City Council.
- B. Members of the Planning Commission shall fully comply with chapter 42.30 RCW, Open Public Meetings Act, including RCW 42.30.205 which requires training on the OPMA's requirements.
- C. While the Planning Commission is in session, a Commissioner shall neither, by conversation or otherwise, delay or interrupt the meeting or the peace of the Planning Commission, nor disrupt any Commissioner while speaking nor refuse to obey the orders

## **Update of Planning Commission By-Laws - Att. A - Draft Amendments**

of the Chair.

- D.** To preserve the integrity of the Planning Commission, if a Commissioner reasonably believes that he/she has a conflict of interest in regard to a matter before the Planning Commission, the Commissioner should recuse himself/herself from discussion or vote on the matter and shall leave the Council Chambers while the matter is under consideration. A Commissioner may seek advice from the City Attorney in making this determination.
- E.** If a Commissioner is meeting with, speaking to, or otherwise appearing before a member of the public, group, or other governmental agency, the Commissioner shall clearly state that his/her statement reflects their personal opinion if it is not the official position of the Planning Commission.

### **ARTICLE IX - AMENDMENTS**

- A.** These Bylaws may be amended at any regular meeting or special meeting by a majority vote of the Planning Commission as a whole (four (4) affirmative votes).
- B.** Prior to amending these Bylaws, the Chair may appoint a committee to prepare proposed amendments and said committee shall present its recommendation to the Planning Commission. However, any Commissioner may propose an amendment at any time provided that a copy of any proposed amendments shall be furnished to each Commissioner at least three (3) working days prior to the date of the meeting that it will be considered.
- C.** The Chair shall timely cause the City Council to be advised of all adopted amendments and shall direct the Clerk of the Planning Commission to reflect such amendments in the public record.



**PLANNING COMMISSION  
BYLAWS**

**Adopted: February 15, 1996, Revised: November 6, 1997, Revised: October 15, 1998,  
Revised: January 18, 2001, Revised: April 5, 2001, Revised: April 3, 2003,  
Revised: April 7, 2005, Revised: March 16, 2006, Revised: May 1, 2008,  
Revised: October 1, 2009, Revised: March 18, 2010, Revised: December 1, 2011,  
Revised: March 7, 2013, Revised: October 6, 2016**

**ARTICLE I – PURPOSE**

The purpose of the Planning Commission is as set forth in City of Shoreline Municipal Code 2.20.10, Created – Purpose.

**ARTICLE II - MEMBERSHIP**

The Shoreline Planning Commission shall consist of seven (7) members, appointed by majority vote of the City Council but a fewer number, not less than four (4), shall constitute a lawful Commission.

Membership of the Planning Commission shall be limited to residents or owners of property within the City. No member shall serve longer than two consecutive terms. A Commissioner who has served more than half a term is considered to have served a full term in that office.

New Planning Commissioners shall be sworn in by the Mayor or Deputy Mayor or the designee.

Any Commissioner desiring to resign from the Planning Commission shall submit his/her resignation in writing to the Planning Commission Clerk, who will present it to the Chair.

Vacancies occurring other than through the expiration of terms shall be filled for the unexpired terms in the same manner as for appointments as provided in Shoreline Municipal Code 20.20.020(C).

# Update of Planning Commission By-Laws - Att. B - Current PC By-Laws

## ARTICLE III - DUTIES OF THE COMMISSION, OFFICERS AND CLERK

### **SECTION 1: DUTIES OF THE COMMISSION**

As stated in City of Shoreline Municipal Code 2.20, the Commission shall undertake the duties and responsibilities defined in 2.20.060 in accordance with the purpose stated in 2.20.010.

### **SECTION 2: OFFICERS**

Officers shall be a Chair and a Vice-Chair; both appointed members of the Commission and voted into office by the Commission. In absence of both the chair and vice chair, members shall elect a Chair *pro tem*.

### **SECTION 3: DUTIES OF THE OFFICERS**

**CHAIR:** The Chair shall preside at all meetings and public hearings and adhere to the duties of the presiding officer prescribed in Robert's Rules of Order Newly Revised. When necessary, the Chair shall call for special meetings. The Chair shall be a full voting member of the Commission. The Chair shall appoint all committees and their respective Chairs, and may act as an *ex-officio* member of each, but without voting privileges. The Chair may delegate duties to other Commissioners with the consent of the Commission. The Chair shall speak on behalf of the Commission before the City Council, the public and City staff.

A term of Office shall be defined as one year. A Commissioner may serve as Chair for no more than two consecutive terms.

**VICE CHAIR:** The Vice Chair shall perform the duties of the Chair in the absence of the same. The Vice Chair may also serve as convener of special committees. The Vice Chair shall speak on behalf of the Commission before the City Council, the public and City staff when the Chair is not available to speak.

A term of Office shall be defined as one year. A Commissioner may serve as Vice Chair for no more than two consecutive terms.

### **SECTION 4: DUTIES OF THE CLERK OF THE COMMISSION**

**CLERK OF THE COMMISSION:** The Clerk shall record and retain minutes each meeting for the official record for the Commission, and maintain official records and post agendas.

## ARTICLE IV - ELECTIONS

The Commission shall elect a Chair and a Vice Chair each year. Generally, officers shall be elected and take office annually at the first regular public meeting of the Commission in April.

## **Update of Planning Commission By-Laws - Att. B - Current PC By-Laws**

Such election shall take place as the first item of new business of that meeting, and elected officers shall assume their duties at the close of elections.

The election of Chair will be conducted by the Planning Commission Clerk. No one Commissioner may nominate more than one person for a given office until every member wishing to nominate a candidate has an opportunity to do so. Nominations do not require a second. The Clerk will repeat each nomination until all nominations have been made. When it appears that no one else wishes to make any further nomination, the Clerk will ask again for further nominations and if there are none, the Clerk will declare the nominations closed. A motion to close the nominations is not necessary.

After nominations have been closed, voting for the Chair takes place in the order nominations were made. Commissioners will be asked to vote by a raise of hands. As soon as one of the nominees receives a majority vote (four votes), the Clerk will declare him/her elected. No votes will be taken on the remaining nominees. A tie vote results in a failed nomination. If none of the nominees receives a majority vote, the Clerk will call for nominations again and repeat the process until a single candidate receives a majority vote. Upon election, the Chair conducts the election for Vice Chair following the same process.

Should the Chair be vacated prior to the completion of the Term, the Vice-Chair shall assume the duties and responsibilities of the Chair for the remainder of the said Term. The Chair shall then conduct elections for a new Vice-Chair.

Should the Vice-Chair be vacated prior to the completion of the Term, the Chair shall conduct elections for a new Vice-Chair to serve out the remainder of the Term.

Time spent fulfilling a vacated Term shall not count towards the two consecutive Term limit for Chair and for Vice-Chair.

### **ARTICLE V – MEETINGS**

All Planning Commission meetings shall comply with the requirements of the Open Public Meetings Act (Chapter 42.30 RCW). All meetings shall be noticed and open to the public.

#### ***SECTION 1: SCHEDULE***

The Planning Commission shall hold regular meetings according to the following schedule:

First and Third Thursday of each month. The meetings shall begin at 7:00 p.m. unless modified. Should a regular meeting day be a legal holiday, the scheduled meeting shall be postponed to the succeeding Thursday, unless a majority of the Commission votes to select another day or to cancel the meeting.

Special meetings may be held by the Commission subject to notice requirements prescribed by State law. Special meetings may be called by the Chair of the Commission, the City Council or Mayor, City Manager or designee, or by the written request of any three (3) Commissioners by

## **Update of Planning Commission By-Laws - Att. B - Current PC By-Laws**

written notice emailed or delivered to each member of the Commission at least 24 hours before the time specified for the proposed meeting.

Any Planning Commission meeting may be canceled by a majority vote or consensus of the Commission. The Chair or Vice Chair may cancel a Planning Commission meeting for lack of agenda items or a quorum.

### ***SECTION 2: PURPOSE OF SPECIAL MEETINGS***

Special meetings called in accordance with Section 1 of this article shall state the subjects to be considered, and no subject other than those specified in the notice shall be considered. No special meetings shall be scheduled between December 15th and the end of the year. The agenda for a special meeting need not conform to that specified in Section 3 of this Article.

### ***SECTION 3: ORDER OF BUSINESS***

The order of business for each **regular** meeting of the Commission shall be as follows:

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF MINUTES
5. GENERAL PUBLIC COMMENT
6. PUBLIC HEARINGS\*
  - Staff Presentation
  - Public Testimony
7. STUDY ITEMS\*
  - Staff Presentation
  - Public Comment
8. DIRECTOR'S REPORT
9. UNFINISHED BUSINESS
10. NEW BUSINESS
11. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS
12. AGENDA FOR NEXT MEETING
13. ADJOURNMENT

### ***SECTION 4: PUBLIC COMMENT AND TESTIMONY***

Planning Commission meetings allow the public to express its views during three comment periods: "General Public Comment", "Public Hearing Testimony" and "Study Item Public Comment".

During General Public Comment, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. During Public Hearings and Study Sessions, public testimony/comment occurs after initial questions by the Commission

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\*Each item inserted under 6 & 7 will have a staff presentation followed by a public testimony/comment period



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which follows the presentation of each staff report. The rules for procedure for Public Hearings before the Planning Commission are further defined in City Council Resolution No. 182.

In all cases, speakers are asked to come to the podium to have their comments recorded. Each speaker must begin by clearly stating their first and last name, and city of residence. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Generally, individuals may speak for three minutes or less, depending on the number of people wishing to speak. If more than 10 people are signed up to speak for any of the comment periods, each speaker will be allocated 2 minutes.

When representing the official position of an agency or City-recognized organization, a speaker will be given 5 minutes. Each organization shall have only one, five-minute presentation.

### ***SECTION 5: NOTICING***

The public shall be notified of the preliminary agenda for the forthcoming Planning Commission meeting by posting a copy of the agenda in the same location as set forth for the City Council passed by Resolution.

## **ARTICLE VI - RULES OF MEETINGS**

### ***SECTION 1: ABSENCES***

Absence from more than three (3) consecutive meetings may be cause for removal. Members shall communicate with the Chair of the Commission or the Vice Chair or the Planning & Community Development Director with requests for excused absences in the event they will miss three or more consecutive meetings. Emergency requests may be considered. The Chair of the Commission may approve the absence.

### ***SECTION 2: QUORUM***

At all Planning Commission meetings, the presence of four (4) members constitutes a quorum, and is required for the Commission to take any action other than to adjourn.

### ***SECTION 3: RULES OF PROCEDURE***

The current edition of Robert's Rules of Order Newly Revised shall provide the basis for meeting structure and official decisions shall be made by motion and vote of the Commission.

### ***SECTION 4: VOTING***

In instances where a vote is called for or required, the present majority is sufficient to act (providing a quorum is present). Each member shall have one vote and no proxies shall be allowed. Present members may abstain. The Chair may vote on any issue, and shall vote in the event of a tie. No action is taken if the Chair votes and the tie continues. A majority vote shall carry, and minority opinions shall be formally registered in the summary minutes and reported to the City Council.

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## ***SECTION 5: ADJOURNMENT / RECESS / CONTINUATIONS***

Meetings shall be adjourned by a majority vote of the Commission or by the Chair when it appears that there is no further business.

The Commission may, by a majority vote or consensus, recess for a short break. The proposal to recess may set a time limit or can be until the Chair calls the meeting back to order.

Continuations of meetings shall be to a definite time and place, by majority vote of present members.

## **ARTICLE VII - COMMITTEES**

Committees may be appointed by the Commission Chair. Standing committees shall serve at the pleasure of the Commission and special committees shall also serve for such purposes and terms as the Commission approves. Committees shall establish their own meeting schedule, and the deliberations thereof shall take the form of written reports, submitted to the entire Commission.

## **ARTICLE VIII - CODE OF ETHICS**

Members of the Planning Commission shall fully comply with Chapter 42.23 RCW, Code of Ethics for Municipal Officers, and City Council Resolution No. 170, City of Shoreline Code of Ethics.

## **ARTICLE IX - AMENDMENTS**

These Bylaws may be amended or repealed and new Bylaws may be adopted at any regular meeting or special meeting by a majority vote of the membership. A copy of the proposed Bylaws, or amendments thereto, shall be furnished to each member at least three (3) days prior to the date of the meeting. All amendments to the Bylaws shall be submitted to the Mayor and City Council for their information.

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It is hereby understood that the undersigned Clerk of the Planning Commission does hereby certify that the above and foregoing Bylaws were duly adopted by the members of the Commission as the Bylaws of the Commission on the 6<sup>th</sup> day of October, 2016, and that they do now constitute the Bylaws of the City of Shoreline Planning Commission.

  
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Lisa Basher  
Clerk, Planning Commission

**SIGNED BY:**

  
\_\_\_\_\_  
Easton Craft  
Chair, Planning Commission

  
\_\_\_\_\_  
Rachael Markle  
Planning & Community Development Director