

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

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

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 _____

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- 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

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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.