

PLANNING COMMISSION AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Planning Commission Bylaws Amendment
DEPARTMENT: Planning & Community Development
PRESENTED BY: Jessica Simulcik Smith, Planning Commission Clerk
Rachael Markle, AICP, Director

Public Hearing

Discussion

Study Session

Update

Recommendation Only

Action

INTRODUCTION

The Planning Commission last reviewed and revised its Bylaws on December 1, 2011. On March 7th, staff will present two amendments to the Bylaws: revising "Article V – Meetings" Section 2 to delete Item 4 "Director's Comments" and adding a new Section 5 relating to posting Planning Commission meeting agendas.

BACKGROUND

The Planning Commission Bylaws' state that they "may be amended or repealed and new Bylaws may be adopted at any regular meeting or special meeting by a majority vote of the membership.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."

Amendment 1

Section 2 of "Article V – Meetings" lays out the order of business for each meeting. Currently there are two areas for the Director of Planning & Community Development to report information to the Commission: Item 4 "Director's Comments" and Item 9 "Director's Report".

There is no longer a need for two time slots for the Director to report and staff is recommending the Commission retain Item 9 "Director's Report" and remove Item 4 "Director's Comments" at the beginning of the meeting so the Commission can get right to the public's business.

Amendment 2

Staff is proposing adding a new Section 5 to "Article V – Meetings" to establish a procedure for notifying the public of upcoming meetings that mirrors that of the City Council as passed in Section 1 of Resolution 7 and later amended in Resolution 326.

Approved By:

Project Manager 

Planning Director 

Section 1. Preliminary Agenda of Council Motion. The Public shall be notified of the preliminary agenda for the forthcoming Council meeting by posting a copy of the agenda on the bulletin board at Shoreline City Hall, 17500 Midvale Avenue North, Shoreline, Washington, at least twenty-four (24) hours in advance of the meeting.

RECOMMENDATION

Staff recommends that the Planning Commission adopt the Bylaw amendments.

ATTACHMENTS

Attachment A – 2013 Bylaws Amendment



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](#)**

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).

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, by electronic means, each meeting for the official record and shall prepare summary minutes for the Commission, 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.

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

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. ~~DIRECTOR'S COMMENTS~~
54. APPROVAL OF MINUTES
65. GENERAL PUBLIC COMMENT
76. PUBLIC HEARINGS*
 - Staff Presentation
 - Public Testimony
87. STUDY ITEMS*
 - Staff Presentation
 - Public Comment
98. DIRECTOR'S REPORT
109. UNFINISHED BUSINESS
110. NEW BUSINESS
1211. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS
1312. AGENDA FOR NEXT MEETING
1413. 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

*Each item inserted under 7 & 8 will have a staff presentation followed by a public testimony/comment period

Study Sessions, public testimony/comment occurs after initial questions by the Commission 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.

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.

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 ~~1st-7th~~ day of ~~December~~ March 2013, and that they do now constitute the Bylaws of the City of Shoreline Planning Commission.

Jessica Simulcik Smith
Clerk, Planning Commission

SIGNED BY:

~~Michelle Linders Wagner~~ Donna Moss
Chair, Planning Commission

~~Joseph W. Tovar~~ Rachael Markle
Planning & Community Development Director