

AGENDA PLANNING COMMISSION REGULAR MEETING



Thursday, October 6, 2011
7:00 p.m.

Shoreline City Hall
Council Chamber
17500 Midvale Ave N.

	<u>Estimated Time</u>
1. CALL TO ORDER	7:00 p.m.
2. ROLL CALL	7:01 p.m.
3. APPROVAL OF AGENDA	7:02 p.m.
4. DIRECTOR'S COMMENTS	7:03 p.m.
5. APPROVAL OF MINUTES – <i>None</i>	7:08 p.m.
6. GENERAL PUBLIC COMMENT	7:08 p.m.
<p><i>During the General Public Comment period, the Planning Commission will take public comment on any subject which is not of a quasi-judicial nature or specifically scheduled later on the agenda. Each member of the public may comment for up to two minutes. However, the General Public Comment period will generally be limited to twenty minutes. The Chair has discretion to limit or extend time limitations and the number of people permitted to speak. Speakers are asked to come to the front of the room to have their comments recorded and must clearly state their first and last name, and city of residence.</i></p>	
7. STAFF REPORTS	7:15 p.m.
a. <i>Continued Study Session:</i> Comprehensive Plan Update - Transportation Element and Development Code Amendments	
8. PUBLIC COMMENT	9:15 p.m.
9. DIRECTOR'S REPORT	9:25 p.m.
10. UNFINISHED BUSINESS	9:30 p.m.
a. Planning Commission Bylaw Amendments	
11. NEW BUSINESS	9:55 p.m.
12. REPORTS OF COMMITTEES & COMMISSONERS/ANNOUNCEMENTS	9:56 p.m.
13. AGENDA FOR October 27	9:58 p.m.
14. ADJOURNMENT	10:00 p.m.

The Planning Commission meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the City Clerk's Office at 801-2230 in advance for more information. For TTY telephone service call 546-0457. For up-to-date information on future agendas call 801-2236.

WHO WE ARE

The Shoreline Planning Commission is a 7-member volunteer advisory body to the City Council. The purpose of the Planning Commission is to provide guidance and direction for Shoreline's future growth through continued review and improvement to the City's Comprehensive Plan, Development Code, shoreline management, environmental protection and related land use documents. The Planning Commission members are appointed by the City Council and serve a four year term.

WHAT IS HAPPENING TONIGHT

Planning Commission meetings may have several items on the agenda. The items may be study sessions or public hearings.

Study Sessions

Study sessions provide an opportunity for the Commissioners to learn about particular items and to have informal discussion with staff prior to holding a public hearing. The Commission schedules time on its agenda to hear from the public; however, the Chair has discretion to limit or extend time limitations and the number of people permitted to speak. The public is encouraged to provide written comment to the Commission; however, since Commissioners are volunteers and may not have time to check email every day, if written comments are not included in the agenda packet and are offered during a study session, they may not have time to read them until after the meeting.

Public Hearing

The main purpose of a public hearing is for the Commission to obtain public testimony. There are two types of public hearings, legislative and quasi-judicial. Legislative hearings are on matters of policy that affect a wide range of citizens or perhaps the entire jurisdiction and quasi-judicial hearings are on matters affecting the legal rights of specific, private parties in a contested setting. The hearing procedures are listed on the agenda. Public testimony will happen after the staff presentation. Individuals will be required to sign up if they wish to testify and will be called upon to speak generally in the order in which they have signed. Each person will be allowed 2 minutes to speak. In addition, attendees may want to provide written testimony to the Commission. Speakers may hand the Clerk their written materials prior to speaking and they will be distributed. For those not speaking, written materials should be handed to the Clerk prior to the meeting. The Clerk will stamp written materials with an exhibit number so it can be referred to during the meeting. Spoken comments and written materials presented at public hearings become part of the record.

CONTACTING THE PLANNING COMMISSION

Written comments can be emailed to plancom@shorelinewa.gov or mailed to Shoreline Planning Commission, 17500 Midvale Avenue N, Shoreline WA 98133.

www.shorelinewa.gov/plancom



Memorandum

DATE: October 6, 2011

TO: Shoreline Planning Commission

FROM: Kirk McKinley, Transportation Services Manager
Alicia McIntire, Senior Transportation Planner

RE: Comprehensive Plan Update – Transportation Element
Development Code amendments

The October 6 Planning Commission meeting will be a continuation of the discussion on September 29. Please refer to materials from the September 29 packet for this meeting as well as the attachment to this memo. Attachment B from the September 29 packet has been updated and is included with this packet. Please note that Amendment #1 will be revised, as needed, to be consistent with any changes to Policy 40.

Staff is still developing the language for Policy 40 and hopes to have a draft available at the meeting. Randy Young of Henderson, Young & Co. will be present at the meeting to discuss concurrency with the Planning Commission.

If you have questions or ideas that you would like staff to address at the study session, please email, plancom@shorelinewa.gov and amcintire@shorelinewa.gov.

Attachment A – Addendum to Att. A from Sept. 29 Planning Commission Packet
Attachment B – Updated version of Att. B from Sept. 29 Planning Commission Packet

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TRANSPORTATION ELEMENT

Growth Management Act Subelements (New language)

The seven subelements of the Transportation Element required by the Growth Management Act, RCW 36.70A.070(6), are included in the Transportation Master Plan and incorporated herein by reference:

- A. Land use assumptions used to estimate travel. This subelement is set forth in the Transportation Master Plan (2011) (“TMP”), Pages 263-268.
- B. Traffic impacts to state-owned transportation facilities. This subelement is set forth in the TMP (2011), Page 267.
- C. Facilities and service needs. This subelement is set forth in the TMP (2011), including an inventory of transportation facilities and services at TMP Pages 119, 251-268; level of service standards for Shoreline roads and transit routes at TMP Pages 190; level of service for state highways at TMP Pages 183-184; actions required for bringing local road into compliance with levels of service at TMP Page 195; ten-year forecast of traffic at TMP Pages 263-268; and local and state system needs to meet current and future demands at TMP Page 192.
- D. Finance. This subelement is set forth in the TMP (2011), including funding capability at TMP Pages 195, 240-241; multiyear financing plan at Pages 195, 240-241; proposals to increase funding or reassess land use assumptions if funding falls short of needs at TMP Page 195; and.
- E. Intergovernmental coordination efforts. This subelement is set forth in TMP (2011), Pages 59-60.
- F. Demand-management strategies. This subelement is set forth in TMP (2011), Pages 43-44.
- G. Pedestrian and Bicycle Component. This subelement is set forth in TMP (2011) Pages 74-78, 94-99.

CAPITAL FACILITIES ELEMENT

Page 200, Table CF-2: Level of Service Standards for City-Managed Facilities and Services

Type of Capital Facility or Service	Level of Service Standard
<p>Transportation</p> <p><i>This language will be amended, as needed, to</i></p>	<p>As established by the Transportation Element of the Comprehensive Plan: LOS E at the signalized intersections of the arterials within the City as the level of service standards for evaluating planning level</p>

<p><i>be consistent with the final version of Policy 40.</i></p>	<p>concurrency and reviewing traffic impacts of development, excluding the Highways of Statewide Significance (Aurora Avenue N and Ballinger Way NE). The level of service shall be calculated with the delay method described in the Transportation Research Board's Highway Capacity Manual 2000 or its updated versions.</p> <p>LOS D at the signalized intersections on arterials within the City as the level of service standard for evaluating planning level concurrency and reviewing traffic impacts of developments, excluding the Highways of Statewide Significance (I-5 and Aurora Avenue N). Intersections that operate worse than LOS D will not meet the City's established concurrency threshold. The level of service shall be calculated with the delay method described in the Transportation Research Board's Highway Capacity Manual 2010 or its updated versions.</p> <p>Adopt a supplemental level of service for Principal Arterials and Minor Arterials that limits the volume to capacity (V/C) ration of 0.90 or lower except the following arterial segments:</p> <ul style="list-style-type: none"> • Dayton Avenue N from N 175th Street – N 185th Street • Westminster Way N from N 145th Street – Dayton Avenue N • 5th Ave NE from N 170th Street – N 175th Street • 15th Ave NE from N 150th Street – N 175th Street. • Ballinger Way NE from 23rd Ave NE to 25th Ave NE • 8th Ave NW from Richmond Beach Road NW to NW 190th Street <p>These Level of Service standards apply throughout the City unless an alternative Level of Service standard is identified in the Facilities and Service subelement of the Transportation Element.</p>
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Pages 220-223, Table CF-5 Transportation Capital Funding Recommendations

Replace Table CF-5 with the following:

Transportation Capital Funding Recommendations

The Roadway Projects to Accommodate Growth identified on page 192 of the Transportation Master Plan will be fully funded through the collection of transportation impact fees authorized by the Growth Management Act. Full funding of the other transportation investments outlined in the Transportation Master Plan within twenty years would require significant additional revenue. The entire recommended project lists in the Transportation Master Plan more realistically represent 20-50 years of improvements. These include the following projects:

- Roadway Projects Recommended for Funding (TMP Table 9.1, page 211)
- Intersection Improvements Recommended for Funding (TMP Table 9.2, page 212)

ATTACHMENT A

- Priority Pedestrian Projects Recommended for Funding (TMP Table 9.3, pages 215-216)
- Bicycle Projects Recommended for Funding (TMP Table 9.4, page 219).

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AMENDMENT #1 SMC 20.60.140

This change would modify the development code to bring it into compliance with the recommended Level of Service for Shoreline.

SMC 20.60.140 Adequate streets.

The intent of this subchapter is to ensure that public streets maintain an adequate Level of Service (LOS) as new development occurs. ~~The level of service standard that the City has selected is a LOS E Standard at signalized intersections on arterial streets, which is the basis for measuring concurrency.~~

A. Level of Service. The level of service standard that the City has selected is LOS D at signalized intersections on arterial streets where the V/C ratio on one leg of an intersection may exceed 0.90 but the intersection operates at LOS D or better, and a volume to capacity (V/C) ratio of 0.90 or lower for Principal and Minor arterials. These Level of Service standards apply throughout the City unless an alternative Level of Service for particular streets has been adopted in the Comprehensive Plan Transportation Element.

A.B. Development Proposal Requirements. All new proposals for development that would generate 20 or more new trips during the p.m. peak hour must submit a traffic study at the time of application. The estimate of the number of trips for a development shall be consistent with the most recent edition of the Trip Generation Manual, published by the Institute of Traffic Engineers. The traffic study shall include at a minimum:

1. An analysis of origin/destination trip distribution proposed;
2. The identification of any intersection that would receive the addition of 20 or more trips during the p.m. peak hour; and
3. An analysis demonstrating how impacted intersections could accommodate the additional trips and maintain the LOS standard.

BC. Concurrency Required; Development Approval Conditions. A development proposal that will have a direct traffic impact on a roadway or intersection that causes it to exceed s-the adopted LOS standards , or impacts an intersection currently operating below a level of service identified in 20.60.140B will not meet the City's established concurrency threshold and-

shall not be approved unless:

1. The applicant agrees to fund or build improvements within the existing right of way needed to that will attain the LOS standards; or
2. The applicant achieves the LOS standard by phasing the project or using transportation demand management (TDM) techniques or phasing the development proposal as approved by the City of Shoreline to reduce the number of peak hour trips generated by the project to attain LOS standards;
~~The roadway or intersection has already been improved to its ultimate roadway section and the applicant agrees to use TDM incentives and/or phase the development proposal as determined by the City of Shoreline.~~

AMENDMENT #2 SMC 20.70.010 and .020

These sections would be recodified as SMC 12.10.100 and .110, respectively.

20.70.010 Purpose.

The purpose of this chapter is to establish engineering regulations and standards to implement the Comprehensive Plan and provide a general framework for relating the standards and other requirements of this Code to development.

20.70.020 Engineering Development Guide.

Pursuant to SMC [20.10.050](#), the Director is authorized to prepare and administer an “Engineering Development Guide.” The Engineering Development Guide includes processes, design and construction criteria, inspection requirements, standard plans, and technical standards for engineering design related to development. The specifications shall include, but are not limited to:

- A. ~~Street widths, curve radii, alignments, street layout, street grades;~~
- B. ~~Intersection design, sight distance and clearance, driveway location;~~
- C. ~~Block size, sidewalk placement and standards, length of cul-de-sacs, usage of hammerhead turnarounds;~~
- D. ~~Streetscape specifications (trees, landscaping, benches, other amenities);~~
- E. ~~Surface water and stormwater specifications;~~
- F. ~~Traffic control and safety markings, signs, signals, street lights, turn lanes and other devices be installed or funded; and~~
- G. ~~Other improvements within rights-of-way~~

AMENDMENT #3 SMC 20.70.120 and .130

These changes combine sections .120 and .130.

SMC 20.70.120 ~~General~~ Dedication of right-of-way

- A. Dedication shall occur at the time of recording for subdivisions, and prior to permit issuance for development projects.
- B. Dedications may be required in the following situations:
 1. When it can be demonstrated that the dedications of land or easements within the proposed development or plat are necessary as a direct result of the proposed development or plat to which the dedication of land or easement is to apply;
 2. To accommodate motorized and nonmotorized transportation, landscaping, utilities, surface water drainage, street lighting, traffic control devices, and buffer requirements as required in Subchapter 4, Required Improvements, and Subchapter 5, Utility Standards;
 3. Prior to the acceptance of a private street, private stormwater drainage system or other facility for maintenance;
 4. When the development project abuts an existing substandard public street and additional right-of-way is necessary to incorporate future frontage improvements as set forth in the Transportation Master Plan and the Engineering Development Guide for public safety; or
 5. Right-of-way is needed for the extension of existing public street improvements necessary for public safety.

C. The city may accept dedication and assume maintenance responsibility of a private street only if the following conditions are met:

1. All necessary upgrades to the street to meet City standards have been completed;
2. All necessary easements and dedications entitling the City to properly maintain the streets and allow public access have been conveyed and accepted by the City;
3. The Director has determined that maintenance of the facility will contribute to protecting or improving the health, safety, and welfare of the community served by the private road; and

SMC 20.70.130 Dedication of right-of-way.

~~A. The Director may grant some reduction in the minimum right-of-way requirement where it can be demonstrated that sufficient area has been provided for all frontage improvements.~~

~~B. The City may accept dedication and assume maintenance responsibility of a private street only if the following conditions are met:~~

- ~~1. All necessary upgrades to the street to meet City standards have been completed;~~
- ~~2. All necessary easements and dedications entitling the City to properly maintain the street have been conveyed to the City;~~
- ~~3. The Director has determined that maintenance of the facility will contribute to protecting or improving the health, safety, and welfare of the community served by the private road; and~~
- ~~4. The City has accepted maintenance responsibility in writing.~~

AMENDMENT #4 SMC 20.70.220 and .320

These changes reference the updated Street Classification Map and Master Street Plan created with the TMP.

SMC 20.70.220 Street classification.

~~Streets and rights-of-way~~ are classified in the Transportation Master Plan Street Classification Map (Fig.A)

SMC 20.70.320 Frontage improvements

~~Frontage improvements required for subdivisions pursuant to Chapter 58.17 RCW and Chapter 20.30 SMC, Subchapter 7, and to mitigate identified impacts, shall be provided and installed pursuant to standards set forth in the Transportation Master Plan Street Classification Map (Fig. A), the Master Street Plan contained in Appendix D of the Transportation Master Plan and the Engineering Development Guide for the specific street which is substandard to satisfy adequate public roadways required for subdivisions by Chapter 58.17 RCW and Chapter 20.30 SMC, Subchapter 7 and to mitigate direct impacts of land use approvals pursuant to this section. When required, frontage improvements shall be installed as described in the Transportation Master Plan and the Engineering Development Guide for the specific street classification and street segment~~

A. Standard frontage improvements consist of curb, gutter, sidewalk, amenity zone and landscaping, drainage improvements, and pavement overlay to one-half of each right-of-way abutting a property as defined for the specific street classification. Additional improvements may be required to ensure safe movement of traffic, including pedestrians, bicycles, transit, and nonmotorized vehicles. The improvements can include transit bus shelters, bus pullouts, utility undergrounding, street lighting, signage, and channelization.

B. Frontage improvements are required for:

1. All new multifamily, nonresidential, and mixed-use construction;
2. Remodeling or additions to multifamily, nonresidential, and mixed-use buildings or conversions to these uses that increase floor area by 20 percent or greater, as long as the original building footprint is a minimum of 4,000 square feet, or any alterations or repairs which exceed 50 percent of the value of the previously existing structure;
3. Subdivisions.

Exception:

- i. Subdivisions, short plats, and binding site plans where all of the lots are fully developed.
- C. Exemptions to some or all of these requirements may be allowed if the street will be improved as a whole through a Local Improvement District (LID) or Capital Improvement Project scheduled to be completed within five years of permit issuance. In such a case, a contribution may be made and calculated based on the improvements that would be required of the development. Contributed funds shall be directed to the City's capital project fund and shall be used for the capital project and offset future assessments on the property resulting from an LID. An LID "no-protest" commitment shall also be recorded. Adequate interim levels of improvements for public safety shall be required.
- D. Required improvements shall be installed by the applicant prior to final approval or occupancy.
- E. For subdivisions the improvements shall be completed prior to final plat approval or post a bond or other surety as provided for in SMC 20.30.440



Memorandum

DATE: September 29, 2011

TO: Shoreline Planning Commission

FROM: Steve Cohn, Senior Planner, Planning & Community Development
Jessica Simulcik Smith, Planning Commission Clerk

RE: Amendments to the Planning Commission Bylaws

At its July 21 meeting, the Planning Commission was presented with a set of potential Bylaw amendments to review and discuss together as a group. Staff took the Commission's feedback and direction from that meeting and incorporated it into the current version of potential amendments (Attachment A).

On October 6, the Commission will further discuss these amendments and may take action on them if it feels ready.

Attachments

Attachment A – Potential Planning Commission Bylaw Amendments, dated Oct. 6, 2011

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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: October 6, 2011**

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 in the City. No member shall serve longer than two consecutive terms.

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 ~~DUTIES~~ CLERK

SECTION 1: DUTIES OF THE COMMISSION

As stated in City of Shoreline Municipal Code 2.20-**020**, 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 ~~elected~~ 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 when necessary. The Chair shall be a full voting member of the Commission. The Chair shall sign minutes and official papers, 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 ~~III~~ 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 IV – 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. ~~and end at 9:30 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

Comment [j1]: On 7/21 the question was asked if you can convene a meeting without a quorum? RRO 11th Edition, pg. 347, states: In the absence of a quorum, any business transacted (other than the following exceptions) is null and void. The only action that can legally be taken without a quorum is to fix the time to which to adjourn, recess, or take measures to obtain a quorum.

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
5. APPROVAL OF MINUTES
6. GENERAL PUBLIC COMMENT
7. ~~STAFF REPORTS~~ **PUBLIC HEARINGS/STUDY SESSIONS¹**
 - Staff Presentation
 - ~~Public Testimony/Comment~~
8. ~~PUBLIC COMMENT~~
9. DIRECTOR'S REPORT
10. UNFINISHED BUSINESS
11. NEW BUSINESS
12. REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS
13. AGENDA FOR NEXT MEETING
14. ADJOURNMENT

Comment [j2]: On 7/21 The Commission agreed that having only one order of business list for regular meetings made sense. Item 7 would now be for Public Hearings and Study Sessions and each item will have a staff presentation followed by a public comment period. A footnote was added to clarify that a presentation and public comment period would follow each agenda item inserted under Item 7.

Public Hearings will precede Study Sessions when scheduled on the same evening

The order of business for each meeting that includes a **Public Hearing** shall be as follows:

1. ~~CALL TO ORDER~~
2. ~~ROLL CALL~~
3. ~~APPROVAL OF AGENDA~~
4. ~~DIRECTOR'S COMMENTS~~
5. ~~APPROVAL OF MINUTES~~
6. ~~GENERAL PUBLIC COMMENT~~
7. ~~PUBLIC HEARING~~
8. ~~DIRECTOR'S REPORT~~
9. ~~UNFINISHED BUSINESS~~
10. ~~NEW BUSINESS~~
11. ~~REPORTS OF COMMITTEES & COMMISSIONERS/ANNOUNCEMENTS~~
12. ~~AGENDA FOR NEXT MEETING~~
13. ~~ADJOURNMENT~~

¹ Each item inserted under 7 will have a staff presentation followed by a public comment period

SECTION 4: PUBLIC COMMENT AND TESTIMONY

Planning Commission meetings allow the public to express its views. In all cases, speakers are asked to come to the front of the room 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.

During the General Public Comment period, the Planning Commission will take public comment on any subject which is not of a quasi-judicial nature or specifically scheduled later on the agenda. Each member of the public may comment for up to ~~two~~ three minutes. However, Item 6 (the General Public Comment period) will generally be limited to twenty minutes. Each member of the public may also comment for up to ~~two~~ three minutes on action-agenda items after each staff report has been presented.

During Public Hearings, ~~the public testimony or comment~~ follows the Staff Report. The rules for procedure for Public Hearings before the Planning Commission are further defined in Resolution No. 182.

When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation.

Potential Options to debate

Potential Option 1

Continue with three separate comment periods (general, agenda item, and public hearing), but reorganize Bylaws to better explain them and their time limits:

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

During the General Public Comment period, the Planning Commission will take public comment on any subject which is not specifically scheduled later on the agenda. The Public Comment on Agenda Items period allows each member of the public to comment on agenda items following each staff report. During Public Hearings, public testimony follows the presentation of the staff report and questions by the Commission. 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.

Comment [j3]: On 7/21 the Commission discussed how to manage the 5-minute rule to make it fair for all. One of the questions was how does the Commission know what organizations are registered with the State?

This language is borrowed from the Council Rules of Procedure. The City Clerk points out that it includes "City-recognized" organizations - which allows Council to make their own decision (regardless of registered status) for who is awarded extra time.

The Assistant City Attorney informs us that this is not required by state law.

The Commission should discuss whether it wants to continue to do this.

Comment [j4]: On 7/21 the Commission talked about different scenarios surrounding public comment periods. Here are several potential options for the Commission to further consider...

When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation.

Potential Option 2

Combine “General Public Comment” and “Public Comment on Agenda Items” into one comment period that takes place at the beginning of the meeting.

Planning Commission meetings allow the public to express its views. Members of the public may address the Planning Commission at the beginning of any meeting under “Public Comment”. During the “Public Comment” portion of the meeting, individuals may speak to agenda items or any other topic which is not scheduled for a public hearing that evening.

During Public Hearings, public testimony follows the presentation of the staff report and questions by the Commission. The rules for procedure for Public Hearings before the Planning Commission are further defined in City Council Resolution No. 182.

In all cases, 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 during the “Public Comment” or “Public Hearing” comment periods, each speaker will be allocated 2 minutes.

When representing the official position of a State registered non-profit organization or agency or a City-recognized organization, a speaker will be given 5 minutes and it will be recorded as the official position of that organization. Each organization shall have only one, five-minute presentation.

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.

Potential Option 3

Should there be an opportunity for the public to submit written testimony during a public hearing? If so, how should the Commission handle allowing additional time to review it?

Written testimony should be submitted for Planning Commission consideration in advance of the actual hearing date, however, the Chair may allow additional time for reviewing written testimony when needed.

Comment [j5]: On 7/21 the Commission discussed offering Comment Cards to the public for General Public Comment and Public Hearing Testimony?

At its 10/6 meeting, the Commission should continue to discuss the merits of this idea as well as how the cards would be processed.

ARTICLE VI - RULES OF MEETINGS

SECTION 1: ABSENCES

~~Unexcused~~ Absence from more than three (3) consecutive meetings shall ~~may~~ be cause for removal. Members shall communicate with the Chair of the Commission or the Vice Chair or the Planning & **Community** Development ~~Services~~ Director ~~prior to the meeting~~ 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 ~~excused~~ 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 for cause. 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: RECESSES / CONTINUATIONS

~~Meetings~~ shall be adjourned by ~~a majority vote~~ the Chair.

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.

Comment [j6]: On 7/21 the Commission saw this proposed amendment:

Meetings shall be adjourned by ~~a majority vote~~ the Chair.

RRO (pg. 86) In ordinary practice a meeting is closed by adopting a motion simply "to adjourn"; or under certain conditions the chair can declare the adjournment without a motion."

The circumstance that would most apply -- when it appears that there is no further business in a regular meeting (that goes through a complete order of business), then the Chair can ask if there is any further business, and if not, declare the meeting adjourned.

NEW ARTICLE

Planning Commissioners who meet with, speak to, or otherwise appear before a community group or another governmental agency or representative must clearly state if his or her statement reflects their personal opinion or if it is the official stance of the Planning Commission, or if this is the majority or minority opinion of the Commission.

As a matter of courtesy, **written** communication that does not express the majority opinion of the Planning Commission shall be presented to the full Planning Commission **prior to publication** so they may be made aware of it.

Comment [j7]: On 7/21, the Commission discussed how a Commissioner should handle their personal opinions when it goes against the official recommendation of the Commission. The Commission agreed to continue the conversation to 10/6.

Assistant City Attorney reviewed this addition and offered minor amendments (in yellow)

Commissioner Kaje has offered a few scenarios that he thought the Commission should discuss – they are listed in a separate document.

ARTICLE VIII - CONFLICT OF INTEREST CODE OF ETHICS

~~The Chair shall routinely ask members if they have a conflict of interest with any quasi-judicial item on the agenda. Such conflict(s) must be publicly announced at the earliest possible opportunity, and the member shall step down during the particular case(s), neither deliberating nor voting on same.~~

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.

Comment [j8]: This Article was rewritten to better address RCW 42.23 which speaks to ethics and conflict of interest.

Comment [j9]: This language was moved to the next article

ARTICLE VIII-IX - APPEARANCE OF FAIRNESS

The members of the Planning Commission in considering quasi-judicial matters, shall maintain the appearance of fairness as required by **Chapter 42.36 RCW law.** **The Chair shall routinely ask members if they have a conflict of interest with any quasi-judicial item on the agenda. Such conflict(s) must be publicly announced at the earliest possible opportunity, and the member shall step down during the particular case(s), neither deliberating nor voting on same.**

Comment [j10]: If the Council adopts the Commission's recommendation to send all QJ Items to the Hearing Examiner, there will not be a need for this article.

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 ~~18th~~ **6th** day of ~~March~~

| October 20102011, 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
| Chair, Planning Commission

Joseph W. Tovar
| Planning & Community Development Services Director