

1. CALL TO ORDER:

- a. Roll Call/Pledge of Allegiance

2. CONSENT AGENDA: All matters listed within the Consent Agenda have been distributed to each member of the Kennewick Planning Commission for reading and study. They are considered routine and will be enacted by the one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the regular agenda by request.

- a. Approval of the Minutes dated June 3, 2019
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Zoning Ordinance Amendment (ZOA) # 19-03 proposing to amend Kennewick Municipal Code (KMC) Section 18.12.270 by adding an additional subsection to allow the placement of transportable units in all zoning districts, subject to specific restrictions.

4. VISITORS NOT ON AGENDA:**5. OLD BUSINESS:**

- a. City Council Action Updates

6. NEW BUSINESS:

- a. Planning Commission Rules of Procedure

7. REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:**8. ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION
JUNE 3, 2019
MEETING MINUTES**

CALL TO ORDER

Vice Chairman Morris called the meeting to order at 6:30 p.m.

Commissioner Stolle led the Pledge of Allegiance.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Rob Rettig, James Hempstead, Clark Stolle, Anthony Moore, and Vice Chairman Morris.

Excused: Commissioner Thomas Helgeson, Chairman Eduardo Pacheco.

Unexcused: None

Staff Present: Greg McCormick, AICP Planning Director; Steve Donovan, AICP Planner; Melinda Didier, Community Planning Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of the May 20, 2019 Meeting Minutes
- c. Motion to enter Staff Reports into the Record

Commissioner Hempstead moved to accept the consent agenda. Commissioner Moore seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Vice Chairman Morris opened the public hearing at 6:34 p.m. for Zoning Ordinance Amendment (ZOA) No. 19-02 proposing to amend Kennewick Municipal Code (KMC) Section 4.12.110 to include certain requirements for comprehensive plan amendment requests to the Mixed Use comprehensive plan land use map designation. Applicant is City of Kennewick, Community Planning Department.

Mr. McCormick gave a brief overview of the staff report, and indicated that Commissioner Helgeson was not able to attend the meeting, but submitted comments to the proposed amendment; copies of Commissioner Helgeson's comments were given to each Planning Commissioner by Ms. Didier. Mr. McCormick presented a Power Point of the staff report, and said that this is primarily to address issues for Comprehensive Plan Amendment requests for changes to the Mixed Use zone designation to require a Master Plan requirement; Mr. McCormick also reviewed the comments that were outlined by Commissioner Helgeson, and said he would answer any further questions the Planning Commission might have.

Staff recommends that the Planning Commission concur with the Findings and Conditions of the staff report ZOA 19-02, and recommend to City Council approval of the request.

Planning Commission questions included:

Commissioner Hempstead referenced section 4.12.110, for something of this depth should we be requiring a pre-app – Mr. McCormick said yes it's worth considering, it jumps to a different level; Commissioner Stolle agrees with a pre-app, felt very uncomfortable when 300-acre proposal brought before commission with no idea what they wanted to develop, wants to go into any proposal like this as a serious venture, otherwise the Planning Commission is basically writing a blank check; Mr. McCormick said minimum district for developing mixed use for master plan is 40 acres. Commissioner Moore suggested the Planning Commission consider making this mandatory for mixed use proposals, encourage applicants to utilize city's pre-application process what does that mean. Mr. McCormick said it is mainly for physical projects, but requiring it for non-project items would have a big impact.

Commissioner Hempstead asked about 4.12.110 Commissioner Helgeson comments, should we be *encouraging* them or should we be *requiring them to do a Pre-App*; can staff can include making a *requirement* for Pre-App; can Planning Commission amend the motion to add conditions to the motion; Mr. McCormick said a motion to amend can be made to the original motion to add conditions or requirements; if developer goes through the entire process, and pre-app is encouraged, Commissioner Moore feels comfortable with the robust process, expert might feel like they don't need to do it; commented the City came up with a good plan, will avoid uncertainty; developers in community that have long standing are accustomed to the Pre-App process. Commissioner Stolle agrees, would encourage applicants to look at all opportunities and regard proposal as a serious-minded venture with a serious plan before requesting amendments to comp plan mixed use.

Testimony of Applicant/Applicant's Representative:

The City of Kennewick is the applicant.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments: None

Public Testimony for ZOA 19-02 closed at 6:54 p.m.

Vice Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report ZOA 19-02 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Rettig seconded the motion.

Planning Commission discussion included:

Commissioner Stolle asked if staff could include “required” instead of “encouraged” independent of the motion or do we have to vote on the motion with a change incorporated.

Vice Chairman Morris said that would be an amendment to the motion; that would be a separate motion, to amend.

Commissioner Moore said his discussion piece with the Commissioners is that he feels that if they go through this entire process, and it’s encouraged to go through the pre-application process, it’s encouraged, robust process, pre app is a benefit to newer applicants; those who are used to process might question being “required” to do a pre app.

Commissioner Hempstead asked if a motion should be on the table before discussion.

Commissioner Moore said he motioned.

Vice Chairman Morris said if you want to amend Commissioner Moore’s motion, then you would have to make the second motion to amend his motion and see if that gets approved first, before we can go back and vote on the amended motion; there’s a motion on the table.

Vice Chairman Morris said the City came up with a good plan, he felt very uncomfortable with that much land without any statement at all of what they were going to put on it; this would avoid that uncertainty.

Commissioner Rettig said some of the developers have a long standing; is there language that could be added that first-time applicants of larger developments, with certain developers City doesn’t have relationships with, pre-applications might be important – might actually be a burden.

Mr. McCormick said his thought is if a land owner hired an architectural firm out of Spokane, they very well could be subject matter experts; it would be hard to say if you’re first-time you’ve developed here, it’s more of a question is that valuable enough to require; if not, then recommend.

Commissioner Rettig said is it valuable to you as a City to get to know a first-timer beforehand.

Mr. McCormick said typically we’ll have several face-to-face discussions with them prior to a more formal pre-app; they’ll want to know what the requirements are, talk details before they start putting money into an actual design; we’ll be talking to them on several occasions.

Commissioner Rettig agrees with Commissioner Moore that as you read further, there’s quite a bit of information laid out; it’s as if a pre-meeting is coming whether they want one or not; I think the information is very thorough; so the word encourage goes very well with me as well.

Vice Chairman Morris asked if the motion doesn’t pass, then that is our recommendation to City Council; never been on the Planning Commission where the opportunity for making another motion is entertained, how does that work.

Mr. McCormick said his recollection is that if you want to amend the motion that’s on the table, you make a second motion to amend the original motion, if it’s this case, to *require* the pre-app

for Mixed Use Applications, then you vote on that amendment, if it passes or fails, then you vote on the original motion either as amended or as previously opposed.

Commissioner Hempstead moved to amend the motion to ZOA #19-02 to add the requirement for a Pre-App in Mixed Use. Commissioner Stolle seconded the motion.

Planning Commissioner discussion on second motion included: Commissioner Hempstead said his experience with the pre-app meeting, so if you're looking for efficiency in government, should be as much attention to depth as possible – as much attention upfront as possible will save staff time and help avoid putting Planning Commissioners in an uncomfortable position – that's why I'm recommending amendment in Mixed Use; Commissioner Rettig said I'm not familiar with the pre-application meeting, is it outlined in KMC what a pre-app meeting will entail; Mr. McCormick said it's an administrative program that is provided, not specifically in the KMC.

Vice Chairman Morris asked for a roll call vote for the motion to amend the original motion.

The motion to amend PASSED on a 3-2 vote; Commissioner Rettig, Commissioner Hempstead, Commissioner Stolle in favor; Commissioner Moore and Vice Chairman Morris were opposed.

Vice Chairman Morris said the original motion by Commissioner Moore, the Planning Commission CONCURS with the Findings and Conclusions in Staff Report ZOA 19-02 and forward a recommendation of APPROVAL to City Council; that has been amended to also include mandatory utilizing the City's Pre-Application meeting.

Mr. McCormick said the Pre-application meeting process is still *encouraged* for other developments that aren't required to have a pre-app, currently the only *required* Pre-Apps are for Tier II & III Site Plan Applications; what we would say is applicants are *encouraged* to utilize the City's Pre-Application meeting process prior to submitting a Comprehensive Plan Amendment Application, however requests for the Mixed Use Comp Plan designation are *required* to utilize the Pre-application meeting process.

Commissioner Moore asked for clarity on the motion voted on a minute ago; that Commissioner Hempstead amended.

Vice Chairman Morris said we haven't voted yet to recommend to City Council with the amendment – the original motion; the AMENDMENT to the original motion was just voted on and passed.

Vice Chairman Morris called for a roll call vote on the original motion; the motion with the amendment passed unanimously.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

- a. City Council Action Updates – None

NEW BUSINESS:

- a. Workshop – Proposed Amendment to KMC Section 18.12.270 – Transportable Units

Mr. Donovan reviewed the proposed draft amendment for Transportable Units and showed a Power Point presentation of the recommended changes.

Questions of staff: Most transportable units are 8 feet high, 16 feet long, are they much bigger than that; size was one thought, secondly putting in right of way could pose some issues; stationary objects, 10 days on the street can see traffic weaving and children darting; all zones in the city, but residential areas perhaps need shorter time, maybe different conditions for different zones; 10 days needs to be limitations on picking up after ten, gone for one, back for 10 days; put gap of time between siting, maybe for the homeless encampments, applicant might have some ideas on addressing timing issues. What takes precedence, city codes or CCR's? What would happen if they didn't pick it up – Mr. McCormick said the standard code enforcement process would apply. Hearing scheduled for two weeks from tonight for the public hearing, applicant will be here. This was workshop to get ideas, info.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

The Planning Commissioners asked about the City's response to Code Enforcement and code violations – do we have anyone traveling around looking for violations; is there a reason why our Code Enforcement is not proactive? Mr. McCormick said that it is very staff intensive for proactive code enforcement; so the City Council made the decision a few years ago to eliminate the Kennewick Improvement Board (KIB) and to not be proactive on code enforcement, it is "complaint generated reactive" code enforcement that the City follows now.

Commissioner Moore will be gone two weeks for military duty.

ADJOURNMENT:

The meeting was adjourned at 7:24 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION

FILE No: ZOA 19-03/AMD-2019-00858

Public Hearing Date: June 17, 2019

Proposal: Amend Kennewick Municipal Code (KMC) Section 18.12.270 by adding an additional subsection to allow the placement of transportable units in all zoning districts, subject to specific restrictions.

Applicant: PSPMS, LLC, 423 Rock Island Road, East Wenatchee, WA 98802

Staff Contact: Steve Donovan, Planner

Background:

On April 11, 2019 the applicant applied to amend KMC Section 18.12.270 – Transportable Units Development Standards. The applicant has proposed a new subsection to KMC 18.12.270.

The City requested Expedited Review from the Department of Commerce on April 15, 2019 and was granted the request on April 29, 2019.

Discussion and Analysis:

The applicant has proposed adding an additional subsection to KMC Section 18.12.270. Below is the current version of Section 18.12.270 and the applicant's proposed subsection.

Current Section 18.12.270:

1. Transportable units that are uniformly painted and in good repair may be used for temporary storage in subdivision sales areas and equipment yards (18.12.270) and in C, I, PF, and OS zones for storage during construction and/or remodeling after a building permit has been issued. The units shall be removed from the site once the permit expires or at the end of 12 months, whichever occurs first. Screening is not required in these instances.
2. Transportable units may be used for temporary storage in "R" and "HMU" zones for new residential construction or remodeling after a building permit has been issued. The units shall be removed from the site at the expiration of the building permit. In no case shall the units remain on the site for more than 12 months.
3. Transportable units, railroad boxcars and freight cars in "R" districts that are visible and less than 125 feet from a public street must be completely surrounded by a sight-proof fence and/or landscaping (18.21.060(2)) or removed before October 31, 2004.
4. Transportable units that are in good repair may be utilized for business activities, other than storage, in the UMU zone.
5. Transportable units that are in good repair may be utilized for storage activity in the PF zone after construction provided they are placed a minimum distance of 125 feet from the nearest street.

Applicant Proposed Amendment to Section 18.12.270:

- (6) Transportable units that are uniformly painted, in good repair, and equal to or less than 16 feet long by 8 feet high by 8 feet wide and 2,700 pounds empty capacity and 10,000 maximum loaded weigh capacity, may be used for temporary storage for a period not to exceed ten (10) consecutive days in all zones within the City.

A workshop was held on June 3, 2019. At the workshop the Planning Commission voiced some concerns about the proposed amendment in regard to the following:

- Placing a transportable unit in the public way.
- How many times a unit(s) could be placed at a site 10 days at a time?
- Should all zoning districts be subject to the same 10 day placement requirements?

Staff discussed the questions presented by the Planning Commission and proposes to amend the applicant's original amendment based on the following:

- *Public Way:* Limit the placement of transportable units in the public way to 72 hour. Staff reviewed KMC 11.36.050 and the section states that vehicles are not allowed to be parked in the public way for more than 72 hours in most instances.

In discussions with the applicant most of his clients have the units placed on private property and are usually removed within two days.

- *Days on-site:* To date, the applicant has not had a client that has placed a unit on their property more than two times a year.
- *Zoning Districts:* It is staff's opinion that all zones should be held to the to the same 10 day placement requirements. The current code does allow for placement of transportable units in all zones, for periods of time longer than 10 days, subject to certain requirements.

Staff Proposed Section 18.12.270

- (6) Transportable units that are uniformly painted, in good repair, and equal to or less than 16 feet long by 8 feet high by 8 feet wide and 2,700 pounds empty capacity and 10,000 maximum loaded weigh capacity, may be used for temporary storage for a period not to exceed ten (10) consecutive days, more than two separate times in a calendar year, in all zones within the City. A unit shall not be placed in the public way for more than 72 consecutive hours."

Staff is of the opinion that the proposed amendment provides enough requirements to ensure that transportable units will not be used for permanent storage. The proposed amendment ensures that transportable units will be used in a manner similar to a rented moving truck.

Regulatory Controls and Policies

- Kennewick Municipal Code Chapter 18.12 – Zone Districts and Standards
- Kennewick Comprehensive Plan

Findings of Fact:

1. The applicant is PSPMS, LLC, 423 Rock Island Road, East Wenatchee, WA 98802.
2. The application was submitted to the City on April 11, 2019.
3. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-significance (DNS) on May 6, 2019.
4. Notice of the proposed code revision (expedited review request) was sent to the Washington State Department of Commerce on April 15, 2019, consistent with the requirements of RCW 36.70A.106.

5. The City received confirmation of expedited review and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on April 29, 2019.

Conclusions of Law:

1. The staffs proposed amendments will promote the public health, safety, and general welfare by allowing additional access options.
2. The staffs proposed amendments do not conflict with the goals and policies of the Comprehensive Plan.

Staff Recommendation:

Based on the above analysis of this request, staff recommends the Planning Commission forward a recommendation of APPROVAL to City Council for the following motion.

Motion/Applicant Proposal:

I move that the Planning Commission concur with the findings and conclusions in the staff report ZOA 19-03 and recommend to City Council approval of the addition of KMC Section 18.12.270(6).

Motion/Staff Proposal:

I move that the Planning Commission concur with the findings and conclusions in the staff report ZOA 19-03 and recommend to City Council approval of the addition of KMC Section 18.12.270(6) as modified by City staff.

Exhibits:

1. Staff Report
2. Application and Unit Photo
3. Proposed amendment to KMC Section 18.12.270
4. Staff proposed amendment to KMC Section 18.12.270
5. Environmental Determination of Non-significance ED 19-09

20A 19-03

AmD-2019-00858

EXHIBIT 2



PAID

Community Planning Department

210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

APR 11 2019

CITY OF KENNEWICK

BY

[Handwritten signature]

FEE \$1,063.00

REQUEST FOR AMENDMENT TO ZONING OR SUBDIVISION CODE

Applicable Filing Fee and SEPA Review Fee are due at the time of application ([Fee Schedule](#))

Applicant PSPMS, LLC
Address 423 Rock Island Road, East Wenatchee, WA 98802
Telephone _____ Cell 509-387-6251 Fax _____ E-mail schroederhc@mac.com

The amendment, if adopted, will not be restricted to the applicant's particular situation, but will apply to any future situation that may fall under the amendment, regardless of location or other circumstances. Therefore, please state how, in your opinion, the requested amendment will be to the best interests of the City. Use additional paper if needed.

Requested Amendment: The current Kennewick City Code does not allow transportable storage containers in all zones of the City. Transportable storage containers are allowed within specific zones related to construction and business activities. Applicant's business model is to provide transportable storage containers for short term use, typically less than 10 days. The containers are smaller and lighter in weight than the common shipping containers used by rail and sea freight haulers. A typical use is a homeowner moving out of their house who requests the container, moves their house contents out of the house, and places it into the container, then the container is either transported to the customer's new home, or stored at Applicant's warehouse until the customer is ready for it to be transported to their new location. As a comparison, it is similar to a person parking a moving truck, for instance a "U-Haul," in front of their house, filling it up and then driving it to where ever it needs to go. Applicant's service provides the additional benefit that the container can be economically stored at the Applicant's warehouse until the customer is ready for it at their new location. It is a service that has proven efficient and popular in many jurisdictions. The requested code change would allow these smaller and lighter weight transportable units to be used in all zones for short periods of less than 10 consecutive days.

The proposed amendment would be to Section 18.12.270 of the Kennewick City Code and would read as follows: See attached.

H. Coall

Signature

3/26/19

Date

Checklist:

____ Application & fee

____ State Environmental Policy Act checklist (SEPA) & fee

RECEIVED

APR 11 2019

DEVELOPMENT SERVICES



Proposed Code Language:

Kennewick City Code Section 18.12.270 “Transportable Units” shall be and hereby is revised by the addition of the following subsection:

“(6) Transportable units that are uniformly painted, in good repair and equal to or less than 16 feet long by 8 feet high by 8 feet wide and 2,700 pounds empty capacity and 10,000 maximum loaded weight capacity, may be used for temporary storage for a period not to exceed ten (10) consecutive days in all zones within the City.”

Staff Proposed Code Language:

Kennewick City Code Section 18.12.270 “Transportable Units” shall be and hereby is revised by the addition of the following subsection:

“(6) Transportable units that are uniformly painted, in good repair and equal to or less than 16 feet long by 8 feet high by 8 feet wide and 2,700 pounds empty capacity and 10,000 maximum loaded weight capacity, may be used for temporary storage for a period not to exceed ten (10) consecutive days, more than two separate times in a calendar year, in all zones within the City. A unit shall not be placed in the public way for more than 72 consecutive hours.”



**CITY OF KENNEWICK
DETERMINATION OF NON-SIGNIFICANCE**

FILE/PROJECT NUMBER: ED 19-09/PLN-2019-00859

DESCRIPTION OF PROPOSAL: The proposal is a code amendment to Kennewick Municipal Code Section 18.12.270 by establishing subsection (6) that will read as follows: "Transportable units that are uniformly painted, in good repair and equal to or less than 16' long by 8' high by 8' wide and 2,700 pounds empty capacity and 10,000 maximum loaded weight capacity, may be used for temporary storage for a period not to exceed ten (10) consecutive days in all zones within the City."

PROPONENT: PSPMS, LLC, 423 Rock Island Road, East Wenatchee, WA 98802

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Proposal is not site specific.

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- There is no comment period for this DNS.
- This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by _____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Gregory McCormick, AICP
POSITION/TITLE: Community Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4463

Changes, modifications and/or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- No conditions.
- See attached condition(s).

Date: May 6, 2019 Signature: 

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were mailed to: Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 19-09 File

CITY OF KENNEWICK PLANNING COMMISSION RULES OF PROCEDURE

WE, THE MEMBERS of the Planning Commission of the City of Kennewick State of Washington, pursuant to Ordinance Number 856, passed on October 18, 1955, by the City of Kennewick, do hereby adopt, publish and declare the following Rules of Procedure:

I. NAME

The Official name shall be "The Kennewick Planning Commission"

II. MEETINGS

1. All meetings shall be held in the City Hall of Kennewick, Washington, unless otherwise directed by the Planning Commission.
2. The Commission shall hold at least one regular meeting or workshop in each month for not less than nine months, in each year. Regular meetings shall be held on the first and third Mondays of the month. Additional special meetings may be scheduled as directed by the Chairman.
3. If the first or third Monday of the month is a legal holiday, then that meeting may be canceled or held on a date as determined by the Chairman.

III. MEMBERSHIP

The Planning Commission is a seven-member body appointed by the Mayor with the consent of Council to serve in an advisory role on all matters relating to the growth and development of the City. Terms will be 4 years in length ~~for anyone appointed after 4/22/00~~, expiring on March 31 or until such time as their successor is selected.

IV. ELECTION OF OFFICERS

1. The officers of the Commission shall consist of the Chairman, Vice-Chairman, and such other officers as the Commission may, by majority vote, approve and appoint.
2. The officers shall serve for a period of ~~one year~~ two years, provided, however, that any officer may be removed at any time by vote of a majority of the Commission entered on record. The election of officers shall take place once each odd numbered year, on the occasion of the first meeting of the month of April-year.

V. CHAIRMAN

1. The Chairman shall preside over the meetings of the Commission and may exercise all the powers usually incidental to the office retaining, however, to himself as a member of the Commission, the full right to have his own vote recorded in all deliberations of the Commission.
2. The Chairman shall have full power to create standing or temporary committees of one or more members, charged with such duties, examinations, investigations and inquiries relative to one or more subjects of interest to the Commission, as it may, by motion or resolution, determine. No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program without its submission to the body of the Commission.

VI. VICE - CHAIRMAN

The Vice-Chairman shall, in the absence of the Chairman from any meetings, perform all the duties incumbent upon the Chairman. The Chairman and Vice-Chairman, both being absent, the members present may elect for the meeting a temporary chairman who shall have full powers of the Chairman during the absence of the Chairman and Vice-Chairman.

VII. SECRETARY

The Secretary to the commission shall be the executive director of Community Planning or his/her designee. The Secretary shall keep a record of all meetings of the Commission and of its committees when requested to do so, and these records shall remain the property of the Commission and be retained at such office as the Commission may direct. In the absence of the Secretary from any meeting, a Secretary pro-tem shall be appointed.

The Secretary shall have no voting privileges.

VIII. QUORUM

A majority of the membership of the Commission, being not less than four members, shall constitute a quorum for the transaction of business. Any action taken by a majority of those present, when those members constitute a quorum at any regular meeting of the Commission, shall be deemed and taken as the action of the Commission.

IX. ABSENCE OF MEMBERS

The Commissioner shall notify the Chairman or Secretary as soon as possible regarding an absence due to a bona fide emergency situation: a situation where in good faith prevents the prior notification to the Chairman or Secretary. The Chairman will advise the Recorder the status of the absence.

All members of boards, commissions or agencies shall be removed from their appointment if they have two or more unexcused absences in any calendar year. An unexcused absence is defined as a failure to notify the Chairperson or Secretary of their absence prior to the meeting, unless for a bona fide emergency. (Ord. 3915 Sec. 18, 2000)

X. APPLICATION AND PETITION

Petitions and applications will be accepted by the Planning Commission only when properly filed with the Planning Commission on those application forms furnished by the office of the Community Planning Executive Director.

XI. AGENDA

An agenda shall be prepared for each regular meeting, consisting of the following order of business:

1. Call to Order
2. Roll Call
3. Consent Agenda
4. Public Hearings
5. Visitors not on agenda
6. Old business
7. New business
8. Reports, comments or discussion by Commissioners and Staff
9. Adjournment

XII. CONSENT AGENDA

The consent agenda may contain items which are of a routine and non-controversial nature which may include, but are not limited to, the following: Approval of minutes; Approval of the Agenda; Accepting the staff report for the record; Communications; Memos and reports for information of the Commission; Resolutions; and Petitions. This item will be accepted by consent of the Commission by as single vote, without reading, unless a member of the Commission or any person attending a Planning Commission meeting should request such reading. Any item on the Consent Agenda shall be removed and considered separately as an agenda item at the request of any Commissioner or person attending a Planning Commission meeting.

XIII. AMENDMENT PROCEDURE

The Rules of Procedure may be amended at any regular meeting of the Commission by a majority vote of the entire membership.

XIV. MOTIONS

Motions shall be restated by the Chairman before a vote is taken. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

XV. VOTING

Any action by a majority of those present, when those present constitute a quorum, at any regular, recessed or special meeting of the Planning Commission shall be deemed and taken as the action of the Commission. A voting quorum is required for all items. Abstaining or withdrawal is not considered a vote.

XVI. PARLIAMENTARY PROCEDURES

Parliamentary procedures in Planning Commission meetings shall be governed by Roberts Rules of Order, Revised, unless it is specifically provided otherwise in these Rules, in other Planning Commission Resolutions, in City Ordinances, or in the State of Washington Planning Enabling Act (RCW 35.63).

XVII. CONFLICT OF INTEREST/APPEARANCE OF FAIRNESS

Any member of the Commission who in the Commission's opinion has an interest or a potential conflict of interest related to any matter before the Commission shall so publicly indicate, shall step down leaving the hearing room, and shall abstain from all proceedings, deliberations and voting on the matter.

Except at a public meeting, no member of the Planning Commission shall discuss with any citizen any matter which will be coming to the Planning Commission for action. If a Planning Commission member receives such communication, the member should immediately inform the citizen that they may not discuss the matter while the matter is pending before the Commission and terminate the conversation. If a Planning Commission member has been lobbied by a particular group, the member may continue to participate in the matter, so long as the Commission member completely discloses the extent and nature of the ex parte communication, and is of the opinion that the member's objectivity has not been influenced.

XVIII. PROCEDURE FOR PUBLIC HEARINGS

The following procedure shall be utilized for all public hearings, and any other Agenda item, as determined by the Chairman:

1. Staff Report.
2. Questions of staff.
3. Chairman open public hearing and ask for ~~comments~~ testimony from applicant.
4. Chairman asks for ~~comments~~ testimony in favor.

5. Chairman asks for comments testimony in either neutral or in opposition.
6. Applicant rebuttal.
7. Close public hearing.
8. Motion for recommendation / 2nd.
9. Discussion and deliberation.
10. Voice ~~V~~vote. Chair will ask all in favor signal by saying "aye"; opposed "nay". Chair will declare result of vote.
11. Item will go to next applicable City Council.

XIX. EXHIBITS SUBMITTED TO THE COMMISSION

All petitions, letters, date, photographs, sketches, drawings, documents, study reports or results, architectural and engineering renderings, and any item submitted by any persons, companies, agencies, and City Officials or staff prior to and/or during public hearings in order to qualify for consideration by the Commission, shall become exhibits for the related matter and shall be numbered, upon receipt, by the Secretary or recorder. ~~Further, in accordance with RCW 17.020, all~~ All such exhibits and items shall become part of the record for said matter and be retained on file, and kept available for public inspection by the Community Planning Department.

AMENDED: March 8, 1971	March 19, 1973
June 25, 1973	April 28, 1975
September 27, 1976	June 27, 1977
December 4, 1978	April 21, 1980
November 1, 1982	July 16, 1984
March 4, 1985	November 3, 1986
November, 1987	January 9, 1995
April 17, 1995	August 2, 2004
<u>June 17, 2019</u>	