



City of Duvall Planning Commission Bylaws Adopted May 15, 2008

The role of the Duvall Planning Commission is set forth in Section 2.15.030 of the City Municipal Code which empowers the Commission with those responsibilities set forth in RCW 35A.63, RCW 58.17, other provisions of state law and such additional responsibilities as established by the City Council. These include, but are not limited to, providing recommendations to the Council concerning:

1. Comprehensive plan amendments, unified development regulations amendments, and other long range planning documents;
2. Community response; and
3. Recommendations to the hearing examiner on site plans and other land use matters as specified in Title 14 of the City Code, the Unified Development Regulations (UDR).

Article I. Responsibility

The Planning Commission shall carry out the responsibilities designated by ordinance and other duties assigned by the City Council. The members of the Planning Commission accept the responsibility of the office and declare their intention to execute the duties defined under the State and Municipal law to the best of their ability and to respect and observe the requirements established by the City Council.

Article II. Organization of the Commission

1. A Chairperson and Vice-Chairperson shall be elected by a majority of the Commissioners at the first regular meeting in January of each year, or soon thereafter as feasible. A quorum must be present to elect the Chairperson and Vice-Chairperson.
2. If the term of Commissioner who is serving as the Chairperson ends prior to the January elections, the Vice-Chairperson will assume this responsibility until the annual elections are conducted.

3. If a Commissioner who is serving as the Chairperson leaves the Commission prior to December of Chairperson's term, a majority of the Commission shall elect an interim Chairperson until the regularly-scheduled election in January is held.
4. If the Chairperson is absent from any meeting, the Vice-Chairperson shall perform all duties incumbent upon the Chairperson.
5. In the absence of the Chairperson and the Vice-Chairperson, the Commissioners present may elect for the meeting, a temporary Chairperson who shall have full powers of the Chairperson during the absence of the Chairperson and Vice-Chairperson.
6. Should the Chairperson or Vice-Chairperson resign prior to December of their term, a majority of the Commission shall expeditiously elect a new officer to fill the vacancy for the unexpired term.
7. The Chairperson shall preside at all Commission meetings and have the powers generally assigned such office in conducting the meetings.
8. It shall be the Chairperson's duty to see that the transaction of Commission business is in accord with these By-laws.
9. The Planning Commission, by majority vote of those present, may create special committees and assign one or more members to such committees.
10. If a Commission member has more than four excused absences, more than two absences in a row or more than one unexcused absence from regularly scheduled meetings in a calendar year, the Chairperson shall inform the City Council who may appoint a new Commission member to replace the absent member's term.
11. Appointments to the Planning Commission shall be consistent with DMC 2.15.010B.
12. A quorum is a majority of the members of the full commission membership.

Article III. Meetings

By a majority vote, the Commission shall determine a regular meeting time (time, place, and frequency) as necessary.

1. All Commission meetings shall be open to the public and subject to the State Open Public Meetings Act.
2. Executive sessions may be held only in accordance with the provisions of RCW Chapter 42.30. [No prior notice is required]

3. To conduct official Planning Commission business, a quorum must be present. If no quorum exists due to an insufficient number of Commissioners being present or due to members leaving the meeting, no official action can be taken.
4. All meetings of the Planning Commission shall be governed by these by-laws. If a special situation arises that is not addressed by the by-laws, the parliamentary rules and procedures contained in the current edition of *Roberts Rules of Order* shall apply.
5. To the extent it does not violate public notice requirements, the posted agenda of a regular meeting may be modified, supplemented, or revised at the beginning of the meeting by the affirmative vote of the majority of Commission members present.
6. Regularly scheduled Commission meetings shall begin at 7:00 PM. If a meeting lasts beyond 9:00 PM, the Planning Commission, upon motion, shall either: (a) extend the meeting for a specified period of time; or (b) continue the meeting to a specified time and date in the future
7. A City staff representative will be responsible for making a recording of all Planning Commission meetings, and for creating minutes from the recorded meeting. City staff will prepare action minutes for regular meetings and minutes for all Public Hearings will be in more detail. Draft copies of all minutes will be provided to the Commissioners for review and comment. After the minutes have been reviewed by the Commissioners and all comments have been recorded, the Chairperson will request the Commissioners in attendance to approve the minutes. After the minutes are approved by a majority of the Commissioners in attendance, the minutes will be forwarded to the City Clerk and be made part of a permanent record.

A. Commission Discussion

8. Commissioners shall be recognized by the Chairperson prior to making comments or remarks to the public, staff or other Commissioners.
9. Upon recognition by the Chairperson, Commissioners should limit their comments to the topics that are being discussed or presented. Commissioners should not be interrupted while speaking unless it is to call him/her to order. No member shall speak a second time on the same motion before the opportunity has been given each other member to speak on the same topic or motion.

10. The Planning Commission may devote part of its meetings to an informational study session during which no comments from the public will be permitted, unless the Chairperson or a majority, on a case-by-case basis, decides otherwise.

B. Voting

11. Action is taken by a majority vote of the members present and voting.
12. Each Commissioner shall vote on all questions put to the Commission, unless a conflict of interest (RCW 42.23) or appearance of fairness (RCW 42.36) question precludes a Commissioner's participation on an issue or question under state law. Any Commissioner who abstains from voting without one of the above reasons must state his reason for abstaining. Any Commissioner who remains silent during a voice vote, shall be deemed to have cast his or her vote with the majority on any issue so voted upon.
13. Roll call votes may also be requested by any Commissioner or as otherwise provided for by statute, ordinance, or resolution, or a vote by ballot pursuant to a majority vote (without debate) of the Commission.
14. A Commissioner must be present at a meeting in order to participate in Commission business. Teleconferencing or voting by proxy is not permitted.

Article IV. Conflict of Interest and Appearance of Fairness

If a member of the Commission has a conflict of interest in any matter before the Commission, or if participation in Commission business may violate the appearance of fairness doctrine, the member shall publicly indicate such and shall step down and refrain from voting or commenting upon the matter in question.

The Planning Commission is subject to the City's ethics ordinances and/or regulations.

Article V. Agenda

1. The preparation of the meeting agenda will be the duty of the Planning Director or his/her designee, and he or she will coordinate that preparation with the Chairperson. The agenda may be divided into sections.

2. Copies of the draft agenda will be available to all Commission members at least five days prior to a regular meeting date.
3. The agenda shall be approved by the Planning Commission at the beginning of each meeting.

Article VI. Study Sessions

A substantial amount of the Planning Commission's work is conducted at informal study sessions. The Commission shall consider information and recommendations from staff; and may receive comments from the public during the study session at the discretion of the Chairperson.

Article VII. Public Comment

1. Public comment can be made to the Commission for items not on the agenda or for items on the agenda. Opportunity for the public to discuss items not on the agenda will only be given before the Commission begins to hear items on the agenda.
2. Public comment for items on the agenda shall only be made after the item has been presented to the Commissioners and generally when the Chairperson opens the public comment period for the agenda item being presented to the Commission.
3. Any member of the public who wishes to provide comment to the Planning Commission shall place their name and address on the Public Comment signup sheet that is placed on the table outside of the Planning Commission meeting room, prior to the beginning of the Planning Commission meeting. In the event that a member of the public fails to sign the signup sheet, they shall state their name and address on the record prior to addressing the Commission.
4. Each speaker is limited to 3 minutes speaking time. The comment time allowed for speakers may be modified by the Chairperson in special cases. Speakers will be heard in the order in which they sign up to speak.
5. Members of the public attending study sessions may only speak if recognized by the Chairperson. The Commission may elect to hear public comments/questions before discussing among themselves.
 1. The public shall address all remarks through the Chairperson. Upon recognition by the Chairperson, speakers shall confine themselves to the subject matter of the agenda item before the Commission. Speakers should not be interrupted while speaking unless it is to call

him/her to order. No member of the public shall speak a second time on the same agenda item before an opportunity has been given to other members of the public to speak on the same agenda item.

2. Staff may respond to questions/comments from speakers as directed or as recognized by the Chairperson.
6. If audience dialogue becomes disruptive, the Chairperson may recess the meeting or request that the meeting be adjourned.
7. A Public Hearing is a formal opportunity for citizens to give their view to the Commission for consideration in its decision-making process. In this case, the speaker should sign his/her name and mailing address on the Public Hearing Sign-Up Sheet. During the public testimony period of the Public Hearing, Commissioners, staff and the audience will remain silent. After the last person has spoken, the hearing will be closed by the Chairperson. The issue will then be opened by the Chairperson for Commission discussion. The audience may not comment during Commission's deliberation unless requested by the Commission to do so (RCW 36.70). At the Chairperson and Commission's discretion, questions that were brought up during the Public Hearing testimony period may be addressed by the appropriate staff member after the hearing has been closed. The Commission will have the opportunity to make a decision or to table the decision until the following meeting.

Article VII. Correspondence and E-mail Communication

1. Email messages between Planning Commissioners may constitute public information subject to the Public Disclosure Act (RCW 42.17) and should be treated as such.
2. E-mail communication between a quorum of Commissioners that discusses commission business may constitute a meeting in violation of the Open Public Meetings Act. Therefore, e-mail shall not be used for the purpose of discussing Commission business or taking action with a quorum of the Commissioners.