



**Planning Commission
Regular Meeting
January 7, 2025 - 7:00 PM
City Hall Council Chambers**

AGENDA

PUBLIC PARTICIPATION

- A. The Planning Commission Meeting scheduled for January 7, 2025, at 7:00 p.m. will be held in person and virtually.

Join from PC, Mac, iPad, or Android:

<https://us06web.zoom.us/j/82022302925>

Phone one-tap:

+12532158782,,82022302925# US (Tacoma)

+12532050468,,82022302925# US

Join via audio:

+1 253 215 8782 US (Tacoma)

+1 253 205 0468 US

888 475 4499 US Toll Free

877 853 5257 US Toll Free

Webinar ID: 820 2230 2925

Microsoft Teams

Need help? <https://aka.ms/JoinTeamsMeeting?omkt=en-US>

Meeting ID: 259 438 008 028

Passcode: YN28i3jY

Dial in by phone

+1 509-530-1507,,529257430#

Phone Conference ID: 529 257 430#

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA MODIFICATIONS

AUDIENCE PARTICIPATION

This is the place on the agenda where the public is invited to speak to the Board on any issue.

- A. Comment from the audience on any proposal for action by the Commission. If the comment is related to an action subsequently listed here as a public hearing, the comment should be provided at the time of the public hearing.

The public can participate in-person or submit written comments in advance. Participants can submit written comments via mail, fax, or email. All written comments must be received prior to 5:00 p.m. on the day before the scheduled meeting and must be 350 words or less.

Please mail written comments to:
City of Auburn
Attn: Tammy Gallier, Administrative Specialist
25 W Main St
Auburn, WA 98001

Please fax written comments to:
Attn: Tammy Gallier, Administrative Specialist
Fax number: 253-804-3114

Email written comments to: tgallier@auburnwa.gov

If an individual requires accommodation to allow for remote oral comment because of a difficulty attending a meeting of the governing body, the City requests notice of the need for accommodation by 5:00 p.m. on the day before the scheduled meeting. Participants can request accommodation to be able to provide a remote oral comment by contacting the Community Development Department in person, by phone (253) 931-3090 or by email (tgallier@auburnwa.gov).

APPROVAL OF MINUTES

- A. December 3, 2024 Draft Minutes from the Regular Planning Commission Meeting

OTHER BUSINESS

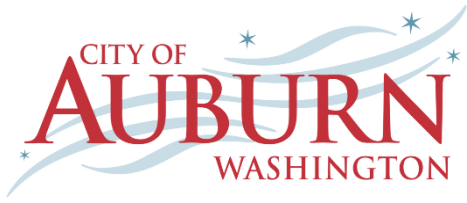
- A. Planning Commission Chair and Vice Chair Selection for 2025
- B. Planning Commission Rules and Procedures (Teague)
Staff to present the amended Rules and Procedures for 2025

COMMUNITY DEVELOPMENT REPORT

ADJOURNMENT

The City of Auburn Planning Commission is a seven member advisory body that provides recommendations to the Auburn City Council on the preparation of and amendments to land use plans and related codes such as zoning. Planning Commissioners are appointed by the Mayor and confirmed by the City Council.

Actions taken by the Planning Commission, other than approvals or amendments to the Planning Commission Rules of Procedure, are not final decisions; they are in the form of recommendations to the City Council which must ultimately make the final decision.



AGENDA BILL APPROVAL FORM

Agenda Subject:

December 3, 2024 Draft Minutes from the Regular Planning Commission Meeting

Meeting Date:

January 7, 2025

Department:

Community Development

Attachments:

December 3, 2024 Minutes

Budget Impact:**Administrative Recommendation:****Background for Motion:****Background Summary:****Councilmember:**

Staff: Jason Krum



**Planning Commission
Regular Meeting
December 3, 2024 - 6:30 PM
City Hall Council Chambers**

MINUTES

PUBLIC PARTICIPATION

The City of Auburn Planning Commission Meeting was held in person and virtually.

CALL TO ORDER

Vice Chair Stephen Phillips called the meeting to order at 6:30 p.m. in the Council Chambers of Auburn City Hall, 25 West Main Street.

ROLL CALL

Commissioners present: Vice Chair Phillip Stephens, Julie Berry, Kent Sprague, William Stewart, Aaron VanderPol, and Lynn Walters. Commissioner Aaron VanderPol arrived at 6:31 p.m. Chair Judi Roland was excused.

Staff members present: Planning Services Manager Alexandria Teague, Senior City Staff Attorney Taryn Jones, Director of Community Development Jason Krum, Planner Alyssa Tatro, Utilities Engineering Manager Ryan Vondrak, Water Utility Engineer Senait Gebreeyesus, Acting Deputy City Clerk Gerri Blackwell, and Deputy City Clerk Hannah Scholl.

PLEDGE OF ALLEGIANCE

Vice Chair Stephen Phillips led those in attendance in the Pledge of Allegiance.

AGENDA MODIFICATIONS

There were no agenda modifications.

AUDIENCE PARTICIPATION

No public comments were received.

APPROVAL OF MINUTES

- A. October 8, 2024 Draft Minutes from the Regular Planning Commission Meeting

Commissioner Sprague moved and Commissioner Berry seconded to approve the October 8, 2024, Meeting Minutes.

MOTION CARRIED UNANIMOUSLY. 6-0

- B. October 23, 2024 Draft Minutes from the Special Planning Commission Meeting

Commissioner Sprague moved and Commissioner Berry seconded to approve the October 23, 2024, Meeting Minutes.

MOTION CARRIED UNANIMOUSLY. 6-0

INTRODUCTION

- A. 2024 Comprehensive Plan - Planning Commission (Teague)
Brief overview of tonight's agenda items.

PUBLIC HEARING

- A. Water Plan (Vondrak)
Planning Commission deliberation and action on the proposed changes to the Capital Facilities Element

Vice Chair Phillips opened the Public Hearing at 6:34 p.m.

Engineer Gebreeyes provided the Commission with a presentation on the Water Plan including a recap of the Plan, Water System Service Area details, King County Appeals process, and planning data. She also discussed the System Analysis and Asset Management including the Department of Health Regulatory Compliance updates, and Tacoma Water Intertie Capacities. She discussed the Source Water Rights including the Department of Ecology Water Rights, and the Water Use Efficiency Program. She provided an overview of the Capital Improvements Plan, Financial update, Water System Policies, and next steps. Manager Vondrak discussed the necessary upgrades causing the rate increase, and advised Auburn water rates are comparable to other jurisdictions.

The Commission discussed Braunwood Well Water Rights, and Water Rates, and future rate fluctuations.

In-Person Comments:

Bruce Parker - Auburn, WA

Bruce discussed new Water Wells and possible locations.

Vice Chair Phillips closed the Public Hearing at 7:08 p.m.

Commissioner Sprague moved and Commissioner Berry seconded, to provide the recommended Water Plan move forward to the City Council for approval.

5-1. Commissioner Stewart voted no.

OTHER BUSINESS

- A. Capital Facilities Element (Tatro)
Planning Commission deliberation and action on the proposed changes to the Capital Facilities Element

Planner Tatro provided the Commission with a recap on the core changes of the Capital Facilities Element.

Commissioner Stewart moved and Commissioner Sprague seconded to provide the recommended Capital Facilities Element updates to City Council for approval.

MOTION CARRIED UNANIMOUSLY. 6-0

- B. Utilities Element (Tatro)
Planning Commission deliberation and action on the proposed changes to the Utilities Element

Planner Tatro provided the Commission with a recap on the core changes of the Utilities Element.

The Commission discussed natural gas requirements.

Commissioner Walters moved and Commissioner Sprague seconded to provide the recommended Utilities Element updates to City Council for approval.

MOTION CARRIED UNANIMOUSLY. 6-0

- C. Land Use and Housing Element (Tatro)
Planning Commission deliberation and action on the proposed changes to the Housing and Land Use Element

Planner Tatro provided the Commission with a presentation on the Land Use Housing Element updates including public comments received and staff responses, updates, and next steps.

The Commission discussed public comments, updates made, and Accessory Dwelling Units (ADUs).

Commissioner Sprague moved and Commissioner VanderPol seconded to provide the recommended Land Use and Housing Elements updates to City Council for approval.

MOTION CARRIED UNANIMOUSLY. 6-0

- D. 2024 Period Comprehensive Plan Update Package 2 (Teague)
Planning Commission deliberation and action on the elements contained in package 2: Transportation Plan, Sewer Plan, Stormwater Plan, Water System Plan, PROS Plan, Parks Element, Capital Facilities Element, Utilities Element, Transportation Element

Manager Teague provided the Commission with an update on the 2024 Periodic Comprehensive Plan Package No. 2, including a recap of the entire update process. She thanked the Commissioners for their help and contributions.

The Commission discussed community outreach, and thanked staff for all of their hard work.

Commissioner Stewart moved and Commissioner Walters seconded to provide the recommended 2024 Period Comprehensive Plan Package No. 2 to City Council for approval.

MOTION PASSED UNANIMOUSLY. 6-0

COMMUNITY DEVELOPMENT REPORT

Manager Teague provided the Commission with a Community Development Report including an update on the Auburn Downtown Plan, Auburn City Code clean-up process, State Environmental Policy Act (SEPA) Regulations review, Battery Energy Storage Systems, and an upcoming review of the Commission's Rules of Procedure. She also thanked Vice Chair Stephens for his contributions to the Planning Commission.

The Commission discussed Battery Energy Storage Systems, the Rules of Procedure, and the next meeting date. Staff and Commissioners thanked Vice Chair Stephens for all his hard work during his time on the Planning Commission Board.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:53 p.m.

APPROVED this 7th day of January, 2025.

Phillip Stephens, Vice Chair

Gerri Blackwell, Acting Deputy City Clerk

CITY OF AUBURN

PLANNING COMMISSION

RULES OF PROCEDURE

ADOPTED NOVEMBER, 1983

REVISED NOVEMBER, 1988

UPDATED APRIL, 2000

REVISED FEBRUARY, 2007

REVISED APRIL 2, 2013

REVISED MARCH 8, 2016

REVISED May 2, 2017

REVISED February 6, 2018

REVISED, 2018

REVISED June 5, 2018

REVISED March 5, 2019

REVISED March 3, 2020

REVISED June 8, 2021

REVISED May 3, 2022

REVISED March 7, 2023

REVISED JUNE 4, 2024

REVISED December 17, 2024

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PLANNING COMMISSION - RULES OF PROCEDURE

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CITY OF AUBURN PLANNING COMMISSION

RULES OF PROCEDURE

We, the members of the Planning Commission of the City of Auburn, do hereby adopt, publish, and declare the following Rules of Procedure:

I. NAME:

The official name of the City of Auburn advisory planning agency shall be "The City of Auburn Planning Commission." The membership and terms of office of the members of the Planning Commission shall be as provided in Chapter 2.45 of the Auburn City Code (ACC).

II. MEETINGS:

1. All meetings will be held at the Auburn City Hall, Auburn, Washington, unless otherwise directed by the Secretary or Chair of the Planning Commission. Commissioners shall attend in person at the notified location unless the Chair consents to remote attendance by a member(s).

If after a declaration of an emergency by the mayor, governor, or the federal government, the Chair determines that a meeting in-person with public attendance cannot be held with reasonable safety due to the emergency, the Chair may order the meeting held at a site other than City Hall, held remotely without a physical location, or held with limitations on the physical attendance of some or all members of the public. At any such meeting, the Commission may determine if future meetings will be held in the same manner until the declaration is terminated or the Commission determines that an in-person meeting with public attendance is reasonably safe. Remote or partially remote meetings shall comply with RCW 42.30.230.

"remotely" and "remote attendance" means attending a meeting virtually or using an internet connection where all persons attending the meeting in any manner can hear one another, including telephonic connections and broadcasting the meeting.

- ~~2a. Through 2024 regular meetings shall be held on the Tuesday following the first and third Monday of each month and shall be open to the public. The meeting shall convene at 6:30 P.M. unless otherwise directed by the Secretary or the Chair.~~
- 2b. ~~Starting in 2025 r~~Regular meetings shall be held on the Tuesday following the first Monday of each month and shall be open to the public. The meeting shall convene at 7:00 P.M. unless otherwise directed by the Secretary or the Chair.
- ~~3a. Through 2024 if the first or third Monday of the month is a legal holiday, the regular meeting shall be held on the following Wednesday. If a regular meeting day (Tuesday) falls on a legal holiday or on the November General Election, the Commission will convene on the following Wednesday.~~
- 3b. ~~Starting in 2025 if~~If the first Monday of the month is a legal holiday, the regular meeting shall be held on the following Wednesday. If a regular meeting day (Tuesday) falls on a legal holiday or on the November General Election, the Commission will convene on the following Wednesday.
4. Special meetings of the Planning Commission may be called by the Chair. Special meetings of the Planning Commission may also be called by any three members of the Commission. A minimum notice of 24 hours shall be provided for special meetings in accordance with State law.
5. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Secretary or Chair provided at least 24 hours in advance.
6. Except as modified by these Rules of Procedure, Robert's Rules of Order, Newly Revised, most current version, shall govern the conduct of the meetings.
7. Meetings of the Planning Commission shall be conducted in conformity with the requirements of the Washington State Open Public Meetings Act, Chapter 42.30 of the Revised Code of Washington (RCW). Executive sessions can only be held in accordance with the provisions of Section 42.30.110 RCW.
8. The Planning Commission may conduct business in closed session as allowed in conformity with Section 42.30.140 RCW.
9. An agenda shall be prepared in advance of every regular and special meeting of the Planning Commission. Meeting agendas and materials

on items on an agenda for a regular meeting shall be provided to members of the Planning Commission not less than five (5) days in advance of the regular meeting. Meeting agendas and materials on items on an agenda for a special meeting shall be provided to members of the Planning Commission as promptly in advance of the meeting as can reasonably be accomplished.

10. At all meetings of the Commission, commissioners are prohibited from using cell phones or other personal communication devices, and shall not send or receive and read e-mails, text messages, or any other social media postings.

III. ELECTION OF OFFICERS:

1. The officers of the Commission shall consist of a Chair and Vice Chair elected from the appointed members of the Commission and such other officers as the Commission may, by the majority vote, approve and appoint.
2. The election of officers shall take place once each year at the Commission's first regular meeting of each calendar year, or as soon thereafter as possible. The term of office of each officer shall run until the subsequent election.
3. If the Chair or Vice-Chair vacates their position mid-term, the Planning Commission will re-elect officers at their next scheduled meeting and as their first order of business. If it is the Chair position that has been vacated, the Vice-Chair will administer the election proceedings.

IV. CHAIR:

1. The Chair shall preside over the meetings of the Commission and may exercise all the powers usually incident of the office. The Chair shall be considered as a member of the Commission and have the full right to have his/her own vote recorded in all deliberations of the Commission.
2. The Chair shall have the power to create temporary committees of one, two or three members. Standing committees of the Commission shall be created at the direction of the Commission and appointed by the Chair. Standing or temporary committees may be charged with such duties, examinations, investigations and inquiries relative to one or more subjects of interest to the Commission. No standing or temporary committee shall have the power to commit the Commission to the endorsement of any plan or program without the approval at the regular or special meeting of the Commission.

3. The Vice Chair shall in the absence of the Chair, perform all the duties incumbent upon the Chair.
4. In the event of the absence of the Chair and Vice Chair, the senior member of the Commission present shall act as Chair for that meeting or may delegate the responsibility to another member.

V. SECRETARY:

The Community Development Director (“Director”), or his/her appointee, shall act as the Secretary for the Planning Commission and shall keep a record of all meetings of the Commission and its committees. These records shall be retained at the Community Development Department and by the City Clerk.

All public hearings shall be electronically recorded verbatim and may be transcribed upon request of the Director, City Attorney, the majority of the Commission, or City Council. Transcriptions may be requested by other parties, in which case, the costs of transcription shall be borne by the requesting party.

The City Clerk shall record the meeting minutes, which shall be action minutes that include the meeting date, time, and place; commissioner attendance; and official acts taken at the meeting. The Clerk shall prepare the minutes in writing and present them to the Commission for correction and approval.

VI. QUORUM:

A simple majority of the appointed members shall constitute a quorum for the transaction of business. A simple majority vote of the quorum present shall be sufficient to take action on the matters before the Commission; provided that if at any time during the meeting, a quorum is no longer present, the Commission may not take action on any matter.

VII. ABSENCE OF MEMBERS:

Participation in Planning Commission responsibilities is essential; not only so that a quorum can be established, but to also ensure that discussions and decision making are as representative of the community as possible. Recurring absence also diminishes a member’s ability to vote on matters discussed during prior meetings. It is therefore important for all appointed members to participate to the maximum extent possible. If a member is unable to participate on a regular basis, it may be appropriate for a member to be replaced. This section of the rules is intended to provide standards that ensure that the regular absence of one member does not become disruptive to, or impede the work of, the full Commission.

In the event of a member being absent for two (2) consecutive regular meetings, or being absent from 25% of the regular meetings during any calendar year, without being excused by the Chair, the Chair may request that the Mayor ask for his or her resignation. To be excused, members must inform the planning commission’s secretary in advance if they cannot attend a scheduled meeting.

VIII. ACTIONS DEFINED:

The rules of the Commission impose different requirements according to the type of action before the Commission.

1. Legislative actions are those which affect broad classes of people of the whole City. These actions include adopting, amending, or revising comprehensive, community, or neighborhood plans, or other land use planning documents or the adoption of area wide zoning ordinances or the adoption of a zoning ordinance amendment that is area wide in significance.
2. Quasi-judicial actions of the Planning Commission are those actions which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions include actions that would otherwise be administrative or legislative if applied more widely or city-wide, rather than affecting one or a small number of persons or properties. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of general or area-wide significance.
3. Organizational actions are those actions related to the organization and operation of the Commission. Such actions include adoption of rules, directions to staff, approval of reports, election of officers, etc.

IX. AGENDA:

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

1. CALL TO ORDER
 - a) Roll Call/Establishment of Quorum
 - b) Pledge of Allegiance
2. Approval of Minutes
3. Public Hearings
4. Other Business Items as Appropriate
5. Community Development Report
6. Adjournment

Additional items may be added to the agenda by the Planning Commission. The Chair shall have the discretion to amend the order of business.

X. PUBLIC HEARINGS:

The procedure for conducting all public hearings will be as follows:

1. Chair opens the public hearing and establishes whether the proponent, if applicable, is in attendance.
2. Staff Report.
3. Testimony of Proponent, if applicable. Persons addressing the Commission, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes, in addition to filling out the speaker sign in sheet available at the Secretary's desk. All remarks will be addressed to the Commission as a whole. The Secretary shall serve as timekeeper. The Presiding Officer may make exceptions to the time restrictions of persons addressing the Commission when warranted, at the discretion of the Presiding Officer.
4. Chair calls for other testimony, either for or against. Testimony must be called for three times. The Chair shall have the discretion to set time limits on individual public testimony.
5. All testimony and comments by persons addressing the Commission shall be relevant and pertinent to issues before the Commission's public hearing. The Chair shall have the discretion to rule on the relevance of individual public testimony.
6. Questions of staff or persons presenting testimony. Questions by Planning Commissioners that are intended for persons who have provided testimony shall be directed through the Chair. Questions to persons who have provided testimony shall be relevant to the testimony that was provided.
7. Chair closes public hearing.
8. A public hearing may be reopened by motion duly seconded and approved by a majority vote to accept additional testimony.
9. Deliberation.
10. Voting:
 - A. The Chair shall call for a vote.

- B. Members shall vote by voice, unless a member is unable to do so or a member requests a vote by show of hands. If unable to vote by voice, a member shall make a clear expression of the member's vote through raising a hand, sending an electronic message or electronic signal that can be seen by all other commissioners simultaneous with the vote, or other similarly clear and timely action. Any member, including the Chair, not voting or submitting an unclear vote shall be recorded as voting in the negative.
- C. The Chair or a Commission member may request that the Secretary take a roll call vote or a vote by show of hands. Also, to ensure an accurate record of voting, the Secretary may take either on his/her own initiative.
- D. A member may abstain from discussion and voting on a question because of a stated conflict of interest or appearance of fairness. If any member of the Planning Commission wishes to abstain, or has disclosed a conflict of interest and must abstain from a vote, that member shall so advise the Commission, shall remove and absent himself/herself from the deliberations, and considerations of the matter, and shall have no further participation in the matter. The member should make this determination prior to any discussion or participation on the subject matter or as soon thereafter as the member perceives a need to abstain. A member may confer with the City Attorney to determine if the member is required to abstain.

If the intended abstention can be anticipated in advance, any conference with the City Attorney should occur prior to the meeting at which the subject matter would be coming before the Planning Commission. If that cannot be done, the member should advise the Chair that he/she has an "abstention question" that he/she wants to review with the City Attorney, in which case, the Chair shall call a brief recess for that purpose before proceeding further.

- E. If a tie vote exists, after recording the Chair's vote, the motion fails. However, a motion for denial that fails on a tie vote shall not be considered an approval.
- F. No member may participate in any decision if the member had not reviewed the staff reports and testimony presented at the hearing on the matter. Such member may, however, listen to the recording of the hearing in order to satisfy this requirement.

11. Continuing an Item:

If the Commission wishes to continue a public hearing item, the Chair should open the public hearing, solicit testimony, and request a motion from the Commission to continue the public hearing item to a time, place, and date certain. If any matter is tabled or postponed without establishing a date, time, and place certain, the matter shall be scheduled for a hearing pursuant to the appropriate noticing procedure in the Auburn City Code and the day, time, and place shall be those defined in these rules for regular meetings of the Commission.

The secretary shall conspicuously post notice that a hearing has been continued and the date, time, and location of the continued hearing on the City's website and at or near the place where the continued meeting was held.

12. Findings of Fact:

The Commission should adopt findings of fact and conclusions for actions taken involving public hearing items. The findings and conclusions may be approved by any one of the following methods:

- A. The Commission may adopt in whole, in part, or with amendments, the written findings prepared by staff. Motions to approve the staff recommendations shall be deemed to incorporate such findings and conclusions unless otherwise indicated. Such findings and conclusions do not have to be read in order to be deemed a part of the record.
- B. The motion to take action may adopt oral finding of fact statements made by Commission members or staff during the hearing or deliberation.
- C. The motion to take an action may direct that additional written findings and conclusions be developed based on the hearing and deliberation of the Commission.
- D. Findings and conclusions may be approved or amended at any time by the Planning Commission, but all such actions shall be based on the record of the matter at hand.

13. Order of Hearings:

Normally the order of hearings shall be as published in the agenda. However, the Chair in order to avoid unnecessary inconvenience to people wishing to testify, or the late arrival of a proponent, may change the order as may be necessary to facilitate the meeting. If the

proponent does not appear at the public hearing, the Planning Commission may continue the public hearing until the next meeting in order to ensure adequate consideration of the proposal. However, in such case the Chair shall take whatever testimony that may be given before accepting a motion to continue pursuant to Section (8).

14. Hearing Record

A. The “record” for a public hearing shall consist of all testimony or comment presented at the hearing and all documents or exhibits that have been submitted, according to these rules, in connection with the matter being considered. Specifically, the record shall include, but not limited to the following:

- Recordings of a hearing;
- The hearing agenda, attendance sheet(s), and the Secretary’s minutes;
- All final staff recorded testimony, presentations, documents, maps, reports, memos, and other staff-produced evidence submitted to the Commission to assist it make a decision or recommendation regarding the agenda topic that is the subject of the hearing subject matter;
- All submissions to the City by the proponent of the hearing subject matter;
- The Planning Commission’s findings of fact and formal recommendation, and record of any other action taken by the Commission;
- Any document publicly cited by the Commission or a Commission member in connection with a decision or recommendation.

B. Anyone wanting to submit into the record physical evidence (e.g. documents, letters, photographs, maps) shall provide the evidence to the Secretary. Persons may submit evidence by email or other electronic means to:

Planning@auburnwa.gov

or by post mail to:

Secretary of the Planning Commission
Community Development Dept.
City of Auburn
25 West Main Street
Auburn, WA 98001-4998

Additionally, a person may submit evidence into the record at the public hearing. However, Commission members may not be able to consider evidence that is submitted at the time of the hearing. The Secretary will enter the evidence into the record without the necessity of it being read into the record and shall make note in the minutes that the evidence was entered. Persons submitting evidence are discouraged from reading verbatim the evidence at a hearing; they are encouraged rather to summarize such evidence during testimony. It may not be possible to copy evidence submitted at the time of a hearing. All material submitted to the record by whatever means may be subject to disclosure to the public under the Public Records Act, RCW 42.56.

- C. The Planning Commission will accept evidence into the record prior to the date and time of the close of the public hearing. The Commission may close the record at an earlier time upon approval by a majority of the Commission. If the Commission reopens a hearing, the record shall also be reopened to submission of evidence. The Commission may accept evidence into the record after close of a hearing if it has not already adopted a recommendation or decision on the matter being considered and if a majority of the Commission finds that the Commission would substantially benefit from the material being submitted into the record.
- D. All evidence shall be suitable for copying for distribution (e.g. will be legible and on paper not exceeding 8-1/2 x 14 inches in size, except diagrams or drawings) and shall identify at the top of the first page or on a cover sheet the date(s) of the public hearing, the date the evidence was submitted, and the submitter's contact information. All pages shall be consecutively numbered, regardless of the number of different documents submitted. Any submitted material proposing revisions to Auburn City Code shall show the revisions by striking out the text proposed to be removed from the code (e.g. ~~for example~~) and underlining text proposed to be added to the code (e.g. for example).
- E. Submitted evidence must consist of less than 100 pages, unless a majority of the Commission approves accepting submissions exceeding that number. If the Commission does not approve, a person submitting evidence exceeding this page number shall have 3 business days from the close of the hearing to comply with the page limit. Evidence submitted by the city is not subject to this page limitation.

- F. All digital or electronic submissions shall be sent to the Commission Secretary as an attachment to an email and may not exceed 20 megabytes. The email shall state the hearing date and topic that the digital documents regard. Submissions larger than 20 megabytes shall be transmitted by a different electronic method pre-arranged with the Secretary. The digital or electronic evidence shall be in portable document format (PDF) and otherwise meet the requirements for physical evidence (e.g. consist of no more than 100 pages, be consecutively paginated, etc.). No audio or video evidence will be accepted without prior consent of a majority of the Commission. Evidence submitted by email shall be considered received at the date and time the email arrives in the Secretary's email box, or the date and time of a delivery receipt if one is requested by the sender. If desired, it is the sender's responsibility to remove metadata from digital submissions.

XI. PUBLIC COMMENT AND CONDUCT:

1. In any meeting when the Commission takes final action, the Commission shall provide an opportunity for the submission of written comment at or before its meeting and oral comment during the meeting.

"Final action" means a collective positive or negative decision, or an actual vote by a majority of Commission members on a motion, proposal, resolution, or order.
2. Persons may address the Commission by filling out a speaker sign-in sheet (available at the entrance to the room or from the staff) and when recognized by the Chair, stepping to the podium, lectern, or table designated by the Chair for speaking.
3. Public remarks will be limited to 3 minutes unless the Chair consents to an extension of time. Speakers may not "donate" their speaking time to others. Comments will be addressed to the Commission as a body and not to individual commissioners.
4. Public comment at a meeting is reserved for topics that are not the subject of a public hearing being conducted at that same meeting. Persons may comment on public hearing topics at the time for testimony during the public hearing.
5. Written public comments not submitted for a public hearing, shall be submitted to the Secretary no later than 3 business days before the meeting for which the comments will be distributed. Written comments shall be limited to 1,000 words of 12-point font. Any related diagrams,

pictures, or drawings will be limited to three pages. Once submitted, the secretary shall distribute the written comments to the commissioners for consideration.

6. These rules are intended to promote an orderly system of holding public meetings and public hearings. Any person who causes a disruption by making personal, impertinent or slanderous remarks or noises, by using speech intended to incite fear of violence, by failing to comply with the allotted time established for the individual speaker's public comment, by yelling or screaming in a manner that prevents the Commission from conducting the meeting, or by other disruptive conduct while addressing the Commission at a public hearing may be barred from further participation by the Chair, unless permission to continue is granted by a majority vote of the Commission.
7. No comments shall be made from any other location other than the podium, lectern or table set up for people to address the Commission at a public hearing, unless approved in advance by the Chair, and anyone making irrelevant, distracting, or offensive comments or noises that are disruptive may be subject to removal from the meeting.
8. Demonstrations, disruptive applause, other disruptive behavior, or audience interruption during anyone's presentation are prohibited. It is distracting to the Commission, the audience, and persons testifying and renders orderly conduct of the meeting unfeasible.

XII. CONFLICT OF INTEREST:

1. Any member of the Commission who in his or her opinion has an interest in any matter before the Commission that would tend to prejudice his or her actions shall publicly indicate, step down and leave the meeting room until the matter is disposed. A member need only be excused from legislative or organizational action if the potential conflict of interest is direct and substantial.
 - A. No member of the Planning Commission may use his or her position to secure special privileges or exemptions for himself, herself, or others.
 - B. No member of the Planning Commission may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.

- C. No member of the Planning Commission may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.
- D. No member of the Planning Commission may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.
- E. No member of the Planning Commission may take any action that is prohibited by Chapter 42.23 RCW or any other statutes identifying conflicts of interest.

2. Appearance of Fairness:

Commission members shall strive to follow, in good faith, the Appearance of Fairness Doctrine as established under Washington State Law as it applies to quasi-judicial decisions (RCW 42.36) even for legislative actions before the Commission. The doctrine includes but is not limited to the following:

- A. Members shall avoid communicating in respect to any proposal with any interested parties, other than staff, outside of public hearings. Written communication from an interested party to a member may be permitted provided that such communication is made part of the record.
- B. Members shall avoid drawing conclusions regarding decisions until after the public hearing is closed.
- C. Members shall avoid participating in decisions which affect their or any family member's property, personal or business interest, or organization.
- D. Members shall avoid participating in decisions in which a preconceived bias or conclusion has been formed in the mind of the member prior to the hearing.
- E. If any concern relating to Items A through D- should arise, the affected member shall declare at the start of the public hearing on the matter, the extent of such concern and whether the member's decision has been influenced. If the member has been influenced, or if the extent of the concern is significant, the

member shall be excused by the Chair from the meeting room and his vote recorded as an abstention.

If, under these rules, a quorum would be excused from the meeting, the Chair in order to establish a quorum, shall under the rule of necessity, permit sufficient members (beginning with those who are least affected by these rules) to participate in the decision.

These rules are intended to be consistent with RCW 42.36. In the case of any conflict, RCW 42.36 or applicable case law shall govern.

XIII. AMENDMENT:

The Rules of Procedure may be amended at any regular meeting of the Commission by a majority vote of the entire membership. The proposed amendment should be presented in writing at a preceding regular meeting. By a two-thirds affirmative vote of the quorum present at a meeting, the Commission may suspend the rules as authorized by Robert's Rules of Order, except when such suspension would conflict with state law or city ordinance.