



PLANNING COMMISSION MEETING

March 8, 2016
AGENDA

I. CALL TO ORDER – 7:00 p.m., Council Chambers

II. ROLL CALL/ESTABLISHMENT OF QUORUM (Pledge of Allegiance)

III. APPROVAL OF MINUTES

A. February 2, 2016

IV. PUBLIC COMMENT

Comment from the audience on any item not listed on the agenda for discussion or public hearing.

V. PLANNING DEPARTMENT REPORT

Update on Planning and Development Department activities.

VI. PUBLIC HEARING

No items were brought forward for public hearing.

VII. OTHER BUSINESS

A. Keeping of Domestic Fowl* (Gouk)

Summary: Staff to return with information for the Planning Commission to review regarding the regulations of domestic fowl.

B. Modification of Rules and Procedures* (Tate)

Summary: Review and discuss modifications to the Planning Commission Rules and Procedures.

C. Parliamentary Procedures* (Heid)

D. Pending Annual Amendments to Comprehensive Plan Map* (Dixon)

VIII. ADJOURNMENT

The City of Auburn Planning Commission is an eight 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 are not final decisions; they are in the form of recommendations to the City Council who must ultimately make the final decision.



DRAFT
PLANNING COMMISSION

February 2, 2015

MINUTES

I. CALL TO ORDER

Chair Judi Roland called the meeting to order at 7:00 p.m. in the Council Chambers located on the first floor of Auburn City Hall, 25 West Main Street, Auburn, WA.

II. ROLL CALL/ESTABLISHMENT OF QUORUM

Planning Commission Members present were: Chair Judi Roland, Vice-Chair Copple, Commissioner Mason, and Commissioner Lee. Commissioner Smith is excused.

Staff present included: Assistant City Attorney Jessica Leiser; Assistant Director of Community Development Jeff Tate; Planning Services Manager Jeff Dixon, Senior Planner Thaniel Gouk and Community Development Administrative Assistant Tina Kriss.

Members of the public present: Shirley Chittenden

III. APPROVAL OF MINUTES

A. December 8, 2015

Commissioner Copple moved and Commissioner Smith seconded to approve the minutes from the December 8, 2016 meeting as written.

MOTION CARRIED UNANIMOUSLY. 4-0

IV. PUBLIC COMMENT

There were no public comments on any item not listed on the agenda for discussion or public hearing.

V. PLANNING DEPARTMENT REPORT

Assistant Director of Community Development Jeff Tate provided the following updates to the Commission:

- Auburn City Council, under Resolution No. 5188, adopted the Comprehensive Plan on January 4, 2016. The City council had a lot of positive feedback for the work of everyone, including, and especially the Planning Commission. The next steps by staff are to update the development regulations to implement the Comprehensive Plan concepts among other changes.
- On January 4, 2016 City Council adopted Resolution No. 5194, establishing a moratorium on the allowance, acceptance or processing of applications for retail establishments of marijuana/cannabis. The moratorium does not include processors or producers of marijuana/cannabis and related products. Under the city's previous regulations the City was able to issue two retail licenses in Auburn. In the course of the last year through state legislature and through actions of the Washington State Liquor and Cannabis Board they have removed

the limitation on the number of retail licenses. City Council has enacted a moratorium to not allow additional retail establishments until the city has the ability to navigate through this issue of the potential for an unlimited number and to determine if there are local regulations or approaches that need to be put in place.

- The city recently sent out a request to citizens, through the city's broadcast email outreach, GovDelivery Service, to advertise for volunteers interested in being a Planning Commission member subject to appointment. Within 24 hours the city received 25 interested responses. On January 4, 2016, City Council confirmed the reappointments of Commissioners Lee and Smith for a three-year term ending December 31, 2018.

VI. OTHER BUSINESS

A. Keeping of Domestic Fowl

Senior Planner Thaniel Gouk presented background information to the Planning Commission regarding the Auburn City Code regulations on the city's animal code sections in general, and the regulations pertaining to domestic fowl, in particular. . The Commission and staff discussed what is addressed in the current regulations for fowl and what is not. There was discussion on several topics, such as if chicken coops should be required, proposals for the number of domestic fowl allowed per lot size, limitations on feeding, requirements for clean up and disposal of waste, and if the definition of domestic fowl should be updated.

Staff explained and referred to the memo that provides information on the multiple complaints regarding domestic fowl. After further discussion, the Commission expressed that the variety of topics suggested for regulation is likely too much and instead many issues can be handled within code compliance under the City's existing or slightly amended nuisance code and that the city may be overregulating if too many more restrictions are added to the regulations on domestic fowl.

Commissioner Copple felt it may be beneficial to limit or cap the number of domestic fowl allowed. Staff explained that consideration should be taken in limiting the number within the residential conservancy zoned portion of the city that is characterized by larger lot sizes and more rural character. The Commission asked staff to report back to the Commission and provide copies of Auburn City Code (ACC) 18.31.220, more information about previous complaints, the City received, and any proposals or information on limiting or placing a cap on the number of domestic fowl allowed.

B. Residential Heating, Ventilation and Air Conditioning Equipment

Assistant Director Tate provided background information on the issue of City's single family residential heating, ventilation and air conditioning appliances that are outside and separate from the building and the regulations under the International Residential Code (IRC) and the city's permitting requirements. Staff also discussed noise emanating from the residential equipment and reviewed the historical information on complaints received regarding the noise of this equipment

After discussing the complaints that have been received by the City of Auburn over a period of years, the Commission explained that they do not believe the number of complaints warrants any further code amendments. They do feel it would be beneficial to encourage the use of sound barriers for noise reduction.

C. Election of Officers for 2016

Chair Roland called for nominations for the election of a Chairperson and of the City of Auburn Planning Commission for the 2016 year.

Commissioner Mason nominated Commissioner Roland as the 2016 Chairperson and Commissioner Copple as Vice-Chair. Commissioner Lee seconded the nomination. There being no other nominations, Commissioner Roland was elected Chairperson and Commissioner Copple was elected as Vice-Chair of the Planning Commission by majority vote.

MOTION CARRIED UNANIMOUSLY. 4-0

D. Modification to Rules and Procedures

Assistant Director Tate provided an overview of the Rules and Procedures of the Planning Commission; last revised April 2, 2013.

The Commission and staff discussed several sections of the Rules and Procedures and Assistant City Attorney Jessica Leiser reviewed the Section VI. (Quorum). After review, the Planning Commission recommended the following changes:

- II. Meetings, 3. – Replace the word “Council” with “Commission” after staff confirms the consistency with the intent of code.
- II. Meetings, 1. – Add the Pledge of Allegiance Roll Call/Establishment of Quorum (Pledge of Allegiance).
- III. Election of Officers 3. – The Commission asked staff to review the wording to ensure the language is consistent with the intent of ACC “Planning Commission”.
- VI. Quorum – Revise the language in this section so that it is consistent with Roberts Rules regarding a quorum and voting on a motion.
- IX. AGENDA – Relabel Item 4 to read “Community Development Report” and insert it between Items numbered 6 and 7. The order of numbers 4 through 7 will change once revised.
- X. Voting, E. – The Commission instructed staff to revise or add language to clarify that “a motion to deny that fails is not an approval”.

Staff will update the Rules and Procedures and bring it back to the Commission for review at the next meeting.

Assistant Director Tate reviewed upcoming training opportunities and asked the Commission to let staff know if they have any specific subject matters for which they would like further training or education. .

VII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:28 p.m.



Memorandum

TO: Judi Roland, Chair, Planning Commission
Ron Copple, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Thaniel Gouk, Senior Planner

DATE: March 1, 2016

RE: Keeping of Domestic Fowl

At the February 2, 2016 Planning Commission, City Staff brought forward some discussion items relating to the keeping of domestic fowl (chickens, ducks, etc.) within the City. The general consensus of the Planning Commission was that the proposed regulations were not necessary, however, the Commission requested Staff to bring back some additional information for further discussion. These items were:

- 1) Provide the current Zoning Code requirements for keeping of domestic fowl.
- 2) Provide the Nuisance Code to see if these regulations already have in place the necessary enforcement provisions. If there is not enough "teeth" in this section of Code, can modifications be made so that cleaning / maintenance requirements apply to the keeping of all animals within the City?
- 3) Provide details of the 11 code complaints received related to keeping of domestic fowl since the inception of the Zoning Code regulations (adopted August 2011).

What follows is this requested information for discussion purposes.

1) Existing Domestic Fowl (Animal) Regulations

The current Code regulations for the keeping of animals (domestic fowl, dogs, horses, etc.) are located in Chapter 18.04 ACC 'Definitions' and Chapter 18.31 ACC 'Supplemental Development Standards'. The applicable Code text is as follows:

18.04.325 Domestic fowl.

"Domestic fowl" includes all species of chickens, turkeys, geese, and ducks.

18.04.495 Household pet.

"Household pet" means a domesticated animal of ordinary species that lives, or is commonly known to be capable of living, within the confines of a residence. Animals considered to be common household pets include but are not necessarily limited to the following: do

gs, cats, rabbits, indoor birds, small rodents, and fish, miniature goats, potbelly pigs, and domestic fowl. Animals not considered to be common household pets include but are not necessarily limited to the following: horses, cows, goats, sheep, swine, donkeys, full-size swine, full-size goats, endangered or exotic species and any similar species.

18.04.622 Miniature goat.

“Miniature goats” include species of goats commonly known as pygmy (*Capra hircus hircus* pygmy), or Nigerian dwarf (*Capra hircus hircus* nigerian dwarf) and miniature goats.

18.04.742 Potbelly pig.

Miniature “potbelly pigs” are that type of swine commonly known as Vietnamese, Chinese, or Asian potbelly pig (*Sus scrofa bittatus*).

18.31.220 Permitted animals.

A. Domestic Fowl. Domestic fowl may be kept as small animals if the owner complies with the following:

1. Roosters are not permitted.
2. Structures housing domestic fowl must comply with accessory structure setbacks applicable in the zoning district where the shelter is to be located.
3. Up to four domestic fowl can be kept on lots that are at least 6,000 gross square feet in size. On lots that are larger than 6,000 gross square feet, one additional small lot domestic animal may be kept per additional 2,000 gross square feet as shown in ACC 18.31.230.
4. Please reference ACC 8.28.010 regarding noise, ACC 8.12.020 regarding nuisances, and ACC 6.24.020 regarding slaughtering.

B. Miniature Goats. Miniature Goats may be kept as small animals if they are licensed as follows:

1. Male miniature goats must be neutered.
2. All miniature goats must be dehorned.
3. Nursing offspring of miniature goats licensed according to the provisions of this code may be kept until weaned, but no longer than 12 weeks from birth.
4. Shelter location must comply with accessory structure setbacks applicable in the zoning district where the shelter is to be located.
5. Licensing must be done in accordance with ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.
6. Up to two miniature goats are allowed on lots that are at least 12,500 gross square feet in size. On lots that are greater than 12,500 gross square feet, one additional medium size domestic animal may be kept per additional 7,500 gross square feet as shown in ACC 18.31.230.
7. Please reference ACC 8.28.010 regarding noise, ACC 8.12.020 regarding nuisances, and ACC 6.24.020 regarding slaughtering.

C. Potbelly Pigs. Miniature potbelly pigs may be kept as a small animal; provided, that no swine that is greater than 22 inches in height at the shoulder or more than 150 pounds in weight may be kept in the city.

1. Nursing offspring of potbelly pigs licensed according to the provisions of this code may be kept until weaned, but no longer than 12 weeks from birth.
2. Shelter location must comply with accessory structure setbacks applicable in the zoning district where the shelter is to be located.
3. Licensing must be done in accordance with ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.

4. Two potbelly pigs can be kept on lots that are at least 12,500 gross square feet in size. On lots that are greater than 12,500 gross square feet, one additional medium size domestic animal may be kept per additional 7,500 gross square feet as shown in ACC 18.31.230.
5. Please reference ACC 8.28.010 regarding noise, ACC 8.12.020 regarding nuisances, and ACC 6.24.020 regarding slaughtering.

18.31.230 Table of allowed districts.

The allowable numbers of animals permitted outright, provided the minimum lot size is met, are detailed in the following table. The specified minimum lot sizes are absolute requirements. No variances, waivers, and/or modifications under the Auburn City Code may be granted. The keeping of animals that require lesser lot size is allowed to be cumulative, when lot size requirements have been met. Licensing of pets and animal control is governed by ACC Title 6, Animals, which incorporates the provisions of King County Code Title 11, Animal Care and Control.

	RC	R-1	R-5	R-7	R-10	R-16	R-20	RO	C-1	C-2	C-3
Goats	Y	Y	Y	Y	C*	C*	C*	N	N	N	Y
Pigs	Y	Y	Y	Y	C*	C*	C*	N	N	N	Y
Chickens	Y	Y	Y	Y	C*	C*	C*	N	N	N	Y

Y = Yes

N = No

C = Conditional

*Permitted as an outright use if more than 50 percent of the property is not covered with impervious surface. If the property is more than 50 percent covered with impervious surface then the applicant must apply for an administrative use permit pursuant to Chapter 18.64 ACC. These applications will not be processed as conditional use permits.

Type of Animal	Maximum Number of Animals Permitted Outright
Household pets: dogs, cats, rabbits, caged indoor birds, small rodents, and if weighing less than 10 pounds any nonvenomous reptiles and amphibians.	4* per dwelling or commercial building regardless of lot size. A pet license is required for each cat or dog.
Domestic fowl.	4 on lots that are at least 6,000 gross sq. ft. in size. On lots that are larger than 6,000 gross sq. ft., 1 additional small lot domestic animal may be kept per additional 2,000 gross sq. ft.
Medium size animals: potbelly pigs, and miniature goats that are smaller than 24 inches at the shoulder and/or not more than 150 pounds in weight.	2 on lots that are at least 12,500 gross sq. ft. in size. On lots that are greater than 12,500 gross sq. ft., 1 additional medium lot domestic animal may be kept per additional 7,500 gross sq. ft.
Large size animals: horses, ponies, donkeys, cows, standard size goats, llamas, oxen, standard size pigs.	2 on lots that are at least 1 gross acre in size. On lots that are larger than 1 gross acre, 1 additional large lot domestic animal may be kept per additional 21,780 sq. ft.

*Includes foster animals.

If Planning Commission feels that these Code provisions are adequate, Staff would still like to propose a cleanup and merge of Sections 18.31.220 and 18.31.230 for better usability.

2) Existing Nuisance Code Regulations

The Public Nuisance Code Section is in Chapter 8.12 ACC, and specifically the Code text for requiring cleaning and maintenance for animals reads as follows:

8.12.020 Nuisances affecting public health and safety.

Acts or omissions, places, conditions and things or uses that injure or endanger the safety, health, welfare, comfort or general well being of the general public or the environment, are declared to be public nuisances. Public nuisances include, but are not limited to, the following:

J. Any putrid, unsound or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal, fish or fowl, butchers' trimmings or offal, or any waste, vegetable or animal matter in any quantity, garbage, human excreta or other offensive substance; provided, nothing in this subsection shall prevent the temporary retention of waste in a manner approved by the mayor or designee;

After speaking with Code Enforcement they believe that the above Code provision is adequate for them to enforce proper cleaning and maintenance for properties that have animals.

3) Summary of Code Enforcement Complaints

As discussed in the previous Planning Commission meeting, the current regulations for the keeping of domestic fowl were adopted in August of 2011 and Staff provided a table summarizing the Code complaints received that were related to domestic fowl, using keywords such as "chicken", "fowl", "poultry", etc., with the total number of complaints being 11. The Planning Commission then asked for Staff to provide details on these complaints which Staff has provided as follows:

Case No. VIO12-0143

Complaint by neighbor about the keeping of chickens. Code Enforcement investigated and determined that the property was in compliance. Case closed.

Case No. VIO13-0146

Complaint by neighbor about "chicken smell" emanating from the subject property. Code Enforcement contact the property owner who indicated he would be more cognizant of the smell and the case was closed.

Case No. VIO13-0189

Complaint by neighbor about the keeping of chickens. Code Enforcement investigated and determined that the property was in compliance. Case closed.

Case No. VIO13-0234

Property owner was keeping chickens on a 4,700 sq.-ft. lot while the Code requires at least 6,000 sq. ft. to have chickens. The property owner removed the chickens in about a week.

Case No. VIO14-0055

Complaint received that chickens were being kept on-site, but none were observed. In either event, chickens would have been allowed.

Case No. VIO14-0105

Complaint by neighbor about the keeping of chickens. Code Enforcement investigated and determined that the property was in compliance. Case closed.

Case No. VIO14-0394

Property owner had 4 too many chickens/ducks on the property. Code Enforcement talked with the owner and 4 of the animals were removed within a week and the property brought into compliance. Case closed.

Case No. VIO15-0086

Complaint of smell and noise from chickens and shed/coop too close to the property line. Code Enforcement noticed a faint smell but no noise and the shed was moved to meet 5-ft. setback. The property was in compliance with the Code requirements for keeping chickens. Case closed.

Case No. VIO15-0243

Complaint by neighbor about the keeping of chickens. Code Enforcement investigated and determined that the property was in compliance. Case closed.

Case No. VIO15-0419

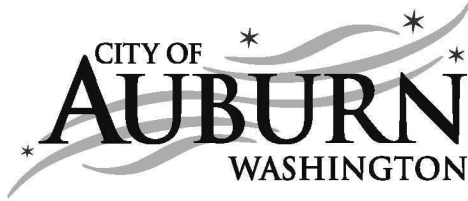
Same complaint from VIO15-0089. Complaints of smell and noise from chickens; Code Enforcement investigated, conferred with the Planning Director and City Attorney and it was determined that the property is in compliance. Case closed.

Case No. VIO15-0589

Property owner had too many chickens on the property. Code Enforcement worked with the owner and the chickens were removed within a month. Case closed.

Conclusion

Staff would like the Planning Commission's direction on if any Code amendments should be pursued related to the regulation of domestic fowl. At a minimum, Staff recommends that Sections 18.31.220 and 18.31.230 be cleaned up and merged for usability.



MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Ron Copple, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Jeff Tate, Assistant Director of Community Development

DATE: March 1, 2016

RE: Planning Commission Rules and Procedures

During the February 2, 2016 Planning Commission meeting the Commission's Rules and Procedures were handed out and discussed. It was agreed that staff would transmit suggested amendments for the Planning Commission to consider during their March 8, 2016 meeting. Attached as Exhibit A are staff's recommended modifications.

Section VI. QUORUM:

Eliminate the language that allows Planning Commission business to continue in the event the meeting begins with an adequate quorum, but falls below that required for a quorum during the meeting. The existing language is not consistent with commonly accepted protocols for conducting business when a quorum is not present.

Section IX. AGENDA:

Establish new item 6 "Community Development Report" at the end of the agenda so that audience members are not required to sit through a report when they are there for a public hearing or presentation.

Eliminate item 4 "Staff Comments and Reports" because "Public Hearings" already includes procedures outlined in Section X for when staff will present their report.

Section X.9.E VOTING:

Provide clarifying language for how a motion to "deny" or "not accept" is handled in the event of a tie vote.

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

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.
2. 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.
3. 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 shall be at the call of the Chair. Special meetings of the Planning Commission may also be called by any three members of the Council. 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.

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. The term of office of each officer shall run until the subsequent election.
3. The vacancy of the Chair or Vice-Chair during his or her term of office shall be filled for the remaining term of office by the Mayor and confirmed by the City Council. The Chair would be replaced by the Vice-Chair or the Vice-Chair would be elected by the vote of the Planning Commission.

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. Unless stated otherwise, the Chair's vote shall be considered to be affirmative for the motion.
2. The Chair shall have power to create temporary committees of one or more 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 Planning and 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 Planning and Development Department.

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.

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 ~~once a meeting of the Planning Commission has commenced with a quorum, the meeting may continue even if the members in attendance fall below that required for a quorum, and a vote on a majority of those in attendance shall be sufficient to take action~~ if at any time during the meeting, a quorum is no longer present, the meeting may only continue for the time and duration necessary to fix a time for adjournment, adjourn, recess or take measures to obtain a quorum.

VII. ABSENCE OF MEMBERS:

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. Roll Call/Establishment of Quorum.
2. Approval of Minutes.
3. Public Comment
- ~~4. Staff Comments and Reports~~
- ~~5~~4. Public Hearings.
- ~~6~~5. Other Business Items as Appropriate.
6. Community Development Report
7. 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.
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. Questions of staff or persons presenting testimony.
6. Chair closes public hearing.
7. A public hearing may be reopened by motion to accept additional testimony.
8. Deliberation.
9. Voting:
 - A. Any member, including the Chair, not voting or not voting in an audible voice shall be recorded as voting in favor of the motion.
 - B. The Chair, Secretary, or upon request from a Commission member, may take a roll call vote.
 - C. It is the responsibility of each member of the Planning Commission to vote when requested on a matter before the full Commission. However, a member may abstain from discussion and voting on a question because of a stated conflict of interest or appearance of fairness.
 - D. If any member of the Planning Commission wishes to abstain, from a vote on the motion, that member shall so advise the Chair and, if there is no objection to the abstention, shall remove and absent himself/herself from the deliberations and considerations of the motion, and shall have no further participation in the matter. Such advice shall be given prior to any discussion or participation on the subject matter or as soon thereafter as the member perceives a need to abstain, provided that, prior to the time that a member gives advice of an intent to abstain from an

issue, the member shall confer with the City Attorney to determine if the basis for the member's intended abstention conforms to the requirements hereof. If the intended abstention can be anticipated in advance, the 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 would want to review with the City Attorney, in which case, a brief recess would be afforded the member 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.

8. 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 Auburn City Code (ACC) Section 18.68.040 before the matter may be considered again.

9. 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 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.

10. 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).

XI. CONFLICT OF INTEREST:

- A. 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.
 - (1) No member of the Planning Commission may use his or her position to secure special privileges or exemptions for himself, herself, or others.
 - (2) 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.
 - (3) 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.
 - (4) 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.

- (5) 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.

B. 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:

1. 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.
2. Members shall avoid drawing conclusions regarding decisions until after the public hearing is closed.
3. Members shall avoid participating in decisions which affect their or any family member's property, personal or business interest, or organization.
4. 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.
5. If any concern relating to Items 1 through 4 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.

No member may participate in any decision if the member had not heard the 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.

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.

XII. 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.

PRIMER ON PARLIAMENTARY PROCEDURE

Daniel B. Heid
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It is not unusual for city councils or other city boards and commissions, or other city related groups, to have procedural rules to be used in conducting their meetings. Often, these rules include elements that define the unique character of an organization and address its particular needs. But for the ordinary procedural issues, it is not uncommon for these rules to adopt or reference *Robert's Rules of Order* or *Robert's Rules of Order, Newly Revised* (the current version is the 11th Edition). Certainly, *Robert's Rules of Order, Newly Revised* is one of the most common resources available for parliamentary procedure.

HISTORICAL BACKGROUND

The words "parliamentary procedure" are generally considered to have been derived from the procedure used by the English Parliament. However, the "parliamentary" process actually has origins that date back to the Angles [from Angeln] and the Saxons [from Saxony], Germanic tribes as early as the 5th century, who recognized a need for some type of ground rules for conducting meetings. When the Anglo-Saxon tribes migrated to the British Isles, they brought with them their system of procedures used to conduct their village assemblies and (in England) their Shire-courts. After the Norman Conquest of Britain in 1066, the French developed a Great Council made up of feudal barons who advised the king, and in doing so built upon the procedural approach of the Anglo-Saxons. Though not initially a democratic organization, as the king had paramount say in the feudal system, how they conducted their Great Council meetings formed the basis for the procedural workings of Great Britain's current democratic parliament.

American colonists, familiar with England's procedural approach, incorporated it into their assembly and meeting structure. This approach provided a pattern used also by the new federal government governmental assemblies after the American Revolution. The first book about parliamentary procedure in America (the United States) was Thomas Jefferson's *Manual of Parliamentary Practice*, published in 1801. While serving as Vice President and Presiding Officer of the Senate, Jefferson noted that the Senate did not have a codified set of rules of order. Instead, the presiding officer was allowed wide latitude in applying rules as things went along. Motivated by concern that this power could easily be abused in the future, and being aware that the absence of rules could lead to inconsistent results, Jefferson sought to design parliamentary rules for the Senate, based on the procedures of British Parliament.

Then along came Henry M. Robert.¹ He was an engineering officer in the regular U.S. Army who when asked to preside over a public meeting in his community, realized pretty quickly, and to his embarrassment, that he did not know how to do so. That event (his failure to manage the meeting) left him determined never to attend another meeting

without some knowledge of parliamentary law. It also prompted him to study the few resources then available on the subject. Ultimately based loosely on how he saw the rules of procedures operating in the U.S. Congress, Henry M. Robert wrote his *Pocket Manual of Rules of Order for Deliberative Assemblies*—a collection of rules regarding parliamentary procedure, first published in 1876, *Robert's Rules of Order*, as it came to be called.

PURPOSE OF PARLIAMENTARY PROCEDURE

The purpose of parliamentary rules of order is to help people make group decisions after a full, fair, and free discussion. The rules of parliamentary procedure are built upon four fundamental principles, as follows:

1. One Speaker Speaks at a Time.
2. One Question Is Decided at a Time.
3. The Speaker Must Be Respectful.
4. The Rights of the Members and the Organization are to be Protected.

1. One Speaker Speaks at a Time. In order to maintain order at meetings, the rules of parliamentary procedure give the chair - the person presiding over the meeting - control over **who has the floor** to speak and when a speaker may be interrupted. This stems from the simple concept that if any of the members are to be heard then only one member should speak at a time. If someone is speaking - has the floor - others should be quiet. There are times when something else needs to be addressed by a speaker who does not then have the floor. The rules also identify those instances when (those topics for which) **another speaker may interrupt** the speaker who has the floor.

2. One Question Is Decided at a Time.² Questions or issues are most typically brought before the assembly through a motion. With that, the members need to know what issue is being discussed and when and how it is to be decided. Motions are discussed, considered and decided in order of their relative **priority ranking**. The ranking of motions in a certain order is made to avoid confusion about which question the group is discussing and deciding. If one question is being debated but another question surfaces that would have an important impact on the first question, the rules provide a way for the **subsidiary question** to be decided before the **main question**. Also, when important questions arise that are not about the main question but must be asked and answered before the group can continue, these **privileged or incidental questions** may be considered while the main or subsidiary question is pending, with motions decided in order of rank. There are also instances when a motion is made or a question raised on which **debate is not permitted**. Likewise, although generally motions may be amended, there are some motions that **cannot be amended**.

3. The Speaker Must Be Respectful. Common sense dictates that in order for an organization to be able to function in a meeting setting, the members must be

respectful of the other member, so that the assemblage can make decisions in an efficient, expedient and fair a manner, considering the size of the group and the urgency of the question. Decorum is a significant factor in helping questions be decided expeditiously, ethically, and impartially. Decorum embodies the concept that **each member of a group has an equal right** to attempt to persuade the other members that his or her position on a question is the best course for the group to follow. The efforts to persuade the group of such is debate. Actions that are disrespectful of other members unfairly impede the rights of the disrespected to persuade the group. The chair has the duty to call to order any member who is being disrespectful. And if that is not done, any member may **raise a point of order** to call to order another member who breaches decorum.

4. The Rights of the Members and the Organization are to be Protected. The rules of parliamentary procedure are created to preserve, protect and balance the rights of all members. The interests balanced by the rules are those 1) of the majority, 2) of the minority, 3) of the individual member, 4) of the absentee members, and 5) of the organization (all of the membership collectively). For example, the **simple majority** vote for most main questions protects the **rights of the majority** to get business done. A **two-thirds majority vote** protects the **rights of a minority** larger than one-third when **certain significant questions** are considered. The rules as to when a “**second**” is required protect the rights of the individual or of the minority to consider or prevent consideration of certain questions. The rules of **quorum and notice** protect the **absentee members**. The rules, when balanced by the intentions of parliamentary procedure, protect the **rights of the organization** to conduct its business meetings and thus function as an entity.

All the rules of parliamentary procedure relate directly to one or more of these four fundamental principles. With these underlying principles in mind, when conducting meetings, the members should be able to fairly have their say while questions are debated and decided in an efficient manner. Each of these principles and their derivative rules are important enough that if a member thinks that they (any of them) are being violated, that member is entitled to ask the chair to address the Point(s) of Order or at least inquire about the concern. The chair should assist the member in clarifying the point or question and, if necessary, assist the member in formulating the proper particular motion to make the point or question appropriate to consider. The ability to do so will be enhanced with familiarity with the rules, an awareness of the reasons behind the rules and a bit of common sense.

RIGHTS OF PARLIAMENTARY PROCEDURE

As noted above, the concepts of parliamentary procedure are built on recognition of rights of the various members and the organization. The rights of the minority must be protected, but the will of the majority must prevail. Persons who don't share the point of view of the majority have a right to have their ideas presented for consideration, but ultimately the majority will determine what the organization will or will not do. In order for

the rules to work, the various rights must be recognized. Stated simply, the various rights can be described as follows:

1. The Rights of the Organization Supersede the Rights of Individual Members. The organization has the right to make its own rules which then must be observed by all members. Should a conflict arise between the rights of a member and the rights of the organization to do its business, the rights of the organization should prevail.

2. All Members are Equal and Their Rights are Equal. Those rights include:

- to attend meetings;
- to make motions and speak in debate;
- to nominate;
- to vote;
- to hold office.

3. A Quorum Must be Present to do Business. A quorum is the number of members who must be present to legally transact business. The number for a quorum is often stated in the bylaws. In city parlance, a majority of the city or town council generally constitutes a quorum. See RCW 35.14.030, 35.23.270, 35.27.280 and 35A.12.120. See also Endnote 3. In a committee or a small board, the quorum is regularly a majority of its members. The purpose of a quorum is to prevent an unrepresentative group from taking action in the name of the organization.

4. The Majority Rules. This rule is basic to the democratic process. The minority has the right to be heard, but once a decision has been reached by a majority of the members present and voting, the minority must then respect and abide by the decision.

5. Silence is Consent. Those members who do not vote agree to go along with the decision of the majority by their silence.

6. There are Times when a Two-Thirds Vote is Required. A two-thirds vote is generally necessary whenever the action to be taken would limit or take away the rights of members or whenever the decision would change something that has already been decided. For instance, when a debatable motion is before the assembly, it takes a two-thirds vote of the members present for a motion to pass that seeks to suspend or limit debate because such motion would take away the right of members to (further) debate, a right they would otherwise have.

7. Only One Question may be Considered at a Time and Only One Speaker may Speak at a Time. No motion is in order which does not directly relate to *the* question under consideration. In addition, once a member has been recognized, he or she has been granted "the floor" and another member may not interrupt him or her without a permissible basis.

8. Debatable Motions Must Receive Full Debate. The presiding officer may not put a debatable motion to vote as long as members wish to debate it. As noted above, debate can only be suspended by a two-thirds vote of the members present.

9. Once a Question has Been Decided, it is Not Generally in Order to Bring the Same Motion up or One Essentially Like it at the Same Meeting. Such motions should be ruled out of order. (Note: There is a special class of motions which do bring a motion back to the group, called restorative motions.)

10. Personal Remarks in Debate are Always Out of Order. The presiding officer must rule all personal remarks out of order. Debate must be directed to motions and not motives; principles and not personalities.

LIMITATIONS ON DEBATE

The membership of an organization may place limitations on debate and may even stop debate altogether. To do so, members must make a motion. The presiding officer cannot cut off the debate as long as one member wishes to rise and speak. Likewise, one member cannot stop the debate by yelling out "Question" or "It's time to take a vote."

Only the motion to ***limit debate*** can limit debate; and debate can be closed only by the motion ***previous question*** or ***close debate***. These motions need a **second**, are **not debatable**, and, because this motion would curtail the right of members to debate, they require a **two-thirds vote** for passage. A rising (but not counted) vote is appropriate in this instance, at least (especially) for assemblies with larger membership numbers.

DEBATABLE MOTIONS AND NON-DEBATABLE MOTIONS

Not all motions are debatable. Some motions are debatable in some situations and not in others. It would be helpful to be acquainted with the various motions to understand where each motion fits, and to appreciate the reasons some motions are debatable and some are not. The following is a list of debatable and non-debatable motions.

DEBATABLE MOTIONS

1. Main motion
2. Postpone indefinitely
3. Amend
4. Refer to a committee
5. Postpone to a certain time
6. Appeal from the decision of the chair
7. Rescind
8. Amend something previously adopted
9. Reconsider Recess (as an incidental main motion)
10. Fix the time to which to adjourn (as an incidental main motion)

NON-DEBATABLE MOTIONS

1. Limit or extend the limits of debate
2. Previous question (close debate)
3. Lay on the table
4. Take from the table
5. Call for the orders of the day
6. Raise a question of privilege
7. Recess (as a privileged motion)
8. Adjourn
9. Fix the time to which to adjourn (as a privileged motion)
10. Point of order
11. Withdraw a motion
12. Suspend the rules
13. Object to consideration of the motion
14. Division of the assembly
15. Division of the question
16. Incidental motions relating to voting, when the subject is pending
17. Dispense with the reading of the minutes

VOTING

In democratic societies, citizens have the right to assemble, the right to speak, and the right to vote. The *right to assemble* allows people of common interests to join together to accomplish a goal or common purpose. The *right to speak* allows members of that assembly to voice their opinions and concerns and to persuade others that their opinions and concerns are valid and to take action. The *right to vote* is the assembly's way of allowing all members to decide an issue, in a democratic manner, after they have assembled and heard their fellow members' opinions and concerns.

The right to vote is essential in preserving democracy in organizations and elected bodies. There are three principles that require consideration when a vote is taken:

- Is the vote taken in a fair and impartial manner?
- Does everyone who wants to vote get to vote?
- Does the announced result represent the way the members voted?

These principles underlie the parliamentary procedures for voting; indeed, the specific rules of voting are designed to uphold them. Attention is given to voting rules and the situations in which they are violated. It is also valuable to look at the procedure for taking a vote and the concept of majority rule and what defines a majority vote. It is also helpful to look at the numerous ways a vote can be taken and the appropriate actions to take when the result of a vote is doubted.

THE MAJORITY RULES

As mentioned above, a fundamental principle of parliamentary procedure, and for that matter, of democratic societies, is that the majority wins. But the rights of the minority

and of individual members are also to be protected. Most business is adopted by a majority vote of members who are voting at a meeting, so long as a quorum is present. However, to protect the rights of the minority and absent members, some motions require a two-thirds vote.³ The principle generally used to determine when to take a two-thirds vote is based on the rights of the members or the assembly. Whenever a proposed action takes away members' rights, a two-thirds vote is necessary.

Motions that require a **Two-Thirds Vote** include (but are not limited to) the following:

- Motions to limit or extend debate
- Motions to close debate
- Motions to make a motion a special order
- Motions to rescind an action - when no previous notice is given
- Motions to suspend or modify a rule or order previously adopted
- Motions that close nominations or the polls
- Motions to deprive membership of rights or a member's office
- Motions to prevent the introduction of a motion

The two-thirds vote is typically taken by a rising vote. If the chair is uncertain whether there is a two-thirds vote in the affirmative, he or she should count those voting.

Some actions are so important (for example, amending the bylaws and other governing documents, or removing a member from office or membership) that they require both previous notice *and* a two-thirds vote.

If an organization wants to require that votes on certain issues are greater than a majority or a two-thirds vote, or it wants to require that previous notice of a vote be given, it should include these requirements/qualifications by clear stated and defined language in the organization's bylaws. However, requiring a vote greater than a majority or a two-thirds vote can allow a minority to rule instead of the majority, as the minority may be able to prevent passage of measures that would otherwise only call for a majority votes. Similarly, a unanimous vote would end up essentially allowing one person to rule. Whatever the (more than a majority) vote requirement is intended to be, it should be stated in clear, unambiguous terms, such as: a majority of the entire membership; two-thirds of the members in attendance; three-fourths of the entire membership of the organization; 60% of the entire membership; 80% of the members in attendance, etc. Less specific terms, such as "super majority" should not be used unless defined.

Majority Vote Defined

Unless defined differently, a *majority vote* simply means that *more than half of those voting* approve a motion. More specifically, it means that more than half of the votes cast by persons legally entitled to vote at a properly called meeting with a quorum present approve a motion. Blank ballots or abstentions do not count. By this definition, the number of members voting - not necessarily the number of those present -

determines the majority. For example, if 15 members are present at the meeting and 12 members vote, the majority is 7, because, again, the majority is determined by the number of members voting, not by the number present.

The Tie Vote

A tie vote occurs when 50% of the votes cast are in favor and 50% are against. Neither side receives a majority vote. If the tie vote cannot be broken, the motion is lost. If the presiding officer has not voted and is a member of the assembly (entitled to vote),⁴ he or she can vote to make or break the tie. He or she can also vote to make a two-thirds vote or to reject a two-thirds vote. If 50 members vote for the motion and 49 members vote against the motion, the presiding officer can state that he or she votes no, meaning that the vote is a tie and the motion is therefore lost. The presiding officer cannot vote twice, however - once as a member and once as the presiding officer. For example, if the presiding officer votes in a ballot vote with the other members and the result is a tie, the officer can't break the tie as the presiding officer. In this case, the motion is lost because the vote is a tie vote.

Ways the Vote can be Taken

There are numerous ways a vote can be taken: by voice (viva voce), by a show of hands, by standing, by written ballot, by roll call, and by general consent. Generally, the chair or presiding officer decides whether to take the vote by voice, by show of hands, by standing, or by general consent. However, the assembly must order a vote by ballot or roll call. It is also possible that an organization may want to employ votes by mail. In large international organizations, some homeowners and condo associations, or organizations whose members are not centrally located or where it is otherwise inconvenient for the membership to attend a meeting, a mail ballot is a common practice to elect officers and amend the bylaws.

An organization's bylaws should state that it can use a mail ballot. Likewise, the organization should adopt procedures on how to handle the mail ballot so that ballots can be processed in a way that gives confidence to the results of the ballot and affords a measure of secrecy where needed. These may call for processes to be followed by the officials handling the ballots, and methodology for ballot documents and envelopes, and for returning and counting the ballots.

Taking a Vote by E-mail

Procedure for voting by mail can be adapted, for some organizations, to e-mail voting. For instance, the appointed person (the person who collects the ballots) could send out e-mail ballots to all eligible voters. It would make sense to have the sender use an e-mail program that requests a return receipt from the recipient. Doing so would show that members received the ballot and that the return ballot comes from the member to whom the e-mail was sent. Balloting instructions should tell how to fill out the ballot and how to return it to the organization ("reply to sender"). Drawbacks to e-mail voting may be that

members give up their right to have a secret vote, as the people who tabulate votes will know how each member voted, and it is also possible for hackers to break into e-mail systems.

Taking a Vote by General or Unanimous Consent

General consent is a very effective way to take care of *noncontroversial issues* or motions for which it looks like there will be no objection. *General consent* does not mean that everyone is necessarily in favor of the motion. It may mean that the opposition feels that discussing or voting on the issue is useless [because of the strong support for the motion - and because it is less contentious or controversial] and therefore decides to keep silent and accepting the results. General consent should not be confused with a unanimous vote in which all the votes are the same, whether in favor of or in opposition to some issue.

In taking the vote by general consent, the chair asks: "Is there any objection to . . . ?" If no objections are voiced, the chair may move the issue forward; "Hearing none [hearing no objections], . . . will be done."

Doubting the Result of a Ballot Vote or Roll Call Vote

If the members doubt the result of a ballot vote or roll call vote, a member must make a motion to recount the teller's tabulation. This motion takes a majority for passage unless the organization has a rule that states differently. After a ballot vote, if there is no possibility that the assembly may order a recount, a motion should be made to destroy the ballots; or they can be filed for a specified time with the secretary and then destroyed. Record the result of every ballot and roll call vote in the minutes.

MOTIONS

Motions are tools that enable an organization to accomplish business efficiently and smoothly. They are the means of bringing business before the assembly, disposing of it quickly, and resolving matters of procedure and urgency. Motions can conveniently be broken down into five classes of motions.

Five Classes of Motions

<i>Main</i>	<i>Secondary</i>	<i>Other</i>
1. Main Motions		
2.	Subsidiary Motions	
3.	Privileged Motions	
4.	Incidental Motions	
5.		Motions Bringing a Matter Back to the Assembly

The first class of motions - *main motions* - is used to present new business. The *secondary motions* - ***subsidiary***, ***privileged***, and ***incidental*** motions - can either help pass the **main motion** or help business move forward according to the members' wishes. The last class of motions returns a motion to the assembly for **reconsideration**,

return, review or re-vote. Each class of motions has a certain purpose and is assigned an order in which it can be brought up in a meeting. This assigned order is called ranking motions and follows the principle of taking up business one item at a time. The better the members understand how to use motions correctly to expedite the organization's business, the shorter the meetings and the happier the members because they have accomplished their business in a minimum amount of time.

Main Motions

There are two forms of a main motion. The first form introduces new business to the assembly. The other form is the ***incidental main motion***, which deals with procedural questions arising out of pending motions or business; it does not introduce a new topic.

Motions that Introduce New Business

A main motion that brings new business before the assembly is made while no business is pending. It is made to bring before the assembly, for its consideration, any particular subject. Of the various types of motions this is of the lowest rank or precedence. It cannot be introduced unless there are no other motions before the assembly, and it cannot be voted upon unless and until all other types of motions have been voted upon or disposed of. It does need a **second**, is **debatable** and **amendable**, and takes a **majority** vote for passage and **can be reconsidered**. When a **main motion** is tabled - **laid on the table** or **postponed** (removing it from then being considered any further), it carries with it all pending **subsidiary** motions connected to it, however, if a main motion is referred to a committee it carries with it only the pending amendments.

A main motion is phrased in the positive. Usually when the members don't want to do something, making a motion is not necessary. For example, if an organization received a request to donate money to the parade fund, and the members don't want to do this, they don't make a motion. It's not necessary for a member to make a motion stating "we will not give money to the parade committee." However, there is an exception to this rule. If a *subsidiary body* (for example, a board of directors) has the ability to give the donation without membership approval, it is then appropriate to make a motion to refrain from giving money to the parade committee. Therefore, the board cannot give money, because the membership specifically voted not to do that. A board cannot rescind what the members have voted to do, or not to do in this case.

Only one main motion can be pending at a time. (*Pending* refers to a motion placed before the assembly for discussion by the chair.) A main motion is the lowest ranking of all the motions. This means that any secondary motion is discussed and voted on before a pending main motion. An important point to remember in presenting business and making a main motion is that of ownership - who owns the main motion. When a member makes a main motion, it belongs to the maker of the motion until it is repeated by the chairman and placed before the assembly. Before the chair repeats the main motion, the person making the main motion can withdraw it or modify it without asking permission of the assembly.

After the chair places the main motion before the assembly, it belongs to the entire assembly, not to the maker of the motion. The assembly now decides what happens to the motion. It can be killed, delayed, or altered to suit the assembly's wishes. The assembly may make changes of which the maker of the motion disapproves. This is part of the democratic process: the right of the assembly to decide what affects it as a whole body. Therefore, after the motion is placed before the assembly, no one has to ask the maker of the motion for permission to make any changes.

Incidental Main Motions

An **incidental main motion** is also made while no business is pending, but it does not introduce new business. Instead, it deals with procedure. An example of a **main motion** is: "I move to buy a new computer and a laser printer." After this motion is passed, an **incidental main motion** is: "I move that the finance committee be in charge of purchasing the computer and the laser printer." This **incidental main motion** is **debatable** and **amendable**. It is related to the **main motion** because it deals with who is going to carry out the adopted action of the main motion. Therefore, the motion is *incidental* to the motion from which it arises. Key words to use to identify **incidental main motions** include ***ratify***, ***adopt***, ***limit***, and ***recess***. For example, a member may make an **incidental main motion** to adopt proposals made in a committee report, ratify action taken in the absence of a quorum, or recess when no business is pending.

The **Motion to Ratify** is a useful motion when the assembly has to confirm action taken when there was no quorum present; when the assembly has to take emergency action without a quorum present; when officers, committee members, or delegates have acted in excess of their instructions; or when a local unit needs the approval of the state or national organization before something can be done. A Motion to Ratify needs a **second**, is **debatable**, and needs a **majority vote** for passage. The assembly can only ratify what it would have had the right to do in advance. It cannot ratify something that goes against the bylaws or other governing documents or regulations.

Secondary Motions

In the five classes of motions, three are considered *secondary motions*: **subsidiary**, **privileged**, and **incidental** motions. *Secondary motions* help the assembly decide what to do with the main motion or how to get things done in the meeting. Secondary motions enable more than one motion to be pending at a time but still follow the principle of taking up business one item at a time. In parliamentary terminology, pending means "a motion that is stated by the chair and placed before the assembly for discussion and has not yet been disposed of by the assembly." While a main motion is pending, a member can propose a secondary motion. Secondary motions are taken up in the order that they are made. As each secondary motion is proposed, it is considered the immediately pending motion. The assembly discusses the most recently proposed secondary motion instead of the main motion or a previously pending secondary motion.

Secondary motions are assigned an order, called a *ranking of motions* (see "The Ladder of Motions" herein), in which they are proposed, discussed, and voted on.

Members can make motions of higher rank while a motion of lower rank is pending; but members can't make a lower-ranking motion while a motion of higher rank is pending. As each higher-ranking motion is proposed, members stop discussing the lower-ranking motion and immediately discuss the higher-ranking motion, which now becomes the pending motion. The following explains how the **subsidiary**, **privileged**, and **incidental** motions fit into this hierarchy of motions.

Subsidiary Motions

Subsidiary motions help the assembly dispose of the main motion. Passing a subsidiary motion always does something to the main motion. Through these subsidiary motions, the original motion may be modified (**amended**), action may be **postponed**, or it may be **referred to a committee** to investigate and report, etc. Subsidiary motions may be applied to any then pending main motion. When they are made, they have precedence over the main motion and must be decided before the main motion can be decided or acted upon.

Subsidiary motions are assigned an order of precedence or rank so that the organization can take up business one item at a time. The following list shows subsidiary motions ranked from top to bottom. The highest-ranking subsidiary motion is *lay on the table* and the lowest is *postpone indefinitely*.

1. Lay on the Table
2. The Previous Question (vote immediately)
3. Postpone Definitely
4. Commit or Refer to a Committee
5. Amend
6. Postpone Indefinitely

When one of the subsidiary motions is the immediately pending question, every motion above it is in order and every one below it is out of order.

Privileged motions

Privileged motions do not relate to the pending main motion. Instead, they relate to special matters of immediate importance that may come up in the business meeting. Because these are usually urgent matters, the organization must take them up immediately. Thus, privileged motions are of higher rank and take precedence over subsidiary motions. They are non-debatable, but some are amendable. After they have been made and seconded, the chair takes a vote without discussion. Like subsidiary motions, privileged motions are assigned an order in which they can be made and voted on. Privileged motions or actions, while not relating to the pending question, are of so great importance as to require them to **take precedence** over all other questions, and

due to this high privilege they are **not debatable**. They cannot change any subsidiary motions applied to them except to amend the motions to adjourn.

When a motion of lower rank is pending, only a higher-ranking motion can be made. As the below list shows, the highest-ranking privileged motion is fix the time to which to adjourn. (This is the highest ranking of both privileged and subsidiary motions.) If this motion is made while any other subsidiary or privileged motion is pending, the members must vote on it first.

1. Fix the Time to Which to Adjourn
2. Adjourn
3. Recess
4. Question of Privilege
5. Orders of the Day

Incidental Motions

Incidental Motions are actions that arise from another question, which is pending, and, therefore, take precedent, but they do not affect the pending business, otherwise. They must be decided before the question or motion out of which they arise; or they are incidental to a question that has just been pending and should be decided upon before any other business is originated. An incidental motion is in order only when it is legitimately incidental to business at hand. It then takes precedence over any other motions pending. They are usually not debatable, and they really have no rank because they are to be taken up immediately when made. Below are some typical incidental motions:

1. Points of Order
2. Appeals
3. Suspension of the Rules
4. Objections to the Consideration of a Question/Motion
5. Division
6. Leave to Withdraw a Motion
7. Leave the Chair's Station

Motions That Bring a Matter Back Before the Assembly

The purpose of the last class of motions is to bring a motion back before the assembly for its consideration. For example, a motion that was *laid on the table* (temporarily set aside) is brought back by the motion *take from the table*. When members want to change their minds about a motion that was just voted on, they can *reconsider the vote*. If members are unhappy with action taken at a previous meeting, they can *rescind the action* or *amend something previously adopted*. One other motion in this category is to *discharge a committee*. Discharging a committee takes a motion out of committee before the committee has made its final report and puts it back into the hands of the

assembly. All these motions are made when no other business is pending. They need a **second** and are **debatable** except for *take from the table*, which is not debatable. If **no previous notice** has been given, *rescinding* or *amending something previously adopted* requires a **two-thirds vote**. (With prior notice, a majority vote would suffice.) This “notice” requirement protects the rights of the members who are not at the meeting to vote against the change.

Previous Notice of Motions

Some motions are so important that the membership has the right to know beforehand that they are going to be presented at the meeting. Doing so is called *giving previous notice*. Examples of motions that need previous notice are amending the bylaws and rules of order. Organizations may state in their bylaws that previous notice must be given for selling and buying property or for spending large amounts of money. Giving previous notice when a member wants to rescind or change a previously passed motion allows a majority vote to adopt it (adopt the change). Previous notice protects the rights of members by alerting them that such action will be taken. Those who voted in favor of the action are sure to attend the meeting to support the decision they have already made.

Members can give previous notice in several ways. If a member submits a written notice to the secretary, the secretary is obligated to put it into the call letter to the meeting. Or, members can give notice orally at the previous meeting. The person giving previous notice may simply state the intent instead of giving the entire motion, unless the organization has rules stating differently. For example, a member can say, “I will be making a motion at the next meeting to rescind _____.”

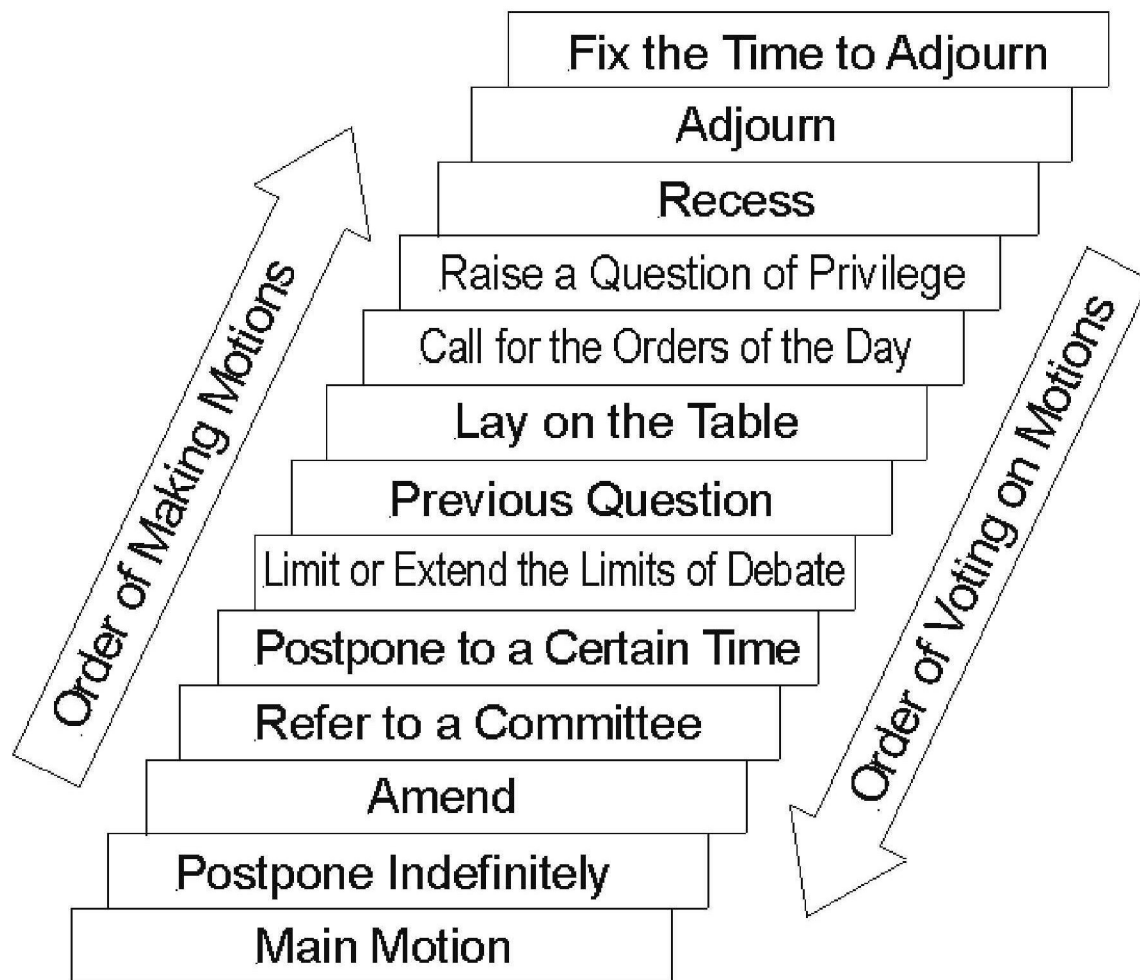
The Ranking of Motions

The principle of taking up one item of business at a time requires that main motions, subsidiary motions, and privileged motions are assigned a rank. If one thinks of this rank of motions as a ladder, it is as if the Main Motion is the bottom rung. The following chart, “Ladder of Motions in Order of Rank,” illustrates this idea. When the *Main Motion* is pending (being discussed), someone can make a motion of a higher rank [on a higher rung of the ladder]. For example, someone can make the Motion to *Amend*. As the ladder chart shows, *Amend* is two steps up the ladder from *Main Motion*. *Amend* becomes the pending question because it is a higher-ranking motion than the *Main Motion*. Discussion is now on the Motion to *Amend* and not on the *Main Motion*. A member could then make a higher-ranking motion than *Amend*, but no one can make the Motion to *Postpone Indefinitely* because it is a lower-ranking motion than *Amend*.

When making the motions, the maker goes up the ladder, and when voting on the pending motions, you go backward down the ladder. For example, say the following motions have been made and are pending:

In taking the vote, the president starts with the motion to *recess*. If passed, the members take a recess and begin discussing *postpone to a certain time* when they return. They then vote on it. If passed, the proposed amendment and main motion are put off until a later time. When the time arrives to take up this main motion and amendment, the members begin the meeting with discussing the amendment. After the amendment is voted on, the members vote on the main motion.

LADDER OF MOTIONS IN ORDER OF RANK



Motions and Voting

- o Any voting member may make a motion
- o Another voting member must "second" the motion
- o Discussion may then take place
- o Following discussion, the meeting chair must call for a vote:
 - * Those in favor
 - * Those opposed
 - * Those abstaining

Using Subsidiary Motions to Help Pass a Main Motion

It is appropriate to look at each subsidiary motion and how it can help move the main motion forward until the assembly arrives at its final decision. The discussion begins with the lowest-ranking subsidiary motion, which is *postpone indefinitely*, and explains each motion in turn, through *lay on the table*, which is the highest-ranking motion. The purpose of each motion, its restrictions (whether it needs a **second**, is **amendable**, is **debatable**, and so on), and the result of that subsidiary motion on the main motion are outlined at the beginning of each section.

Postpone Indefinitely

The motion *postpone indefinitely* is the lowest-ranking of the subsidiary motions, which means that members can make a higher ranking motion while this motion is pending. In addition, the main motion can be amended, referred to a committee, postponed to a certain time, or laid on the table. If the main motion is referred to a committee while *postpone indefinitely* is pending, *postpone indefinitely* does not go to committee with the main motion. By referring the motion to a committee, it means that the members don't want to kill it; they want to consider it further.

Members can close debate or limit or extend debate on postpone indefinitely without affecting the main motion.

Motion to Amend

If passed, the proposed change becomes part of the pending motion.

The purpose of this motion is to change the main motion. There are four ways to amend:

1. Insert words within a motion.
2. Add words at the end of a motion.
3. Strike out words.
4. Strike out and insert words.

Any member can make the motion to amend. The amendment must be germane, or related, to the motion it is amending. In the House of Representatives, members are allowed to attach anything to a bill, but this is not the case in deliberative assemblies, which follow adopted parliamentary authorities. Anytime there is a question about whether an amendment is germane, the president can let the members decide by a vote.

An amendment can be hostile to the main motion and still be germane. For example, if a member were to make a motion to increase the organization's budget for a certain project, say adding \$1,000, another member may propose an amendment to strike out "increase" and insert "decrease." So, if passed, the motion would be "to decrease the organization's budget for project XXX by \$1,000."

An amendment can be amended. The first amendment is a *primary amendment*, and it applies to the main motion. Its amendment is called a *secondary amendment* and applies only to the primary amendment. The secondary amendment must be germane to the primary amendment. It needs a **second** and is **debatable**. Debate is on the merits of the secondary amendment. An **amendment to the third degree** is **not allowed** at the same time. Only one set of primary and secondary amendments can be pending at the same time.

Members can apply the motion to *amend* to any motion that has a variable. This includes some subsidiary motions as well as some privileged motions.

For that matter, amendments may be made in a few different ways. Some parliamentarians break down the amendment process into five different methods. Those five ways to modify a motion are as follows:

1. Between the time that a motion is made and *before* the chair states the motion, *any member may informally offer modifying suggestions to the maker* of the motion. The maker may accept or reject that member's recommendations.
2. After the chair has stated the motion, the maker of the motion may request unanimous consent from the members to modify the motion. The reason that this takes the consent of the members is that once the chair has stated the motion, the motion is deemed to belong to the assembly, not the original maker of the motion.
3. By means of the subsidiary motion to amend, any member may propose changes to the motion, before the motion is voted upon. These proposed changes must be **seconded** and may be **amended** and/or **debated**. In this case, there would first be a vote on the amendment, and then a vote on the main motion, either as amended or (if the amendment was unsuccessful) as it originally existed.
4. If a motion requires further study, the members may vote to Refer the Main Motion to a Committee. When the committee returns the motion to the assembly, the committee normally proposes amendments for the assembly to vote upon.
5. Sometimes the motion is so complex or the changes sought are so comprehensive that the only way to do it justice is for a member to urge rejection of the original language and replace it with (completely) different language, with the new version being a **Substitute Motion**. The Motion to Substitute needs a **second** and is **debatable**. It is considered a primary amendment, and members cannot make it when another primary amendment is pending. Debate can focus on the merits/differences of both the original main motion and the substitute. Through debating, the membership decides which motion is/becomes the main motion.

Refer to a Committee

The purpose of the motion *refer to a committee* is to obtain information by referring the pending motion to a small, selected group of members for investigation. When making the motion to *refer to a committee*, the motion should state to which committee the motion should go, what the committee is to do with it, and when the committee is to report back to the membership. If these things are not done, particularly setting a date when the committee is to report, the motion may die in committee.

Postpone to a Certain Time

The Motion *Postpone to a Certain Time* should not be confused with a Motion to *Lay on the Table*. The Motion to Postpone has certain time limits. A motion should not be postponed beyond a reasonable (quarterly?) time interval or the next regular business meeting (whichever comes first). Likewise, members can't use the Motion to *Postpone to a Certain Time* as a *motion to kill*. If the Motion *Postpone to the next meeting* is passed, the motion in question appears on the agenda under unfinished business and general orders.

Limit or Extend the Limits of Debate

If an assembly has no special rule of order about how long or how many times a member can speak in debate, a member may speak twice to a motion and up to ten minutes each time. If a member wishes to extend or limit the debate, he or she makes this motion. Conventions have standing rules that regulate how long each motion or topic can be considered. If this is the case, when the time has arrived to go on to the next business in order, a member can make the motion to extend the limits of debate. A two-thirds vote is needed to pass because the motion alters the rights of the individual members.

Previous Question (Close Debate)

The Motion "Previous Question" may be one of the most misunderstood or misused motions in meetings. There is only one way to stop debate: A member must move the Previous Question. Because it takes members' rights away, this motion requires a **two-thirds vote** to close debate.

Many people do not understand "*previous question*," seemingly thinking that if they yell out (someone yells) the words "Question" or "Call for the Question," the chair should stop debate and take a vote on the motion. The chair never has the authority to close debate as long as one member wants to discuss the motion. The chair can close debate when members pass the Previous Question motion.

The time to make a Motion for the **Previous Question** is *when a member thinks the debate on the motion has become tedious*. The member who calls for the Question wants to close debate and wants a vote taken on whether debate should stop so the

assembly can vote on that question so that the membership can move on to other business.

This motion applies only to the immediate pending motion, and if passed (by a 2/3rds vote), debate ceases and the vote is immediately taken on the pending question. The previous question may be made on all pending questions or on consecutive pending questions.

Note: Even though this is one of the highest-ranking subsidiary motions, it is not proper to make this motion before everyone has had the right to debate. If a controversial issue is presented to the membership, it is unfair to close debate before someone in the opposition has the right to speak. This was one of the fundamental concepts espoused by Henry Robert, in his book *Parliamentary Law*. In what he called a great lesson for democracies to learn, Henry Robert advised that the majority must give the minority a full, free opportunity to present its side of the case, and then (if unsuccessful in winning the support of a majority) the minority must gracefully submit and recognize the action as that of the entire organization, and willingly assist in carrying out the wishes of the majority until they can secure a reversal of that direction.

Lay on the Table

The purpose of this motion is to set the main motion aside temporarily in order to take up something of immediate urgency. The intent is not to kill the motion or to put it off to the next meeting. It **does need a second**, is **not amendable** and **requires a majority** to pass. This motion **cannot be reconsidered**. If passed, members are taking from the table the main motion and any of its subsidiary motions, and if it passes, it stays on the table until someone moves to take it from the table. If it is defeated, members can make the Motion to *Lay on the Table* again after debate has progressed and something more urgent comes up again.

The motion "*Lay on the Table*" is also one of the most misused motions. Members either "table it" to kill a motion or "table it" to postpone a motion. In essence, the motion *lay on the table* takes away the members' right to debate with a **majority** vote, **instead of a two-thirds vote**.

When *lay on the table* is passed, it allows the members to immediately halt consideration of the motion without debate. When a motion is laid on the table, and if the meeting adjourns before the motion is taken from the table, it is not put on the agenda for the next meeting. A member must take it from the table at the next meeting before discussing it again. Because the members moved to lay it on the table, only the members can take it from the table. Therefore, this motion is reserved for an immediate urgency only. When a member makes this motion and does not state the reason for making the motion, the chair should ask the member to state his or her reason for making the motion. If it is apparent that the member wants to kill the motion, the chair should rule the motion out of order and explain to the member that the proper motion is *postpone the motion indefinitely*, if it is in order at that time; or, the chair can take the

liberty to place the motion before the assembly as *postpone it indefinitely* and ask for discussion.

A member should state the reasons he or she makes this motion. A member cannot lay a motion on the table and then make another motion that conflicts with the motion laid on the table. If the motion is not used correctly, the chair should rule it out of order and then state the proper procedure. If the chair does not do this, a member should rise to a point of order and explain the correct procedure.

When a main motion is laid on the table, all adhering subsidiary motions go with it. For example, if a main motion and its subsidiary motions *amend* and *refer to a committee* are pending, these go to the table with the main motion.

The motion *lay on the table* is recorded in the minutes, but it is not put on the agenda. A member must remember to make the motion *take from the table*. If a motion is laid on the table and is not taken from the table by the end of the next meeting, it dies. After it dies, a member has to present it as a new main motion.

Legitimate Uses of the Motion to Lay on the Table

The motion *Lay on the Table* is reserved for circumstances when an urgent matter that can't wait must be introduced. Members should not use the Motion to Lay [a motion] on the Table to *kill a motion* or even to put it off to a later time. The chair is allowed to rule whether the matter is urgent and whether the motion will be entertained. If the chair rules, that ruling could be challenged (appealed) and overridden by a majority of the members. The motion to *Lay on the Table* should be used sparingly in meetings, if at all. This motion cannot be used during a special meeting that has been called to address a specific issue.

Using Privileged Motions

Privileged motions are those motions that do not relate to the pending motion but that are special matters of immediate importance arising in the meeting. It is appropriate to look at motions, beginning with the lowest-ranking privileged motion - call for the orders of the day - and proceeds to the highest-ranking one - fix the time to which to adjourn. The purpose of each motion, its restrictions (whether it needs a **second**, is **amendable**, and so on).

Call for the Orders of the Day

The Purpose of a Call for the Orders of the Day is to **make the assembly conform to the agenda or order of business, or to make the assembly take up a general or special order. Any member can call** for the orders of the day, and it **does not require a second**. It is **not amendable** or **debatable**. **No vote** is taken unless the **members want to set aside the orders of the day**, in which case a **two-thirds vote is required**. Also, the decision **cannot be reconsidered**. The result of a call for the Orders of the

Day is that it **stops whatever the assembly is doing** and the meeting **proceeds to the orders of the day** (the agenda).

When the agenda isn't being followed or a motion that was made a special order is not being taken up at the right time, one member can call for the orders of the day. This motion does not require a **second**. It is **not debatable**. The chair must *immediately go to the orders of the day or take a vote to set aside the orders of the day*. If the chair assumes a motion to set aside the orders of the day, a two-thirds vote in the negative is required for passage. If a member moves to set aside the orders of the day, it requires a **two-thirds vote in the affirmative** for passage.

Raise a Question of Privilege

Purpose of raising a Question of Privilege is to **permit a member to make a request or a main motion relating to the rights and privileges of the assembly or of an individual member** and to **consider it immediately**, because of its urgency, while other business is pending. It **does not require a second**, and it is **not debatable**. The **chair rules on the request**.

The result of a Question of Privilege is that the chair is asked to rule on the request. That ruling determines the outcome. A common question of privilege deals with noise or temperature in the assembly room. Questions of privilege may concern the assembly or may concern the individual. Of the two, privilege of the assembly has a higher priority.

Madam President, I rise to a question of **privilege concerning the assembly**. . . . It is too hot in here. Can we have the heat turned down?

Madam President, I rise to a question of **personal privilege**. . . . I can't hear the speaker.

Recess

The purpose of a Motion for a Recess is to take a short break/intermission and then (after the break) resume the meeting/business where the members left off. As a privileged motion, members make a motion to recess when other business is pending. However, the motion does need a **second**. Additionally, the length of the Recess is **amendable**, but **not debatable**. It requires a **majority vote** to pass and it **cannot be reconsidered**, *but it can be made again* after some progress in the meeting.

Adjourn

The purpose of a Motion to Adjourn is to end the meeting immediately. It **does need a second**, and it is **neither amendable nor debatable**. This motion **requires a majority vote** to pass, and it **cannot be reconsidered**, *but if the motion is not approved, members can make it again after some progress in the meeting*. Obviously, if the Motion is passed, it would cause the meeting to end, and the business halts at the point where

the members adjourned. If the members are in the middle of discussing a motion, that motion will come up at the next meeting under unfinished business.

As a privileged motion (one that can be made when other motions are pending), a Motion to Adjourn takes precedence over all other motions, except the Motion to Fix the Time to Which to Adjourn. However, if the Motion to Adjourn is passed, but before the chair announces the adjournment, members can rise to make announcements, give previous notice about a motion to be made at the next meeting, make motions to *reconsider (to be considered at the next meeting)*, or bring a Motion to Fix the Time to Which to Adjourn.

Fix the Time to Which to Adjourn

The purpose of a Motion to Fix the Time to Which to Adjourn is to **set a later time to continue the present meeting** before the next regular meeting. In parliamentary terminology, it sets the time for an adjourned meeting. It does need a **second**. The **time and date of the adjourned meeting are amendable**, though **not debatable**. This motion requires a majority vote for passage and it **may be reconsidered**. The result of its passage is to set the date, place, and time for the meeting to continue.

As a privileged motion, a *Motion to Fix the Time to Which to Adjourn* is the highest-ranking motion. An adjourned meeting is a legal continuation of the present meeting. This motion never adjourns the present meeting; it sets the time and date for another meeting.

However, when **no business is pending**, the Motion to Fix the Time to Which to Adjourn is an incidental **Main Motion**. The difference between the motion as an incidental main motion and as a privileged motion is that, as an incidental main motion, it has all the characteristics of a main motion, which includes the right to debate.

Points of Order

The Purpose of a Point of Order is to correct a breach in the rules, either when the presiding officer does not correct it, or when the presiding officer makes the breach of the rules him or herself. It **does not require a second**, and it is **not debatable**. The presiding officer rules on the Point, and it **cannot be reconsidered**. The Result of a Point of Order is that the Chair makes a determination on the issue of whether there is a breach in the rules and whether it shall be corrected. The **chair's ruling stands unless someone appeals** it.

The person raising a Point of Order can **interrupt the speaker** who has the floor. A Point of Order **should be made at the time** of the infraction. But if the infraction is of a continuing nature, members can make a Point of Order at any time.

An infraction of a continuing nature is:

- An adopted main motion that conflicts with the bylaws; corporate charter; governing documents of a parent organization; or federal, state, or local laws.
- An adopted main motion that conflicts with a main motion previously adopted and still in force. For the motion to be valid, members have to rescind or amend something previously adopted.
- Any action that is in violation of basic parliamentary principles.
- Any action that is in violation of rules that protect either absent members or individual members.

Appeal from the Decision of the Chair (Appeal)

As used in parliamentary parlance, the purpose of an Appeal is to disagree with the chair's ruling and let the members decide the disagreement by taking a vote. It **does need a second**, and the motion (to *Appeal*) must be made at the time the ruling was made. It is **generally debatable**, however, it is not debatable if it relates to rules of speaking, the priority of business (order of business), or a ruling on a non-debatable motion. An Appeal is **not amendable**. A majority **or tie vote** sustains the decision of the chair, though it can be reconsidered.

The **chair** has the **first opportunity to speak to the appeal**. After members of the assembly have spoken to the appeal, the **chair** has the **last right to speak** before taking the vote. A majority vote is needed to sustain the decision of the chair. In an Appeal, the question before the assembly is, "Shall the decision of the chair be sustained?"

If the members vote for the decision of the chair, business continues in accordance with the chair's ruling. If the members vote against the decision of the chair, the action thereafter is in accordance with the position of the person who brought the *appeal*.

Inquiries and Information

Requests and inquiries, which do not require motions, help members obtain information. One way to obtain information is to ask for parliamentary information. This request is called a **parliamentary inquiry**. The chair answers the inquiry.

Another way to obtain information is to ask for information about the subject being discussed, which is called a **point of information**. Requests and inquiries are always directed to, or through, the chair.

Members can make other requests besides those listed previously. For example, if a member wants to read extracts from a paper to support his or her arguments, he or she must ask permission of the assembly to do so. If no one objects, he or she can proceed to read from the written materials. However, if someone objects, the presiding officer

places the request as a motion before the assembly. It takes a majority vote to grant permission to read from a paper or book.

OTHER MISCELLANEOUS MOTIONS

Request for Permission to Withdraw or Modify a Motion

The purpose of a Request for Permission to Withdraw or Modify a Motion is to withdraw or modify a motion without taking a vote. It **does not need a second** *if the action is asking permission to withdraw the motion*. A **second would be required** if the action is to *modify the motion*. The motion is not debatable.

Only a **negative vote** in *withdrawing the motion* **can be reconsidered**. If the action is to *modify the motion*, the vote can be reconsidered. When withdrawn, it is as if the motion had never been made. If modified, it is presented to the assembly in the modified form.

Before the chair states the motion, it belongs to the maker of the motion and he or she can withdraw it or modify it without the permission of the assembly. After the chair states the motion, it belongs to the assembly and the maker must ask permission to modify or withdraw it.

Note: If the chair has not stated the motion, the member who made the motion can withdraw it without permission of the person who seconded it. If the member modifies the motion and the person who seconds it withdraws his or her second, someone else must second the motion. However, *after the chair states the motion*, the motion belongs to the assembly and not to the maker of the motion. The assembly, not the person who seconded the motion, must give permission to withdraw the motion or modify it.

Request to be Excused from a Duty

When the bylaws assign certain *compulsory* duties to the members and a member can't fulfill the duty, he or she must make a formal request to the assembly to be excused from a duty. This request motion would allow a member, with the consent of the assembly, to be excused from duties assigned in the bylaws. It needs a **second** when moved formally by the person asking to be excused. However, if another member makes the motion, it does not need a second. This motion is **amendable** and is **debatable**. If a vote is taken, passage requires a **majority vote**, though this is often settled by general consent. Only a negative vote can be reconsidered.

Object to Consideration of a Question

The purpose of an Object to Consideration of a Question is to prevent the main motion from being considered. It does not require a **second** and it is **not debatable**. It takes a **two-thirds vote** *in the negative* not to consider. . Anyone can object to consideration, including the presiding officer. The matter is put to the assembly along the following

lines: "Shall the question be considered?" Only a *negative vote*, not an affirmative vote, can be **reconsidered**.

If **two-thirds** of the members **vote** in the negative (not to consider the question), the motion cannot be considered for the duration of the meeting. However, members can propose that the matter be *considered again at another meeting*.

Division of the Assembly

If after a vote is taken and the chair announces the results (e.g., a voice vote) a member who doubts or questions the results of the vote may ask for a **Division of the Assembly** - asking for a re-count of the results. **No second** is required and it is **not debatable**. The result of this is that a new vote is immediately retaken - in a different way than it was originally taken.

Division of the Question

The purpose of **Division of the Motion** is to separate - divide - a motion that has several topics that can stand as separate motions. This can be applied to main motions and their amendments. It does require a **second**, and it is **amendable**, though **not debatable**. Passage requires a **majority vote**, and the vote **cannot be reconsidered**.

The result of this motion is divided into its separate parts and the assembly considers each part individually without affecting the other parts. This is a good tool to assure that motions are being passed based on the merits of what is being decided. For instance, if a motion that has separate, unrelated parts is being considered by the assembly, without a division of the motion, it may not be able to be known whether a vote approving the motion would have majority support for its component parts, e.g., whether, if segregated, the assembly would approve part A *and* would approve part B. It may be that if voted on separately, both would fail, but if voted together, the members supporting part A PLUS those supporting part B, when combined, constitute a majority. See *also* Endnote 2.

Suspend the Rules

The purpose of a **Motion to Suspend the Rules** is to set aside a rule of the assembly (suspending an ordinary standing rule,* not bylaws, the corporate charter, fundamental principles of parliamentary law, or rules that protect the absent members or basic rights of individual members). It does need a **second** and it is **neither debatable nor amendable**. This motion requires a **two-thirds vote** to suspend a *parliamentary order* or *order of business*; it needs a **majority vote** to suspend a *standing rule*, and it **cannot be reconsidered**.

- * Standing rules of the society are rules that do not have to do with parliamentary procedure but with the policies of the society, time of the meetings, or something of an administrative nature.

The result of passage of the motion is that rules are set aside so that members can do something contrary to or inconsistent with the rules. This motion is used primarily to take up a particular item of business out of its regular agenda order or to set aside a procedural rule or an ordinary standing rule (not by-laws or corporate charters).

When the members dispose of the motion for which the rules were suspended, they return to the place in the agenda where they left off.

MOTIONS THAT BRING A QUESTION AGAIN BEFORE THE ASSEMBLY

There are just a few ways to bring a motion back before the assembly. One way is called *renewing a motion*: If a motion is defeated, a member can reintroduce it as new business at the next meeting. Other ways include motions to *Take from the Table* (regarding matters laid on the table), Reconsideration, and Rescind and Amend Something Previously Adopted. These motions are available when no other business is pending.

Take from the Table

The purpose of a Motion to *Take from the Table* is to bring back to the assembly a motion that had been laid on the table. See Lay on the Table, page 15. This motion needs a **second**, and it is **not debatable**. This motion requires a **majority vote** for approval and **cannot be reconsidered**. Also, this motion is inappropriate when any other business is pending. Any member can make this motion.

The result of this motion is to take a motion from the table (that had been laid on the table), which then becomes the immediate pending business. When a motion is laid on the table (set aside temporarily), members must typically take it from the table by the end of the next meeting or it dies. Often, the motion to Lay on the Table only briefly sets the motion aside, and it is revisited after the business that was sought to be taken up, prompting the motion to lay the motion on the table in the first place.

Reconsider

The purpose of a Motion to Reconsider is to revisit (and **re-vote** on) the vote on a particular motion. *Only a member who voted on the prevailing side can make the motion*. This motion does need a **second**. It is **debatable** if the type of motion it seeks to have reconsidered *is debatable*. A **majority vote** is required for approval. A Motion to Reconsider **cannot be reconsidered**. This motion can be made, but not considered, when other business is pending.

If approved, the result is that the original motion is placed back before the assembly as if it had not been previously voted on. The Motion to Reconsider allows the assembly to change its mind about how the membership voted on a motion. In assemblies whose meetings last one day, members must make this motion at the same meeting in which

the vote was taken. In conventions or sessions of more than one day, members can reconsider a motion voted on at one meeting the next day. If time has run out on the motion to reconsider, the Motion to Rescind the Action or Amend Something Previously Adopted may be the available option to bring the matter back before the assembly. If the Motion to Reconsider was defeated at the previous meeting, a member can renew the motion by reintroducing it as new business (new Main Motion).

A Motion to Reconsider is an unusual motion; as making the motion to reconsider suspends all action until the Motion to Reconsider is taken up or terminates. Therefore, to prevent its dilatory use by the losing side, only a member that voted on the prevailing side can make the motion, although anyone can second it. A member who makes this motion should state that he or she voted on the prevailing side. If the member doesn't state this, it is the chair's duty to ask the member whether he or she voted on the prevailing side. Typically, if there is no business pending before the assembly, the motion is taken up immediately. If business is pending, the chair should tell the secretary/clerk to make a note that the motion to reconsider has been made, in which case, it would be taken up when no other business is pending, which could be at the next meeting. There are, however, some limitations relating to Motions to Reconsider. Members cannot reconsider a motion in the following cases:

- When the provisions of the underlying motion have been partially carried out
- When a vote on the underlying motion has caused something to be done that cannot be undone
- When a contract has been made and the other party has been notified of the vote (e.g., where the underlying motion approved the contract)
- When some other parliamentary motion can obtain the same result

Rescind and Amend Something Previously Adopted

The purpose of a Motion to Rescind and Amend Something Previously Adopted is to change something previously adopted either by striking out the entire action or by changing part of it. It does need a **second**. It is **amendable** and **debatable**.

If *no previous notice* is given, either a **two-thirds vote** *or* a **majority of the entire membership** is needed, whichever is more practical to obtain. If *previous notice is given*, a **majority vote is sufficient** for passage. Only a **negative vote can be reconsidered**. The result of the passage of this motion is that the previously adopted motion is reversed or changed.

Actually, there are two (separate) motions involved here. Both Rescission and Amendment are not necessarily included in each. The rules concerning the two motions to *Rescind* [Motion to Rescind Something Previously Adopted] and *Amend* [Motion to Amend Something Previously Adopted] *something previously adopted* by the assembly

are very similar. However, similar to Reconsideration, there are some limitations on when these may/may not be used. A motion cannot be rescinded or amended:

- If someone makes the motion to reconsider the vote and it can be called up.
- If action on the motion has been carried out, and it is impossible to undo.
- When a resignation is acted upon and the person notified.
- When a person is elected to membership or expelled from membership and notified. (If expelled from membership, this person has to reapply according to the bylaws.)
- When an officer is elected to or removed from office and notified. (If a person is elected to office and the members want to rescind the action, they can do so if the bylaws permit this action.)

ITEMS NOT ADDRESSED HEREIN

There are a number of issues that are included and addressed in *Robert's Rules of Order* or *Robert's Rules of Order, Newly Revised* that are not specifically addressed or included in this paper. That is not to minimize the application or importance of these items/issues. Rather, the major focus of this paper is on addressing the issues more commonly confronting assemblies related to parliamentary issues at meetings, and that translates to motions and actions regularly related to the functioning of meetings.

Charter, Constitution and Bylaws

Electronic Meetings

Ex Officio Officers and Members

Meeting Agendas

Member Discipline (e.g., motion to censure)

Member Resignations

Nominations and Elections

Selection of a Presiding Officer

Also not addressed herein are the requirements and limitations of the Washington State **Open Public Meeting Act**, Chapter 42.30 of the Revised Code of Washington.

If any of these [non-included] issues surface in a parliamentary setting, it would be helpful to evaluate them in terms of the specific facts involved and how *Robert's Rules of Order, Newly Revised* would address the issues. However, notwithstanding the common/regular application of *Robert's Rules of Order*, the more important thing is to apply common sense to the needs of the assembly. Again, the focus of *Robert's Rules of Order* is to accommodate the functioning of organizations with a recognition of the

rights of the organization (supersede the rights of individual members), and that all members are equal and their rights are equal, with those rights including the right to attend meetings; to make motions and speak in debate; to nominate; to vote; and to hold office. Obviously, a quorum must be present to do business, and the majority rules. But the rights of a minority member and minority members must be protected in implementing the parliamentary processes. However these things can be handled with common sense, and if that is the intended approach, many parliamentary issues will take care of themselves. *Robert's Rules of Order* sets the stage and provides the guidelines, and is a valuable tool for organizations that want their meetings to function reasonably, efficiently and effectively.

PARLIAMENTARY MOTIONS CHART

With any review of *Robert's Rules of Order*, a significant part of its parliamentary procedure involves Motions. As noted above, in parliamentary terms, motions have a **priority ranking** which makes a difference on whether a certain motion could be brought at a particular time, depending on what is already before the assembly. Additionally, some motions/actions may be **amended** and others may not; some require a simple **majority** for passage and others require more (something different); some are **debatable** and others cannot be debated; some require a **second** and others no not; the maker of some may **interrupt** a speaker who otherwise has the floor and others may not; and some motions/actions are able to be **reconsidered** and others are not.

There are also different classes (categories) of motions that relate to how the motions are used or how they relate to the business of the assembly. These include those related to **main motions**, those that are **incidental** to main motions, those that involve **privileged** motions or issues and those that **bring a matter back to the assembly** for re-vote.

Keeping track of all of these factors can be challenging. A common tool employed by parliamentarians is a Chart indicating how the factors relate to particular motions or actions. Many of the Motion Charts have similar themes, as the issues and factors they include are drawn from a common source, *Robert's Rules of Order*. But these Charts are often quite different in terms of how they set out their information, and what they include or address. Charts/Tables that include everything that is included in *Robert's Rules of Order, Newly Revised* (the current version, the 11th Edition), take up forty-eight pages, a number of pages that may be unwieldy for convenient, quick use. That points to the difficulty with these charts; including the information/material that is most helpful yet not being too lengthy.

For simplicity and convenient use, some charts may not include certain parts. The challenge in developing the various motions charts is this including what is helpful yet keeping the chart succinct and easy to use.

Attached below (the last page of this paper) is a Parliamentary Motions Chart that attempts to include the major motions (the **most common motions**) in their **priority**

ranking, identifying those for which the maker may **interrupt**, those that require a **second**, those that are **debatable**, those that may be **amended**, those that require a **majority vote** (or something else) for passage, and those that may be **reconsidered**. The Chart also endeavors to distinguish the various classes of motions: **main motions**, **incidental motions**, **privileged motions** and those that **bring a matter back to the assembly** for re-vote.

Note that among the classes of motions, three are considered *secondary motions*: **subsidiary**, **privileged**, and **incidental** motions. The below Chart does not include identification of subsidiary motions, as that description does not necessarily relate to how the particular (subsidiary) motions are acted upon.

ENDNOTES

¹ Not necessarily as widely appreciated, as his writings on parliamentary procedure, during the Pig War, Henry M. Robert built the military fortifications on San Juan Island. The Pig War was a confrontation in 1859 between the United States and the British Empire over the boundary between the US and British North America. The territory in dispute was the San Juan Islands (present-day Washington State). The Pig War was so called because it was triggered by the shooting of a pig. With no human casualties, this dispute was a bloodless conflict, perhaps in part because of the fortifications built by Henry M. Robert.

² Akin to the one subject at a time rule, were multiple issues before the deciding body at the same time, the votes would be blurred. The Washington State Constitution, Art. 2, § 19 similarly provides that “[n]o bill shall embrace more than one subject.... As noted by Dustin Buehler his law review article, *Washington's Title Match: The Single-Subject and Subject-In-Title Rules of Article II, § 19 of the Washington State Constitution*, 81 Wash. L. Rev. 595 (2006), the Purpose of the Single-Subject Rule is to Prevent Logrolling. Ensuring that each legislative subject passes on its own merits is the purpose behind the Article II, Section 19 single-subject rule. See *State Fin. Comm. v. O'Brien*, 105 Wn. 2d 78, 88, 711 P.2d 993, 998 (1986). Single-subject provisions have sought to prevent the pairing of unpopular subjects with popular legislation since Roman times, See Robert Luce, *Legislative Procedure* 548-49 (1922), and the vast majority of American states have enacted such provisions. See Brannon P. Denning & Brooks R. Smith, *Uneasy Riders: The Case for a Truth-in-Legislation Amendment*, 1999 Utah L. Rev. 957, 1005-25, note 1, at 1024-25. The language of Article II, section 19 is similar to the provisions of other states (Compare, e.g., Wash. Const. art. II, § 19 (“No bill shall embrace more than one subject, and that shall be expressed in the title.”), with Cal. Const. of 1879, art. IV, § 24 (“Every act shall embrace but one subject, which subject shall be expressed in its title.”), and Minn. Const. of 1857, art. IV, § 27 (“No law shall embrace more than one subject, which shall be expressed in its title.”)), and thus the purpose behind Washington's provision is likewise similar to the provisions of other states--the prevention of logrolling. See *State ex rel. Wash. Toll Bridge Auth. v. Yelle*, 32 Wn. 2d 13, 24-25, 200 P.2d 467, 472-73 (1948); *Wash. Water Jet Workers Ass'n v. Yarbrough*, 151 Wn 2d 470, 493-501, 90 P.3d 42, 53-57 (2004).

³ Under Washington law, RCW 35.18.170, a *majority of the councilmembers* shall constitute a *quorum* for the transaction of business. In most cases, a majority of that quorum is all that is needed to pass council action. See, for instance, RCW 35.18.120 and 35A.13.130 (The city manager shall be appointed for an indefinite term and may be removed by a *majority vote of the council*.) See also, RCW 35.23.021 (the council may enact an ordinance providing for the appointment of the city clerk, city attorney, and treasurer by the mayor, which appointment shall be subject to confirmation by a *majority vote of the city council*); RCW 35.85.020 (Any such [assessment district improvements] ordinance may be passed upon *majority vote of the council*).

There are, however, specific statutes that dictate that more than a majority of the quorum is necessary for council action. See, for instance, RCW 35.18.180 (No ordinance, resolution, or order, including those granting a franchise or valuable privilege, shall have any validity or effect unless passed by the affirmative vote of *at least a majority of the members of the city or town council*). See also, RCW 35.32A.020 ([The appointment of the budget director is] subject to confirmation by a *majority of the members of the city council*); 35A.12.100 ([The Mayor shall] cause any legal proceedings to be instituted and prosecuted in the name of the city, subject to approval by *majority vote of all members of the council*); and RCW 35.43.070 (A local improvement] ordinance must receive the affirmative vote of *at least a majority of the members of the council*.) For that matter, RCW 35.43.070 also provides that charters of cities of the first class may prescribe further limitations. In cities and towns other than cities of the first class, the ordinance must receive the affirmative vote of *at least two-thirds of the members of the council*.

In *Buckley v. City of Tacoma*, 9 Wash. 269, 270-71, 37 Pac. 446 (1894), the court notes that “[n]othing is more common in legislative bodies than the passage of orders in [viva voce votes*], for, so long as a quorum is maintained, a majority of viva voce votes . . . will prevail. But in no case where a fixed proportion of members must vote to carry a measure is it possible to ascertain the result by the viva voce plan.” Accordingly, per *Buckley v. Tacoma*, whenever more than a simple majority of the council quorum

is called for, the presiding officer should employ measures to verify that the vote met the necessary standard - standing vote, show of hands, etc.

*Viva voce voting is voting by speech, as distinguished from voting by a written ballot

⁴ See RCW 35A.12.100 (The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.); RCW 35.23.201, RCW 35.23.845 and RCW 35.27.280 (The mayor shall have a vote only in the case of a tie in the votes of the councilmembers.); and RCW 35A.12.070 ([The] mayor in a mayor-council code city [may cast] a tie-breaking vote relating to a [mayoral/council salary] ordinance: PROVIDED, That if the mayor of such a city does not cast such a vote, his or her salary may be increased during his or her term of office.)

Robert's Rules of Order - MOTIONS CHART

(§ indicates the section number from *Robert's Rules of Order*)

Part 1, Main Motions. These motions are listed <i>in order of precedence/rank</i> . A motion can be introduced if it is higher on the chart than the pending (or lower) motion.							
§	MOTION - How to Say Motion:	PURPOSE OF MOTION:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?
§22	I move that after this meeting adjourns we next meet ... * #	Set next date to continue considering business	No	Yes	No	No	Majority
* NOTE: <i>Robert's Rules of Order</i> calls this a Motion to “Fix the Time to Which to Adjourn,” a motion that may be brought <i>after</i> a Motion to Adjourn but <i>before</i> the chair adjourns.							
§21	I move to Adjourn	Close a meeting	No	Yes	No	No	Majority
§20	I move to Recess for ...	Take a break	No	Yes	No	Yes	Majority
§19	I rise to a Question of Privilege	Register a complaint or ask a question	Yes	No	No	No	None
§18	I call for the Orders of the Day #	Make the assembly follow the agenda	Yes	No	No	No	None
§17	I move to Lay the question on the Table	Lay a motion aside temporarily (table motion)	No	Yes	No	No	Majority
§16	I move the Previous Question	Close debate	No	Yes	No	No	2/3rds
§15	I move that we Limit Debate to ... #	Limit or extend debate	No	Yes	No	Yes	2/3rds
§14	I move to Postpone the Motion to ... (date/time certain) #	Postpone consideration to a certain date & time	No	Yes	Yes	Yes	Majority
§13	I move to Refer the Motion to ... # (unless the committee started work)	Refer to a committee	No	Yes	Yes	Yes	Majority
§12	I move to Amend the Motion by ... #	Modify wording of motion	No	Yes	Yes	Yes	Majority
§11	I move that the motion be Postponed Indefinitely # +	Kill a main motion	No	Yes	Yes	No	Majority
§10	I move that [or "to"] ... [Main Motion] #	Bring business before the assembly	No	Yes	Yes	Yes	Majority

Part 2, Incidental Motions. No order of precedence. These motions arise incidentally and are decided immediately.								
§	MOTION - How to Say Motion:	PURPOSE OF MOTION:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	
§23	I rise to a Point of Order ...	Enforce rules	Yes	Yes	No	No	None	
§24	I Appeal from the decision of the chair #	Submit matter to assembly	Yes	Yes	Varies	No	Majority	
§25	I move to Suspend the Rules	Suspend rules	No	Yes	No	No	2/3rds (<i>usually</i>)	
§26	I Object to the Consideration of the Question # -	Avoid acting on the main motion altogether	Yes	No	No	No	2/3rds	
§27	I move to Divide the Question	Divide motion	No	Yes	No	Yes	Majority	
§29	I move for a Rising Vote (<i>standing vote</i>)	Demand a rising vote	Yes	No	No	No	None	
§33	I rise to a Parliamentary Inquiry	Parliamentary law question	Yes	No	No	No	None	
§33	I rise to a Point of Information	Request for information	Yes	No	No	No	None	

Part 3, Motions That Bring a Question Again Before the Assembly. No order of precedence. Introduce only when nothing else is pending.								
§	MOTION - How to Say Motion:	PURPOSE OF MOTION:	INTERRUPT?	2ND?	DEBATE?	AMEND?	VOTE?	
§34	I move to Take from the Table ...	Bring matter (previously tabled) back to assembly	No	Yes	No	No	Majority	
§35	I move to Rescind ... # -	Cancel previous action	No	Yes	Yes	Yes	2/3rds or Majority with notice	
§37	I move to Reconsider ...	Reconsider a motion ** (<i>See # below</i>)	No	Yes	Varies	No	Majority	

**** NOTE:** Under *Robert's Rules of Order*, a **Motion to Reconsider** - §37- may be made only by a member who voted on the prevailing side.

Indicates motions/actions that may generally be reconsidered. [# + indicates reconsideration of *affirmative vote only*, # - indicates reconsideration of *negative vote only*]

Part 4, Privileged Motions - Motions That Bring up a Matter of Urgency or Importance Unrelated to any Pending Business.								
A Privileged Motion is granted precedence over ordinary business because it concerns matters of great urgency or importance. Such motions are <i>not debatable</i> , although in case of a Questions of Privilege, the chair may feel the need to elicit relevant facts from members. The maker of the Motion may interrupt the speaker who has the floor.								



Memorandum

To: Judi Roland, Chair, Planning Commission
Ron Copple, Vice Chair, Planning Commission
Planning Commissioners

From: Jeff Dixon, Planning Services Manager

CC: Jeff Tate, Assistant Community Development Director

Date: February 29, 2016

Re: **Discussion Topic:** Pending Annual Amendments to Comprehensive Plan Map

BACKGROUND

Annually the City amends its Comprehensive Plan. These are the “annual amendments” that the city considers routinely each year as distinguished from the major update of the Comprehensive Plan, that was recently completed and required by state law. There are two sources for these annual amendments; that the City processes.

1) **City – initiated amendments** in response to items that are identified by staff or “docketed” (text or map) and 2) **private–initiated amendments** in response to applications that are submitted. In response to the public notification of the time period for receipt of applications, the City has received private – initiated comprehensive plan amendment for map amendments.

The City also previously received two applications for adjacent sites that were submitted by the same Applicant. These applications were submitted without the necessary environmental checklist application (required pursuant to the State Environmental Policy Act (SEPA)) and the Applicant agreed to defer the city’s consideration of the applications until the missing applications were submitted and processed.

The purpose of this agenda item is an introductory discussion of the pending map amendments. The city staff is currently conducting the necessary associated environmental review (SEPA decisions) process for all these items.

When the environmental review process is completed, city staff will advertise and schedule a public hearing for the Planning Commission.

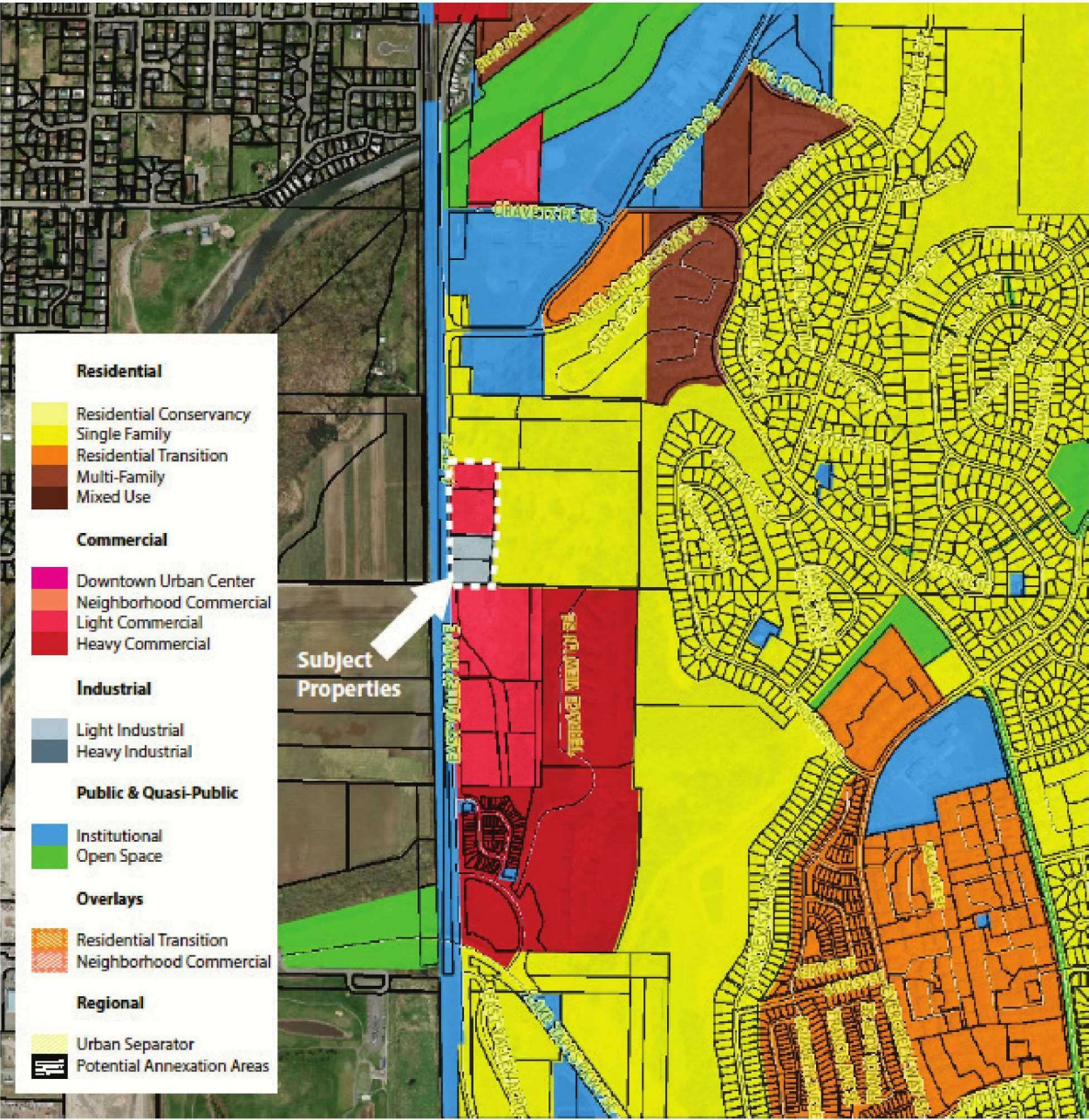
DISCUSSION

At the March 8, 2016 Planning Commission meeting, staff would like to introduce and discuss:

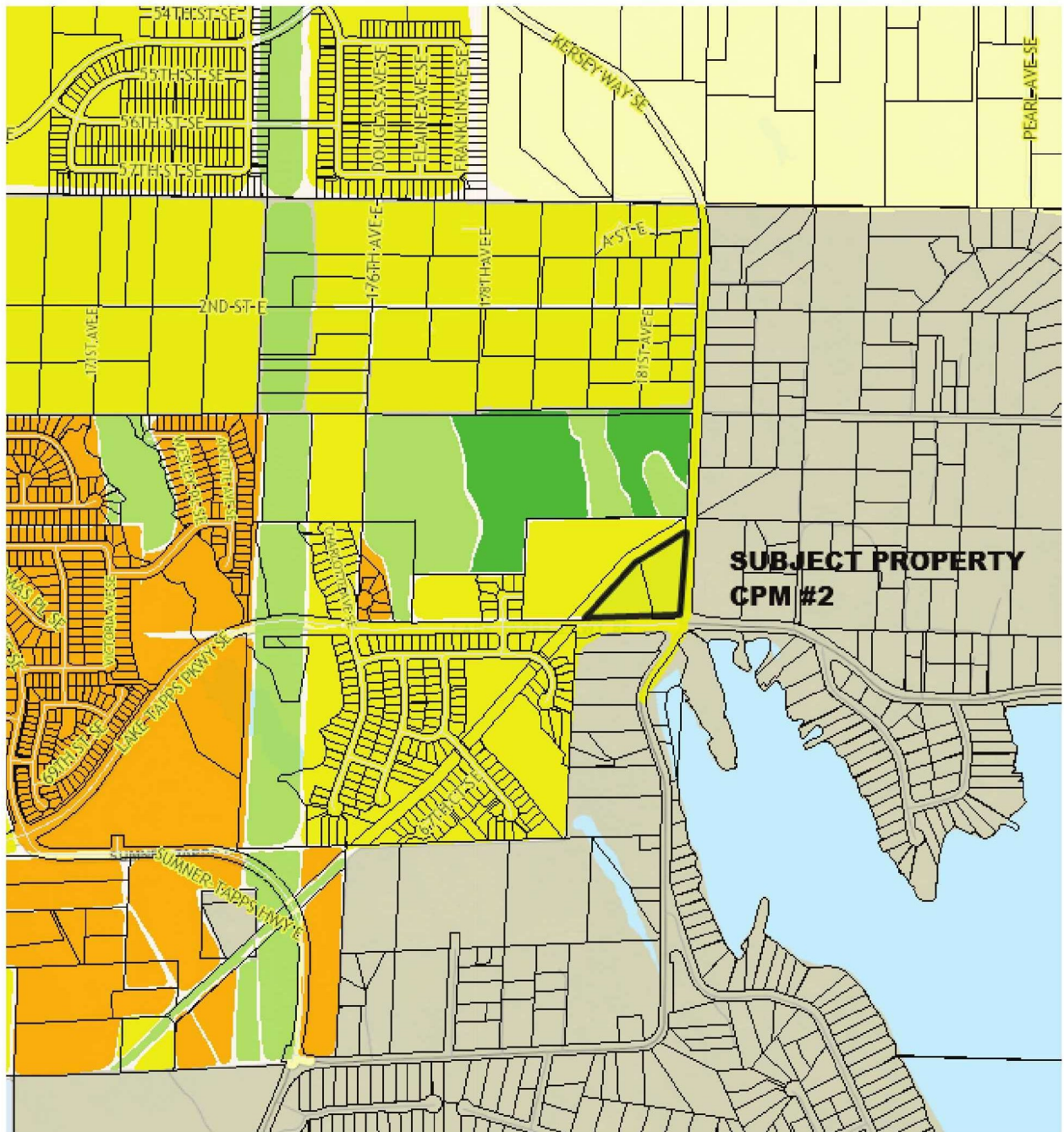
1. Comprehensive Plan Map Amendments

- CPM #1- Request to amend the map designation of the northern 2 of 4 parcels under the same ownership totaling 5.9 acres from the current designation of "Light Commercial" to "Light Industrial". The southern two parcels were recently changed to "Light Industrial" by the Major Comprehensive Plan Updated completed at the end of 2015. The properties are vacant, contain existing single family residences, or contain a business office. The properties are located on the east side of East Valley Highway (A ST SE) in the 54XX-56XX block (between Lakeland Hills Boulevard and Lake Tapps Parkway)
- CPM#2- Request to amend the map designation of a 2.27-acre parcel from the current designation of "Single Family Residential" to "Commercial". The vacant property is located northwest of the intersection of Lake Tapps Parkway SE and 182nd Avenue E (east of Lakeland Hills South area, at the southeast corner of the city).
- CPM#3- Request to amend the map designation of an 8-acre parcel from the current designation of "Single Family Residential" to "Moderate Density Residential". The vacant property is located northwest of the intersection of Lake Tapps Parkway SE and 182nd Avenue E (east of Lakeland Hills South area, at the southeast corner of the city).

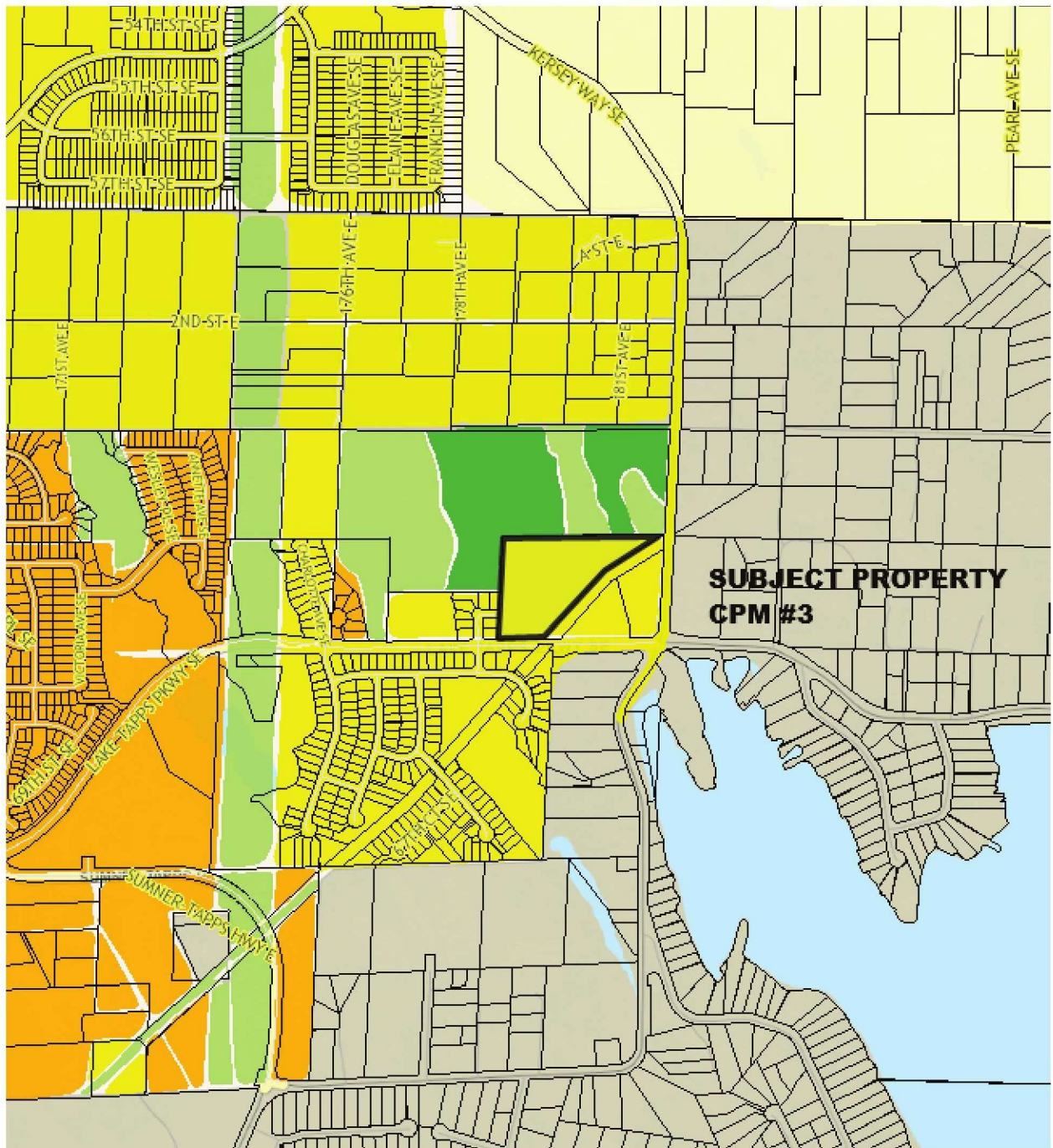
CMP #1



CMP #2



CMP #3



Legend

☐ Land Use

-  Residential Conservency
-  Single-Family Residential
-  Moderate Density Residential
-  High Density Residential
-  Office Residential
-  Neighborhood Commercial
-  Light Commercial
-  Heavy Commercial
-  Downtown
-  Light Industrial
-  Heavy Industrial
-  Public and Quasi-Public
-  Open Space