CITY OF AUBURN WASHINGTON

Planning Commission Meeting
January 7, 2020 - 7:00 PM

AGENDA

I. **CALL TO ORDER**

A. **ROLL CALL/ESTABLISHMENT OF QUORUM**

B. **PLEDGE OF ALLEGIANCE**

II. **PUBLIC HEARINGS**

III. **APPROVAL OF MINUTES**

A. November 6, 2019 Draft Minutes from the Planning Commission Regular Meeting

IV. **OTHER BUSINESS**

A. **Presentation by COA Economic Development Division**

Doug Lein, Economic Development Division Manager, to provide a presentation on division activities and to answer questions. No action required.

B. **Review of Planning Commission Rules of Procedures**

Annually the Planning Commission reviews their Rules of Procedures and determines if any changes are warranted.

C. **Election of Planning Commission Officers for year 2020**

Annually the Planning Commission nominates and votes for Chair and Vice Chair.

V. **COMMUNITY DEVELOPMENT REPORT**

Update on Community Development Services activities.

VI. **ADJOURNMENT**

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

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

AGENDA BILL APPROVAL FORM

Agenda Subject:
November 6, 2019 Draft Minutes from the Planning Commission Regular Meeting

Date:
December 18, 2019

Department:
Community Development

Attachments:
November 6, 2019 Draft minutes from the Planning Commission Regular Meeting

Budget Impact:
Current Budget: $0
Proposed Revision: $0
Revised Budget: $0

Administrative Recommendation:

Planning Commission review and approve the November 6, 2019 regular meeting minutes.

Background Summary:

Reviewed by Council Committees:

Councilmember:

Staff: Dixon

Meeting Date: January 7, 2020

Item Number:

I. CALL TO ORDER

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

a.) ROLL CALL/ESTABLISHMENT OF QUORUM

Commissioners present: Chair Roland, Vice-Chair Lee, Commissioner Mason, Commissioner Khanal, Commissioner Stephens. Commissioner Moutzouris was excused.

Staff present: Daryl Faber, Parks & Recreation Director; Doug Ruth, Assistant City Attorney; Jacob Sweeting, Assistant Public Works Director /City Engineer; Consuelo Rogel, Financial Analyst; Jeff Dixon, Planning Services Manager; Anthony Avery, Senior Planner; Jennifer Oliver, Administrative Assistant.

Members of the public present: No members of the public present.

b.) PLEDGE OF ALLEGIANCE

II. APPROVAL OF MINUTES

A. October 8, 2019 – Regular Meeting Minutes

Vice Chair Lee moved and Commissioner Stephens seconded to approve the minutes from the October 8, 2019 meeting as written.

MOTION CARRIED UNANIMOUSLY. 5-0

III. PUBLIC HEARING

A. CPA19-0002 – Comprehensive Plan Amendment
Public Hearing for Policy and Text Amendment #5 regarding the City of Auburn's Capital Facilities Plan 2020-2025 update.

On November 6, 2019 at 7:02 p.m.Chair Roland opened the continuation of the public hearing from October 8, 2019 regarding Policy and Text Amendment #5, the City of Auburn's 2020-2025 Capital Facilities Plan (CFP).

Senior Planner Anthony Avery provided a PowerPoint presentation to the Commission addressing the Capital Facilities Plan 2020-2025 as part of the Annual Comprehensive Plan Amendments. He reviewed with the Planning Commission the

previously-distributed Finance Dept. memorandum of changes between last year's 2019-2024 and this year's 2020-2025 CFP. At the regular meeting on October 8, 2019, the Commission requested additional information and representation of staff members from all the various departments participatory to the CFP. In partial response to the request, Public Works Dept. and the Parks Dept. representatives were requested to assist the Commission in comprehension of the CFP and be available to answer questions. At the meeting tonight, Daryl Faber, Parks, Arts & Recreation Director and Jacob Sweeting, Assistant Public Works Director /City Engineer, is in attendance as well as Consuelo Rogel, Financial Analyst, to assist with questions the Commission may have. He added that the CFP is a required element of the Comprehensive Plan by Washington Growth Management Act (GMA). It sets the framework for future capital investments and their funding as well as allows the city to seek funding outside the city such as grants. The CFP informs the City's Transportation Improvement Plan (TIP). It is a dynamic document that can be subject to change in future years depending on availability and success of acquiring funds or re-arranging budget priorities due to fiscal constraints.
Key updates to this year's Capital Facilities Plan:

* Transportation projects associated with A St SE removed and combined into a corridor study.
* Removed multiple projects in transportation, utilities, parks, and general due to completion of the projects in 2019. Brannan Park and Les Grove Park Improvements, Academy Drive storm water improvements, and Kersey Way SE Corridor trail improvements.
* Update M&O, Police, and City Hall facilities master plan updates to a comprehensive facility needs study and master plan.
* Total forecast spending through 2025 is $262.8 million, down from $267.3 last year.

Auburn Avenue Theater

Daryl Faber, Parks, Arts and Recreation Dept. Director, introduced an amendment to the Capital Facilities Plan. He referred to the pages that were distributed to the Commission showing strike through and underline changes related to the City Council's recent decision to acquire the Auburn Avenue Theater . For the past 13 years, the City of Auburn through its Parks, Arts, and Recreation Department has operated the Auburn Avenue Theater with a lease from the property owner, JB Douglas. The current lease was scheduled to end on December 31, 2021. At the October 21 City Council meeting, the Council authorized the Mayor to enter into a purchase and sale agreement for the Theater by Resolution No. 5465. The source of funds for the acquisition is Real Estate Excise Taxes known as "REET 1". According to RCW 82.46.010(2), jurisdictions may use REET 1 funds "for any capital purpose identified in a capital improvements plan and local capital improvements, including those listed in RCW 35.43.040" , which includes projects such as streets, parks, sewers, water mains, swimming pools, and gymnasiums. Local capital improvements include the acquisition of real and personal property associated with such improvements, thus, land acquisition for parks is a permitted expenditure. To qualify for this funding source, the Theater acquisition for municipal purposes must be added to the Capital Facilities Plan. The recommendation that is being asked of

the Commission is to amend the 2020-2025 Capital Facilities Plan (Parks Acquisitions/Development, Project No. gpbd04) which identifies this funding source for the acquisition of the Auburn Avenue Theater.

The Commission asked staff what improvements specifically would be done to the Theater as well as what type of events would be held. Staff explained that the seating is planned to increase from 250 to 300. There is also a possibility to change the stage layout. Mr. Faber indicated the performances will be similar to what has been taking place there recently such as comedy shows, plays, and tribute band performances. Commissioners asked how common it was for municipalities to own a theater like this. Parks Director Faber indicated that there are many local examples of jurisdictions having theaters but that it also depends on the desires of the community. There are also theaters owned and operated by non-profit companies. The Planning Commissioners asked for clarification on the amount the Theater was purchased for and staff clarified that it was $650,000. It was noted that the purchase should close by the end of the 2019 year.

Public Works Projects

Jacob Sweeting, Assistant Public Works Director /City Engineer introduced himself and explained to the Planning Commission the range of Public Works Projects that are a part of the Capital Facilities Plan and thus the Annual Comprehensive Plan Amendments. These are transportation, utilities, and the airport. He briefly verbally stepped through some of the listed projects that are the responsibility of the Public Works Dept. Most of the changes are related to funding changes, added projects or deleted projects due to completion.

Transportation
The CFP closely resembles the TIP and staff works to keep them consistent. He said there are three added projects. These are Improvements to 10th St NW and A St NW west of Fred Meyer. This intersection is nearing capacity. Intersection improvements include a new traffic signal. Widening of East Valley Highway from 2 to 4 lanes and separated trail between Lakeland Hills Way and Lk Tapps Parkway. Grant funding will be source of funding for this project.
The third project is the First phase of the 102nd roadway located east of the 8th ST bridge. 102nd Ave will be disconnected from 8th ST and a connection made to 104th Ave at th north end. This project will begin this spring, as the vehicle backup on 8th ST (Lea Hill road) is a safety concern. There was discussion about whether the bridge would be worked on in future phases of this project.

In response to a question by the Commission, the Commission and staff discussed how departments choose which projects to fund. Staff explained that safety is a priority in deciding which projects are prioritized. Pedestrian and bicycle safety are important factors as well as different grant opportunities to fund these projects and capacity and congestion. Sweeting explained that the source of funds is often impact fees and by law these can only be spent on capacity improvement projects. Staff reported that many studies and modeling are completed to assist in the decisions on projects to help determine what priority is.

The Commission asked M ST & E Main ST project. The last segment between Main and 4th ST NE is the remaining section without 4 lanes. Also the traffic signal would be upgraded. The Commission asked if utilities are upgraded during road improvement projects.

In response to a Commissioner question, there was discussion about city and private provider efforts to install fiber communication lines. A Commissioner asked about PSRC traffic modeling and how it identifies traffic congestion occurring in Auburn.

Utilities
Sweeting indicated that added water system projects include upgrades to well 5 and 5 A water system in Lakeland Hills. It is underutilized and improvements will be done to make it a more reliable supply.
Rainier Ridge pump station was built in 1980 and it is at its capacity. It experiences frequent leaks and breakdowns. Improvements will take place to this pump station.

There are discussion about the recent water main break and a study to identify high risk pipes and then provide for their replacement. The Commission asked staff about the wireless water meters that the city now uses to monitor water usage at different residences. Commissioner Lee recalled that staff had previously explained that resident could go online to view the account and the water usage. His concern was that there has been no website for residents to view this information. Staff reported that once everything was installed, this is planned as the next phase with the software vendor; however, staff responded that they would look into this information and report to the Commission.

Chair Roland inquired if the listed project of Green River Pump Station emergency power been completed this year as there was a large amount of money estimated for 2019.. Mr. Sweeting responded that he was uncertain but believed that the project has been completed. The improvements were replacing an emergency generator to the station to assist when there are power outages. Referring to Page 99, Mr. Sweeting said the generator helps to pressurize the water system with any power failure that can happen.

Chair Roland asked for clarification on the term “retail customers” that was mentioned in the CFP. Staff clarified that retail customers are the businesses and residents of Auburn.
The Commission asked and there was ensuring discussion about how changes to the Shoreline Master Program and Critical Areas Regulations affect capital facilities projects.

The Commission questioned what the meaning of “inverted syphon” was as that was an item referred to in the CFP. Staff explained that it is the sewer line that comes off Lea Hill and it dips under the river and the low spot operates under pressure.

A Commissioner asked what a vegetation sorting facility was and where was it located in Auburn. Staff explained that on an annual basis, storm ponds are cleaned out and any vegetative debris that is removed is sorted out with an excavator. There are makeshift sorting facilities are located in different locations around the city.

The Commission inquired about general new stories about problem of combined sewer and storm discharges. Sweeting indicated that Auburn does not have interconnected systems and the Auburn sewer system flow connects into King County pipes where it is treated at the wastewater treatment plant in Renton.

Airport
Sweeting reported the Runway extension project is now underway. 5% of funding will come from the state, the rest was a grant from the FAA. The extension of the runway is on existing airport land. Perhaps in the future, the runway extension will continue further but it would then require safety areas overtaking Metro Park and Ride lot as well as different safety measures that would need to be completed. Negotiations are underway right now with King County to purchase the northern portion of the Park and Ride lot.

The Commission inquired about the type of aircraft that would use the runway that could not use it now, when in the future, the extension project is completed. Staff responded that operations at the airport have transitioned from hobbyists to more commercial type charter planes, and this could be expected to increase with the extended runway. Larger aircraft was not anticipated at this time. Additional transit aircraft will be utilizing the extended runway. A Commissioner questioned what the economic benefit is of the runway extension. Staff reported that additional aircraft flying in to stay in Auburn would create additional visitors to check out and visit more of the local businesses in Auburn. Sweeting explained that replacement and additional hanger space and some of the facilities will be improved to attract more tenants, including service mechanic.

The Commission asked about funding for the airport. It was explained that it is a separately operated enterprise fund and not part of the general fund.
The Commission asked how many separate businesses operate out of the airport and jobs are generated at the airport. Sweeting responded that he does not have the specific information but estimates there are 3 City of Auburn employees that maintain jobs as well as approximately 12 people associated with private businesses at the airport.
Sweeting also mentioned the addition to the CFP of airport pavement maintenance project. He said the fencing the west side and environmental permitting of the west side are being pushed out into the future.

Senior Planner Avery added that he did not have additional information to provide on CFP projects for other Depts. or the Valley Regional Fire Authority (VRFA).

Chair Roland invited the public forward three times for testimony for and against Text Amendment #5 regarding the City of Auburn's Capital Facilities Plan 2020-2025 update. With no other testimony, Chair Roland closed the public hearing at 8:23 p.m.

With no other questions from the Commission, the Commission deliberated.

Commissioner Stephens moved and Commissioner Khanal seconded to recommend approval of Text Amendment #5 regarding the City of Auburn's Capital Facilities Plan

2020-2025 update into the City's Comprehensive Plan. Planning Services Manager Jeff Dixon requested a point of clarification that the changes that the Commission was presented at the meeting tonight for the Parks and Recreation Department were included in the motion. Commissioner Stephens point of clarification confirmed those changes are included in the motion. Commission Khanal seconded that clarification. Motion approved (5-0)

IV. OTHER BUSINESS

V. COMMUNITY DEVELOPMENT REPORT

Planning Services Manager, Jeff Dixon reported that two days ago City Council approved the updates to Shoreline Master Program (SMP) and Critical Areas Ordinance (CAO). The Council passed it without any other concerns, comments or changes and was very grateful for the recommendation and time the Planning Commission put into it. Earlier, the Council also approved Ordinance No. 6728 to affect code changes from vertical integrated mixed use to horizontal integrated mixed use for the Inland Washington LLC redevelopment of the former Valley Six Drive-in site. Also, the Heritage building site, that was demolished by fire almost two years ago, the owners of the site, which is now called the Devine Court, has submitted building permits and civil permits. Staff has reviewed both permits and are waiting on a resubmittal back from the owners with updates.

The Planning Commission and Staff determined that there were no items or topics for a December meeting. So, there will not be a meeting in December .
January 7, 2020 will be the next Planning Commission meeting.

VI. ADJOURNMENT

There being no further business to come before the Planning Commission, Chair Roland adjourned the meeting at 8:33 p.m.

AGENDA BILL APPROVAL FORM

Agenda Subject:
Presentation by COA Economic Development Division

Date:
December 19, 2019

Department:
Community Development

Attachments:
PC Memo - Economic Development Presentation

Budget Impact:
Current Budget: $0
Proposed Revision: $0
Revised Budget: $0

Administrative Recommendation:

Background Summary:

See Atachment

Reviewed by Council Committees:

Councilmember:

Staff: Dixon

Meeting Date: January 7, 2020

Item Number:

CITY OF AUBURN WASHINGTON

MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Roger Lee, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Jeff Dixon, Planning Services Manager

CC: Doug Lein, Economic Development Manager

DATE: December 18, 2019

RE: General Presentation on City's Economic Development Division

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You may recall, as part of last year's 2018 Annual Comprehensive Plan Amendments, the Planning Commission considered the incorporation of the Ten-Year Strategic Economic Development Plan as part of the annual amendments to the City's Comprehensive Plan. The preparation of the Ten-Year Strategic Economic Development Plan was prepared by a city-hired consultant whose work was overseen and directed by the City's Economic Development Division. For the Planning Commission's consideration at their October 16, 2018 meeting, Doug Lein, Economic Development Manager, gave a presentation to the Planning Commission and described the purpose and contents of Ten-Year Strategic Economic Development Plan. A copy of the Plan was provided to the Planning Commissioners at the time.

Since then, curiosity has been expressed by the Planning Commission members about the Economic Development Division of the City and the various work and initiatives that these city staff are involved in. To be responsive to the Planning Commission, Doug Lein has been invited to the Planning Commission meeting on January 7, 2020 to provide an overview of the function and organization of this City division and their various responsibilities.

AGENDA BILL APPROVAL FORM

Agenda Subject:
Review of Planning Commission Rules of Procedures

Date:
December 18, 2019

Department:
Community Development

Attachments:
Planning Commission Election Rules and Procedures Memo
Attachment A - Proposed changes to 3.5.19
Adopted PC Rules of Procedures

Budget Impact:
Current Budget: $0
Proposed Revision: $0
Revised Budget: $0

Administrative Recommendation:

Background Summary:

See Attachment

Reviewed by Council Committees:

Councilmember:

Staff: Dixon

Meeting Date: January 7, 2020

Item Number:

CITY OF AUBURN WASHINGTON

MEMORANDUM

TO: Judi Roland, Chair, Planning Commission
Roger Lee, Vice-Chair, Planning Commission
Planning Commission Members

FROM: Jeff Dixon, Planning Services Manager

DATE: December 16, 2019

RE: January 7, 2020 Planning Commission Routinue Meeting Agenda Topic - Rules of Procedure and Election of Officers

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Distribution of the Rules of Procedure

The Planning Commission's 'Rules of Procedure' were last amended on March 5, 2019. An agenda topic is proposed for the January 7, 2020 meeting as an annual review of the contents of this document. Annually, the Planning Commission reviews the Rules of Procedure as a content reminder and also to consider any modifications of the rules.

Election of Officers for 2020 – Section III

Pursuant to the Planning Commission's adopted Rules of Procedures (provided as Attachment A), Subsection III.2 states that the Planning Commission shall elect officers at the first regular meeting of each calendar year or as soon thereafter. As a result at the January 7th meeting, officers must be elected for 2020. The results of the election will then take effect at the following meeting so that new appointments are prepared to serve in their new capacity. Officers are approved by a majority vote of the Commission.

Modifications to Rules of Procedure

Review the Planning Commission Rules of Procedure as adopted March 5, 2019 to determine if the Planning Commission recommends any changes or additions to the Rules of Procedure document.

Staff Recommendation:
Staff reviewed the latest adopted Rules of Procedure document and noted some very minor corrections/clarifications that are shown in strike-through (deletions) and underline (additions). These changes include:

- Capitalization
- Correcting the Dept. name

- Correcting a reference from “Council” to “Commission” to be accurate
- Clarifying Findings of Fact
- Changing the section numbering to agree

If the Planning Commission has additional changes, these can be captured by staff and then these changes can be presented in writing and provided at the next regular meeting as provided in Section XIII, Amendment.

Attachment A – Planning Commission Rules of Procedure as amended March 5, 2019 & with staff recommended changes shown in strike-through & underline.

CITY OF AUBURN

PLANNING COMMISSION

RULES OF PROCEDURE

ADOPTED NOVEMBER, 1983
REVISED NOVEMBER, 1988
UPDATED APRIL, 2000
REVISED FEBRUARY, 2007
REVISED APRIL 2, 2013
REVISED MARCH 8, 2016
REVISED May 2, 2017
REVISED February 6, 2018
REVISED , 2018
REVISED June 5, 2018
REVISED March 5, 2019
REVISED XX, 2020

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 may be called by the Chair. Special meetings of the Planning Commission may also be called by any three members of the Commission. A minimum notice of 24 hours shall be provided for special meetings in accordance with State law.

5. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be canceled at the notice of the Secretary or Chair provided at least 24 hours in advance.

6. Except as modified by these Rrules of Pprocedure, Robert's Rules of Order, Newly Revised, most current version, shall govern the conduct of the meetings.

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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, or as soon thereafter as possible. The term of office of each officer shall run until the subsequent election.

3. If the Chair or Vice-Chair vacates their position mid-term, the Planning Commission will re-elect officers at their next scheduled meeting and as their first order of business. If it is the Chair position that has been vacated, the Vice-Chair will administer the election proceedings.

IV. CHAIR:

1. The Chair shall preside over the meetings of the Commission and may exercise all the powers usually incident of the office. The Chair shall be considered as a member of the Commission and have the full right to have his/her own vote recorded in all deliberations of the Commission. Unless stated otherwise, the Chair's vote shall be considered to be affirmative for the motion.

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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 Community ~~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 Community ~~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 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:

Participation in Planning Commission responsibilities is essential; not only so that a quorum can be established, but to also ensure that discussions and decision making are as representative of the community as possible. Recurring absence also diminishes a member's ability to vote on matters discussed during prior meetings. It is therefore important for all appointed

members to participate to the maximum extent possible. If a member is unable to participate on a regular basis, it may be appropriate for a member to be replaced. This section of the rules is intended to provide standards that ensure that the regular absence of one member does not become disruptive to, or impede the work of, the full Commission.

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

VIII. ACTIONS DEFINED:

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

1. Legislative actions are those which affect broad classes of people of the whole City. These actions include adopting, amending, or revising comprehensive, community, or neighborhood plans, or other land use planning documents or the adoption of area wide zoning ordinances or the adoption of a zoning ordinance amendment that is area wide in significance.

2. Quasi-judicial actions of the Planning Commission are those actions which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceeding. Quasi-judicial actions include actions that would otherwise be administrative or legislative if applied more widely or city-wide, rather than affecting one or a small number of persons or properties. Quasi-judicial actions do not include the legislative actions adopting, amending, or revising comprehensive, community, or neighborhood plans or other land use planning documents or the adoption of area-wide zoning ordinances or the adoption of a zoning amendment that is of general or area-wide significance.

3. Organizational actions are those actions related to the organization and operation of the Commission. Such actions include adoption of rules, directions to staff, approval of reports, election of officers, etc.

IX. AGENDA:

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

1. CALL TO ORDER

a) Roll Call/Establishment of Quorum
b) Pledge of Allegiance

2. Approval of Minutes
3. Public Hearings
4. Other Business Items as Appropriate
5. Community Development Report
6. Adjournment

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

X. PUBLIC HEARINGS:

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

1. Chair opens the public hearing and establishes whether the proponent, if applicable, is in attendance.

2. Staff Report.

3. Testimony of Proponent, if applicable. Persons addressing the Commission, who are not specifically scheduled on the agenda, will be requested to step up to the podium, give their name and address for the record, and limit their remarks to three (3) minutes, in addition to filling out the speaker sign in sheet available at the Secretary's desk. All remarks will be addressed to the Commission as a whole. The Secretary shall serve as timekeeper. The Presiding Officer may make exceptions to the time restrictions of persons addressing the ~~Council~~ Commission when warranted, at ~~in~~ the discretion of the Presiding Officer.

4. Chair calls for other testimony, either for or against. Testimony must be called for three times. The Chair shall have the discretion to set time limits on individual public testimony.

5. All testimony and comments by persons addressing the Commission shall be relevant and pertinent to issues before the Commission's public hearing. The Chair shall have the discretion to rule on the relevance of individual public testimony.

6. Questions of staff or persons presenting testimony. Questions by Planning Commissioners that are intended for persons who have provided testimony shall be directed through the Chair. Questions to persons who have provided testimony shall be relevant to the testimony that was provided.

7. Chair closes public hearing.

8. A public hearing may be reopened by motion duly seconded and approved by a majority vote to accept additional testimony.

9. Deliberation.

10. Voting:

    A. 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, or has disclosed a conflict of interest and must abstain from a vote on the motion, that member shall so advise the Chair and, if there is no objection to the abstention, shall physically remove and absent himself/herself from the meeting/hearing, all 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.

F. No member may participate in any decision if the member had not reviewed the staff reports and testimony presented at the hearing on the matter. Such member may, however, listen to the recording of the hearing in order to satisfy this requirement.

11. Continuing an Item:

If the Commission wishes to continue a public hearing item, the Chair should open the public hearing, solicit testimony, and request a motion from the Commission to continue the public hearing item to a time, place, and date certain. If any matter is tabled or postponed without establishing a date, time, and place certain, the matter shall be scheduled for a hearing pursuant to Auburn City Code (ACC) Section 18.68.040 before the matter may be considered again.

12. Findings of Fact:

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

A. The Commission may adopt in whole, in part, or with amendments, the written findings prepared by staff. Motions to approve the staff recommendations shall be deemed to incorporate such findings and conclusions unless otherwise indicated. Such findings and conclusions do not have to be read in order to be deemed a part of the record.

B. The motion to take action may adopt oral finding of fact statements made by Commission members or staff during the hearing or deliberation.

C. The motion to take an action may direct that additional written findings and conclusions be developed based on the hearing and deliberation of the Commission.

D. Findings and conclusions may be approved or amended at any time by the Planning Commission, but all such actions shall be based on the record of the matter at hand.

13. Order of Hearings:

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

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

XI. CONDUCT:

1. These rules are intended to promote an orderly system of holding public meetings and public hearings.

2. Any person making personal, impertinent or slanderous remarks or noises while addressing the Commission at a public hearing may be barred from further participation by the Presiding Officer, unless permission to continue is granted by a majority vote of the Commission.

3. No comments shall be made from any other location other than the podium, lectern or table set up for people to address the Commission at a public hearing, unless approved in advance by the Chair, and anyone making irrelevant, distracting, or offensive comments or noises may be subject to removal from the meeting.

4. Demonstrations, applause, other disruptive behavior, or other audience participation during or at the conclusion of anyone's presentation are prohibited. It is distracting to the Commission, the audience, and persons testifying.

XII. CONFLICT OF INTEREST:

1. Any member of the Commission who in his or her opinion has an interest in any matter before the Commission that would tend to prejudice his or her actions shall publicly indicate, step down and leave the meeting room until the matter is disposed. A member need only be excused from legislative or organizational action if the potential conflict of interest is direct and substantial.

   A. No member of the Planning Commission may use his or her position to secure special privileges or exemptions for himself, herself, or others.

   B. No member of the Planning Commission may, directly or indirectly, give or receive or agree to receive any compensation, gift, reward, or gratuity from a source except the employing municipality, for a matter connected with or related to the officer's services as such an officer unless otherwise provided for by law.

C. No member of the Planning Commission may accept employment or engage in business or professional activity that the officer might reasonably expect would require or induce him or her by reason of his or her official position to disclose confidential information acquired by reason of his or her official position.

D. No member of the Planning Commission may disclose confidential information gained by reason of the officer's position, nor may the officer otherwise use such information for his or her personal gain or benefit.

E. No member of the Planning Commission may take any action that is prohibited by Chapter 42.23 RCW or any other statutes identifying conflicts of interest.

2. Appearance of Fairness:

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

A. Members shall avoid communicating in respect to any proposal with any interested parties, other than staff, outside of public hearings. Written communication from an interested party to a member may be permitted provided that such communication is made part of the record.

B. Members shall avoid drawing conclusions regarding decisions until after the public hearing is closed.

C. Members shall avoid participating in decisions which affect their or any family member's property, personal or business interest, or organization.

D. Members shall avoid participating in decisions in which a preconceived bias or conclusion has been formed in the mind of the member prior to the hearing.

E. If any concern relating to Items A~~1~~ through D~~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.

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

XIII. AMENDMENT:

The Rules of Procedure may be amended at any regular meeting of the Commission by a majority vote of the entire membership. The proposed amendment should be presented in writing at a preceding regular meeting.

DRAFT

AGENDA BILL APPROVAL FORM

Agenda Subject:
Election of Planning Commission Officers for year 2020

Date:
December 18, 2019

Department:
Community Development

Attachments:
No Attachments Available

Budget Impact:
Current Budget: $0
Proposed Revision: $0
Revised Budget: $0

Administrative Recommendation:

Background Summary:

Reviewed by Council Committees:

Councilmember:

Staff: Dixon

Meeting Date: January 7, 2020

Item Number: