



NORTH BEND PLANNING COMMISSION PROCEDURES

(Adopted by the Planning Commission; amended 9/14/17,
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As approved by the Planning Commission on September 14, 2017

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2 CHARTER

- A. The Planning Commission is established by NBMC 2.28 as an advisory body to the City Council. The Commission's principal responsibilities include:
1. Preparation and amendment of the Comprehensive Plan;
 2. Preparation of development regulations including, but not limited to, zoning ordinances including area-wide but not site-specific rezones, critical area ordinances including shoreline regulations other than goals and policies adopted pursuant to 90.58.RCW, planned unit development ordinances, subdivision ordinances, binding site plan ordinances, and other official controls placed on development or land use activities, together with any amendments thereto to implement the Comprehensive Plan;
 3. Ensure public participation as required by RCW 36.70A.14 in performance of the duties outlined in (1) and (2) above;
 4. Other duties as may be assigned under state enabling laws and at the direction of the City Council.

3 MEMBERSHIP ROLES

- A. Provisions governing membership is and terms of office are established in NBMC 2.28 and repeated below for reference. In the case of a conflict with the City Code, the Code shall govern.
- B. The Planning Commission is a seven-member body, appointed by the Mayor and confirmed by the Council pursuant to RCW 35A.63.020. Four (4) of the Commissioners shall reside inside the City limits while three (3) may reside outside the city, but inside the 98045 zip code area. The positions of the members shall be assigned position numbers. Members will be appointed to serve for a period of four (4) years from the time of their appointment.
- C. If any person on the Planning Commission concludes that he or she has a conflict of interest or an appearance of fairness problem with respect to a matter pending before the agency so that he or she cannot discharge his or her Planning Commission duties, he or she shall recuse himself or herself from participating in the deliberations and decision-making process with respect to that matter. If this occurs, the mayor may appoint, without confirmation, a person to serve as an alternate on the agency to serve in his or her stead in regard to such a matter.
- D. Members may be removed by the mayor, with council approval. Members shall be selected without respect to political affiliation and shall serve without compensation.
- E. If a Member cannot complete their term they shall notify the Mayor and Chair in writing. If a Member has a conflict of interest such as running for Council they may continue until they are elected. If elected to Council, that member is to resign before the next scheduled meeting following the election.

- F. The commission shall elect its own chair and create and fill such other offices as it may determine it requires.
- G. The City Clerk maintains a list of current Commission members.

3.1 COMMISSION OFFICERS

- A. Chair - The chair conducts the meetings, conducts and presides over the public hearings as scheduled, works with staff to prepare, plan, and set meetings. The term for the chair is two years and is elected at the first regular meeting in March.
- B. Vice Chair - The Vice Chair assumes the duties of the Chair in his/her absence. The term of Vice Chair is two years and elected at the same time as the chair.
- C. Vacancy of Offices - In the event the Chair or Vice Chair leaves the office before their term expires, the Planning Commission shall vote to determine the Chair and/or Vice Chair to fill the position for the remainder of the previous incumbent's term.
- D. Commission Members:
 - 1. Commission members should be recognized by the Chair before asking questions or providing other information. This allows for the Chair to specifically recognize the Commission member by name who is about to speak, so that the record accurately reflects who has spoken.
 - 2. Commission members should avoid whispered conversations between themselves during the course of the meeting or hearing. These conversations may not be audible on the tape recording and may jeopardize the record of the meeting or hearing since they cannot be interpreted.
 - 3. This Commission and its members are subject to the Open Public Meetings Act ("OPMA"), RCW [chapter 42.30](#) requirements and the Public Records Act (PRA), chapter 42.56 RCW.

4 MEETINGS

4.1 LOCATION AND PUBLIC

- A. Under NBMC 2.28, the Commission is obliged to have at least one (1) regular meeting per month for at least nine (9) months in each year. Regular meetings are on the second and fourth Thursdays of the month. Meetings are typically held at the conference room of the City Hall Building, 211 Main Avenue North, North Bend, commencing at 7:00 PM. Meeting location may be changed when additional space is needed or canceled when warranted.
- B. All meetings of the Planning Commission are open to the public. For very specific reasons only (e.g. legal matters, personnel matters), the Commission is entitled to hold an Executive Session. It shall adopt rules for transaction of business and shall keep a written record of its proceedings, which shall be a public record.

4.2 TIME AND LENGTH

- A. Planning Commission meetings are scheduled to begin at 7:00 p.m. and continue no later than 9:00 p.m. Continuation of meetings past 9:00 p.m. requires approval of a motion by a majority of the members.
- B. Absences and Attendance
 - 1. Planning Commissioners are a member of a recommending body to the City Council therefore, expected to attend all meetings possible.
 - 2. Commissioners who are aware of an advance absence shall notify the city staff (Community and Economic Director and Planning Staff) and the Chair 48 hours in advance of the absence.
 - 3. If the Chair and Vice Chair are unable to preside at a meeting, the Chair shall designate the presiding officer for that meeting. If the Chair is unable to designate the presiding officer, then the Vice Chair shall do so.
 - 4. Commissioners who have an emergency absence and are not able to notify the Chair and/or staff of the absence should notify the staff and/or Chair following the emergency period.
 - 5. Commissioners who in advance know that they are not able to attend a scheduled meeting may provide their detailed written and/or verbal comments, if any, for consideration at meetings in which they will be absent. Such comments shall be provided in timely advance of the meeting to staff and/or the Chair of the Commission so that they can be distributed. Where comments are not submitted, it is presumed by the staff and Commission at-large that the individual member either is neutral with the subject being deliberated or has no comments.
 - 6. Where individual Commissioners are aware of a future absence, and where providing detailed written and/or verbal comments per [5], a quorum of the Commission may review and act on said comments and related subject matter in the absence of the subject Commissioner. The Commission, through a majority vote of a quorum present, reserves the right not to entertain future discussion on the comment items.
 - 7. In the case of a non-excused absence, comments provided on deliberated items at any future date shall only be considered if a majority of a quorum of the Commission decides to address them.
 - 8. These policies in this section shall not apply to sudden emergencies and/or illnesses associated with an individual Commissioner and their immediate family members, provided that reasonable efforts shall be made to leave a message at the City staff regarding emergency absences.
 - 9. Where the Commission is scheduled to take final action on any business item, and a quorum of the Commission takes final action, any absent Commissioner, whether absent by known or emergency circumstance, shall be prevented from re-introducing the business item.

4.3 PREPARATION AND INPUT

- A. Commissioners are expected to attend all regular and special Commission meetings.
- B. Commissioners are expected to be prepared to address business items on the agenda at all Commission meetings.

4.4 MEETING AGENDAS AND NOTICES

- A. Regular meeting notices are posted at City Hall, 211 Main Avenue N., the Community and Economic Development Department, 126 E. Fourth Street, the North Bend Library, and the North Bend Post Office before the regular meeting date. The City staff provides an email of the meeting date and packet to all Planning Commissioners, City Council, and citizens may sign up to receive agendas through Notify Me on the website no later than Friday the week before the next meeting.
- B. For special meetings (i.e. meetings not held on regular meeting nights), notices are posted at all the previously mentioned notice locations, as well as provided to the Snoqualmie Valley Record, not less than 1 week in advance of the meeting. Special meeting notices must indicate business items for the meeting. For Planning Commission public hearings, notice is typically required at least 10-days in advance of the hearing with publication in the Snoqualmie Valley Record. Applicable provisions of City code control specific public hearing notification requirements.
- C. Commission agendas are prepared in advance by the Community and Economic Development Department. Agendas, along with any related materials (e.g. draft minutes, staff reports) are typically mailed to Commissioners not later than the one week in advance of a regular meeting and emailed by COB of Thursday preceding the regular meeting. A copy of the Planning Commission agenda package is available for public inspection at City Hall and the Community and Economic Development Department. Planning Commission agendas are also distributed to the Mayor, Council members, City Administrator and City Clerk. A copy of the agenda should be kept with the permanent copy of approved minutes (RCW 40.14.070).

5 TRANSACTION OF BUSINESS

5.1 QUORUM

- A. NBMC 2.28.030 ('Quorum') will be amended to provide that four (4) members (not 3) of the Commission shall constitute a quorum for the "transaction of business".
- B. A quorum of Commissioners is required to hold regular meetings or special meetings. Any action taken by a majority of a quorum of the Planning Commission at any regular or special meeting shall be deemed and taken as an action of the Planning Commission.

5.2 MOTIONS AND VOTING

- A. All Planning Commission members may make and vote on motions to recommend approval with conditions or denial any development proposal or amendment to a long range plan or city ordinance. All motions are made in the affirmative.
- B. The Meetings of the North Bend Planning Commission and the governance for conducting its business are governed by Roberts Rules of Order Newly Revised.

- C. Planning Commission members must be present to vote on a motion; proxy votes are not valid. A member may abstain from voting.

5.3 CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS

Any member of the Planning Commission who is his or her opinion has a personal interest in any matter before the Commission that would tend to prejudice his or her actions shall indicate such interest at the beginning of discussion at such topic. When any member cannot make a fair and impartial decision because of a real or perceived interest in a matter before the commission, the member shall state the real or perceived interest, or have the interest described by other member of the commission or the audience. In the event of a recusal where there is an in-kind or monetary interest, he or she will remain silent or remove themselves from the room until such time as a vote has been taken on that item.

5.4 RECORD OF FORMAL ACTIONS

All formal actions of the Planning Commission shall be recorded in: (a) the taped record of Commission meetings, and (b) the approved minutes. In the case of any formal advisory recommendations to the Council, Planning Commission recommendations shall be in writing and may include findings, conclusions, and the recommendation(s), with supporting materials as appropriate. The Chair shall sign a written recommendation.

5.5 MINUTES – TAPED AND WRITTEN

All Commission meetings are recorded and copies of the recordings are kept at the City Annex Building – 126 E. Fourth Street, as well as posted online at the city’s website at www.northbendwa.gov. The Community and Economic Development Department staff drafts minutes following each meeting and sends them in the next mailing for Commission review and approval at subsequent meetings. Draft minutes are also available to the Mayor, City Councilmembers, City Administrator and City Clerk. Once approved by the Commission, minutes are copied in a binder of permanent records, signed by the Chairperson representing the Planning Commission at the meeting, as well as city staff person representing the City of North Bend, and kept in the City annex building. Where joint meetings are held with the City Council or otherwise, minutes are coordinated with the City Clerk’s office. Where joint meetings are held with the City Council or otherwise, minutes are coordinated with the City Clerk’s office. (RCW 40.14.070 and WAC 414.24.050 provide variable time-periods for maintaining recording records; generally, recording records should be kept for 6-years. The official record; per RCW 40.14.070, minutes must be kept 6 years, however, it is City policy to retain them permanently. 1-year record is required for secondary copy (RCW 40.14.070)).

5.6 STAFFING

Staff responsibilities include: drafting agendas and mailing agenda materials in advance of meeting dates; attendance, recording, and drafting of meeting minutes for subsequent Commission approval; and technical assistance to the Planning Commission pursuant to their duties outlined in NBMC 2.28.

5.7 RELATIONSHIP WITH CITY COUNCIL

The Planning Commission may occasionally attend the regularly scheduled meetings of the City Council and Council committees. Members may attend on a rotating basis and shall report to the Planning Commission at

their next regular meeting. In addition, the Planning Commission should meet with the City Council on an annual basis with a report of activities and progress.

5.8 RELATIONSHIP WITH HEARING EXAMINER

The Planning Commission should stay informed of issues brought to the Hearing Examiner at a minimum by receiving copies of the Hearing Examiner's decisions. Planning Commissioner's may request through Notify Me on the City's website to be on the distribution list for all hearings. The Planning Commission should also listen to the Hearing Examiners summary statements which capture the public feedback on the project.

5.9 PLANNING COMMISSION REPORTS

All City Council agendas include a 'reports' section in which appointed boards and commission update Councilmembers on their activities. Reporting to the Council is voluntary and not typically necessary, unless the Chair, Vice-Chair, and/or Commission members are specifically requested to attend a Council meeting.

5.10 ANNUAL REPORT

Pursuant to NBMC 2.28.090, The Planning Commission shall report on their actions or recommendations concerning matters covered by their prescribed duties and authority in writing or in person to the City Council as requested by Council or as necessary in the determination of the Commission. This report is prepared by the Community and Economic Development Department.

5.11 WORK/STUDY SESSIONS:

- A. The Planning Commission is interested in public comments regarding the land use proposals being considered, as well as other land use matters about which you would like the Commission to be aware.
- B. In the weeks prior to a public hearing for a land use proposal, the Planning Commission studies the issues, and receives information from staff, applicants, and invited experts. The general public may also provide information during the "Public Comments" section of each meeting.
- C. Neighbors and other interested individuals may contribute unique knowledge and insight for the Planning Commission to consider in making its recommendations.
- D. Public Comments that are prepared remarks and statements shall be provided at the beginning of the meeting during the "Public Comment on Non-Agenda Items" and before the study session items are introduced.

6 PUBLIC PARTICIPATION

- A. Per NBMC 2.28.070 the Council, after reviewing recommendations from the Planning Commission, shall establish and broadly disseminate to the public a public participation program identifying procedures providing for efficient, early and continuous public participation in the development and amendment of comprehensive plans, the shoreline master program and development regulations implementing such plans. The procedures shall provide for broad dissemination of proposals and alternatives, opportunity for written comments, public

meetings after effective notice that is reasonably calculated to provide notice to property owners and other affected interested individuals, agencies or organizations, and consideration and response to public comments.

6.1 PUBLIC COMMENT

- A. The item titled “Public Comment on Non-Agenda Items” is the appropriate time to hear citizen proposals related to the Zoning Code or other planning issues. Each speaker is provided a minimum of five minutes at the discretion of the Chair. Anyone wishing to provide oral testimony on an item with regard to a proposed amendment to the Zoning Code or Comprehensive Plan shall do so at the time of the public hearing and not during the “Public Comment on Non-Agenda Items;” however, the Chair may exercise discretion depending on the time until the public hearing and whether the testimony provides new information. For example, Speakers on any one item, or the amount of time allocated for oral comment as part of “Public Comment on Non-Agenda Items” may be limited to a specified amount of time, also at the discretion of the Chair.
- B. Citizen questions may be answered by the staff at the direction of the Chair or inquired on behalf of any member of the Planning Commission.

6.1.1 Public Testimony Written Materials

- A. Written testimony may be submitted to city staff prior to the public hearing. Staff will make copies for the commission. If you bring written materials to the public hearing and would like each Commissioner to immediately have a copy, please bring copies for the Commissioners, staff and the recording secretary; 10 copies are recommended.
- B. Written materials submitted before the close of the public hearing become part of the public record. It is not necessary to read from written testimony, although you may summarize your written comments in spoken testimony.

6.1.2 Spoken Testimony

- A. Each person is allotted up to five minutes to provide testimony. A timer is activated after you provide your name and address. At four minutes, the timer will indicate that it is time to immediately conclude your comments. At five minutes, your comments will need to be concluded. At the start of your testimony, please clearly state your name and address for the record.
- B. Each person is entitled to speak only once at a public hearing, even if all the allotted minutes are not used.

6.2 PUBLIC HEARINGS

- A. The Planning Commission will generally conduct hearings to recommend an action to the Council on a legislative matter. The Planning Commission generally does not recommend action to the Council or other bodies on quasi-judicial matter(s).
- B. It is not necessary to sign up prior to speaking at the public hearing, but doing so expedites the hearing process.
- C. If there is more than one public hearing scheduled, there will be a separate sign-up sheet for each hearing. Be sure to sign up on the correct sheet. If you do not sign up, yet later decide you wish to provide testimony, you will have that opportunity when the Chair calls upon the audience after each person who signed up has been called.

- D. Agenda and supporting materials are mailed to Commissioners in advance of meeting date; agendas are posted at City Hall, Community and Economic Development Department Building, North Bend Library, and North Bend Post Office.

6.2.1 Hearing Closed

After each person on the sign-up sheet has been called upon, and any others present have had the opportunity to speak, the Chair will close the public hearing, following a motion and second from the Commission.

6.2.2 After the Hearing is Closed

The Commission may convene a Study Session to discuss the proposal, or may immediately hold another hearing if one is on the agenda. During the course of deliberation following conclusion of the public hearing, the Planning Commission should thoroughly discuss the pros and cons of the proposal particularly in relation to the criteria to be applied, as defined by the North Bend Comprehensive Plan, the North Bend Zoning Code or other guidelines as identified in the Committee Report.

6.3 ADVANCE PREPARATIONS

- A. The Community and Economic Development Department arranges for Public Hearing dates. The public hearing topic/issue may be briefed, and public hearing procedure reviewed at a prior Commission meeting. Space is also reserved.
- B. Public Hearing Notice Requirements are met (notice requirements vary depending on type of public hearing). Additional public-relations efforts are completed as necessary.
- C. In coordination with City Clerk, Public Works staff organizes the meeting room, including microphones, digital voice recorder, and visual aids (day-of-hearing).
- D. Public information materials, handouts, agendas, sign-up sheets (1 for general sign-in; 1 for interested speakers), and other needed materials are set up in advance.
- E. In addition to applicable staff, a Recording Secretary (Administrative Assistant or otherwise) may be asked to record public hearings.

6.4 HIGH LEVEL PUBLIC HEARING PROCESS

- 1) Commissioners convene at scheduled meeting time and place.
- 2) Staff arranges for tape-recording of meeting.
- 3) Chair calls meeting to order (in absence of Chair, Vice-Chair runs meeting).
- 4) Chair takes roll call; notes members of public present.
- 5) Minutes are typically addressed (past minutes approved).
- 6) Business Items are addressed. Typically, staff-person overviews topic at Chair's direction, including outline of Commission role and responsibilities. Chair ensures the way business is conducted is explained at the

beginning of the meeting (when public comments are taken; how discussion is organized) to ensure the public understands when and how they can participate.

- 7) As appropriate, consensus is reached on business item(s).
- 8) Meeting is adjourned.

7 PUBLIC HEARING PROCEDURES

- 1) Planning Commissioners arrive in advance of hearing
- 2) Chair calls the hearing to order
 - a. Officially opens Hearing
 - b. Explains purpose/subject of hearing, including advisory (typically) role of Planning Commission per NBMC 2.28 and subsequent decision-making procedures for affected legislative matter.
 - c. Notes general sign-in list and sign-in list for speakers; notes all interested parties will have a chance to provide oral and written comments and questions. All comments and questions to be addressed through the Chair to the Planning Commission as a whole.
 - d. Notes meeting is being recorded and written minutes will be available. When speakers come to podium, please identify their full name and address.
 - e. Briefly notes procedure of hearing (as detailed below).
 - f. Indicates projected closing time; speaker time limits; possibility to close hearing or continuance; possibility to submit written comments until specified date following hearing.
 - g. Reiterates subsequent Planning Commission action. Expected meeting date which topic will be discussed and decided; time frame for legislative recommendation/decision.
- 3) Staff Report
 - a. Overview and highlights of staff report are presented; graphics and visual aids utilized as appropriate.
- 4) Applicant Report
 - a. Where a legislative matter has a non-City applicant or proponent (e.g. Docket, rezone), applicant provides overview of project.
- 5) Public Comments/Questions & Responses
 - a. Public Comments/Questions from those on sign-in sheet. Reiterate all comments and questions to be addressed through the Chair. Questions or misinformation is responded to by staff or otherwise.
- 6) Additional Comments/Questions & Response from those not signed in
 - Under direction of Chair
- 7) Planning Commissioner Questions

- Under direction of Chair. Note: Commissioners may ask question during other periods (e.g. staff report [3]; applicant report [4]; or public comment period [5]).

8) Chair Summary

- a. Close or continuation.
- b. Projected Planning Commission meeting, deliberation, and recommendation date to _____ body; subsequent action by said body.
- c. Opportunity for written comments until _____. The Commission will set a specific date at the close of the public hearing.

9) Close Hearing

10) Planning Commission Deliberation & Decision

- a. Planning Commission may choose to deliberate on a Public Hearing matter immediately following close of a hearing, or may choose to deliberate at the next regular, or an assigned special meeting.
- b. Deliberations will follow procedures for general Commission meetings (Section 5. Transaction of Business).
- c. The Commission must ensure that deadlines prescribed by NBMC or otherwise are addressed in scheduling their deliberations.
- d. Formal Commission recommendations require a motion, second of the motion, and approval by a majority of a quorum.
- e. In the case of any formal advisory recommendations to the Council, or otherwise, Planning Commission recommendations may be in writing and include findings, conclusions, and the recommendation(s), with supporting materials as appropriate. The Chair shall sign written recommendation.