

**MONROE PLANNING COMMISSION
RULES OF PROCEDURE**

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MONROE PLANNING COMMISSION RULES OF PROCEDURE

SECTION 1. AUTHORITY

- 1.1 The Monroe Planning Commission hereby establishes the following procedures for the conduct of Planning Commission meetings, proceedings, and business. These procedures shall be in effect upon adoption by the Planning Commission and until such time as they are amended or new procedures are adopted in the manner provided by these rules.

SECTION 2. FORM OF GOVERNMENT

- 2.1 RCW 35.63.060 lists the specific powers vested in the Planning Commission. The following is a summary list of Planning Commission powers:
- Act as the research and fact-finding agency of the municipality. To that end it may make such surveys, analyses, researches and reports as are generally authorized or requested by its council or board, or by the state with the approval of its council or board.
 - Make inquiries, investigations, and surveys concerning the resources of the county.
 - Assemble and analyze the data thus obtained and formulate plans for the conservation of such resources and the systematic utilization and development there of.
 - Make recommendations from time to time as to the best methods of such conservation, utilization, and development.
 - Cooperate with other commissions and with other public agencies of the municipality, state and United States in such planning, conservation, and development.
 - Cooperate with and aid the state within its territorial limits in the preparation of the state master plan provided for in RCW 43.21A.350 and in advance planning of public works programs.
 - Demonstrate how land use planning is integrated with transportation planning.

SECTION 3. COMMISSION MEETINGS

The Monroe Planning Commission may hold one of two types¹ of official meetings when a quorum of its members is present. "Quorum" is defined as at least four members of the Planning Commission. Commissioners participating via remote attendance will not count towards a quorum. If a quorum of Commissioners are not present, the meeting may continue as a workshop with no final action being taken.

Commission shall choose their seating arrangements at the first meeting of every year; selection order to be determined by seniority of each commission member and the number of years served on Planning Commission.

- 3.1 **REGULAR MEETINGS:** Regular meetings of the Monroe Planning Commission will be held the second and fourth Mondays of each month at the Council

¹ RCW provides for only two types of meetings, "regular" and "special."

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Chambers in City Hall at 806 W Main St, Monroe, WA 98272. However, Commission reserves the right as deemed necessary to cancel, adjourn, or continue any regular meeting in accordance with state law.

- 3.1.1 Regular meetings will begin at 7:00 PM, and will be scheduled to end at 9:00 PM; provided that meetings may be extended by majority vote of the Commission.
- 3.1.2 Separate from public hearings and the designated Public Comments portion of each Regular Meeting, participation in Planning Commission discussions is limited to Commission members and those invited to speak by the Commission.
- 3.1.3 During periods of a proclaimed emergency, a physically present quorum of Commissioners is not required in order to conduct a meeting, if a quorum of Commissioners is obtained through either physical presence at the meeting and/or through telephonic or other, similar, electronic means.
- 3.1.4 The provisions of this Section 3.1.4 apply to circumstances that are not covered by Section 3.1.3.
 - 3.1.4.1 To the extent consistent with applicable state law, Commissioners may attend and participate in a Planning Commission meeting remotely ("Remote Participation") utilizing a City approved virtual platform. Any Commissioner intending to utilize Remote Participation for a meeting shall reasonably endeavor to provide at least two (2) weeks written notice of such intent to the Planning Commission Secretary or Zoning Administrator. The use of virtual platform equipment shall allow members of the public to be present at the meeting, allow the official minute recording staff person to observe all activity, allow the recording system to capture all activity and discussion, and allow the Commissioners and the public to adequately hear the discussion, comments, and any voting by the Commissioners attending through Remote Participation.
 - 3.1.4.2 The following virtual platforms are hereby approved for Remote Participation:
 - a. Microsoft Teams;
 - b. Zoom and Zoom Presentation; and
 - c. Any other virtual platform satisfying the requirements of this Section 3.1.4 that has been specifically approved by Commission motion.
 - 3.1.4.3 It is the policy of the City to reasonably attempt, in good faith to accommodate and facilitate Remote Participation by Planning Commissioners in accordance with this Section 3.1.4. Notwithstanding the foregoing, however, any Commissioner using

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Remote Participation shall bear the exclusive risk that the virtual platform being used to effectuate the Remote Participation may malfunction or otherwise fail to operate properly in a manner that effectively prevents the Commissioner's attendance and participation at the meeting. Except to the extent necessary to ensure a quorum, no such malfunction or operational failure shall require the adjournment, continuation or cancelation of any Planning Commission meeting, or the postponement of any Planning Commission vote; provided, that the Planning Commission may in its sole discretion vote to adjourn, continue or cancel a meeting, or postpone a Commission vote, as deemed appropriate to respond to a malfunction or operational failure of the virtual platform.

- 3.2 **SPECIAL MEETINGS:** Any Commission meeting other than a regular meeting, which has been called for the purpose of conducting official action. Written notice shall be given to the members of the Commission and the media at least 24 hours in advance. A Special Commission meeting may be called by the chair, with consensus by the remainder of the Commission, and/or may also be called upon written request by a majority of the Commission.
- 3.3 All official meetings, minutes, and records of the Commission shall be open to the public.
- 3.4 All public meetings of the Planning Commission shall be open to the media, freely subject to recording by radio, television, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting.
- 3.5 The Planning Commission may choose to hold official Planning Commission meetings in the community, or as joint meetings with other cities, or in other cities, provided that appropriate notice of such meeting is given in accordance with state law.
- 3.6 If any Monday on which a meeting is scheduled falls on a legal holiday, the meeting may by Commission motion be rescheduled or cancelled.
- 3.7 Citizens' comment sign-up sheets will be available at each Commission meeting for the use of citizens wishing to address the Commission. Public hearing sign-up sheets will be available for the meetings with a public hearing scheduled.
- 3.8 **VOTING:** Any action taken by a majority of those present, when those present constitute a quorum, at any regular meeting, recessed or special meeting of the Commission shall be deemed and taken as the action of the Commission.
 - 3.8.1 Any Commissioner who abstains from voting without a conflict of interest (RCW 42.23) or appearance of fairness issue (RCW 42.36) must state his

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or her reason for abstaining. Abstentions have no effect on the calculation of votes (see Robert's Rules of Order).

3.8.2 Excluding a public hearing, a Commissioner may participate in Commission business when telecommuting. Voting through telecommuting or by proxy is not permitted.

3.8.3 As determined by the Commission, a minority report may accompany a voted decision or recommendation. An additional spokesperson may be designated to present the minority report.

SECTION 4. PRESIDING OFFICER

4.1 The Commission shall elect a new Chairperson, herein after referred to as the Chair, and Vice-Chairperson, herein after referred to as the Vice Chair, by a majority of the Commissioners at the first regular meeting in January of each year, or soon thereafter as feasible. A quorum must be present to elect the Chair and Vice-Chair.

4.2 CHAIR: The Chair shall preside at all meetings and public hearings of the Commission and shall call special meetings when deemed necessary or when required. The Chair shall sign the minutes of Commission meetings. The Chair has full right to discuss and vote on all matters before the Commission. It shall be the responsibility of the Chair to take the lead in promoting effective public relations in the development and implementation of the Comprehensive Plan for the City of Monroe. The Chair shall conduct fair and impartial hearings and administer its oath at all public hearings.

4.3 VICE-CHAIR: The Vice-Chair shall assume the duties and powers of the Chair when the Chair is absent.

4.4 In the absence of the Chair and Vice-Chair, the Commissioners shall elect a temporary Chair, who shall have full powers of the positions, for the duration of the meeting.

SECTION 5. ORDER OF REGULAR COMMISSION MEETING AGENDA

5.1 The following is the usual order of the agenda for the Monroe Planning Commission's regular meeting; however, the order may be changed by the Commission.

5.1.1 CALL TO ORDER: The presiding officer calls the meeting to order.

5.1.2 ROLL CALL: Staff will call roll. The Chair will indicate if any absent Commissioner has called in regarding his or her absence. Commissioners may make a motion to excuse the absent Commissioner.
(Commissioners are to inform City staff if they are unable to attend any Commission meeting or if they knowingly will be late to any meeting.)

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5.1.3 PUBLIC COMMENTS: This time is set aside for members of the audience to speak to the Planning Commission on any issue related to the City of Monroe. Commission usually does not take action on matters brought up during audience participation and may, if appropriate, schedule the matter for a subsequent meeting. Before making comments, the shall state for the official record their name and address. Three minutes will be allowed per speaker when addressing Commission. Documents received from members of the public will not be read into the record by City Officials or staff but rather filed as part of the record. It may however be read into the record by the author or the author's designee. It is encouraged that the author for the official record, write their name and address on the document.

5.1.4 APPROVAL OF MINUTES: Minutes of a preceding Planning Commission meeting are usually approved at the beginning of the next scheduled meeting. The Secretary will place draft minutes of previous Planning Commission meetings in the meeting agenda packet. If draft minutes are not available by the time the agenda packet is distributed, then the Secretary will include the draft minutes in the Planning Commission agenda packet for the next regularly-scheduled meeting. Minutes are not approved at a special meeting. They shall be held over until the next regular meeting.

Discussion of the minutes in the agenda packet should only occur if either: 1) a Commissioner wants to highlight or summarize any matter in the draft minutes; 2) a Commissioner requests information or clarification regarding the draft minutes; or 3) a Commissioner proposes a correction to the draft minutes.

The presiding officer will ask the Commissioners if there are any corrections to the minutes provided. Minor changes may be made immediately by motion of the Commission to amend, and the amended minutes may be approved "as amended." If there are significant revisions, the minutes may be redrafted and reviewed by the Planning Commission again at a future meeting. If a Commissioner disapproves of a proposed correction to the minutes, that Commissioner may move to amend and offer an alternative correction. As with any motion to amend, the motion requires a second, is subject to debate, and requires a simple majority to pass.

Minutes do not become an official record of a meeting until they have been approved. Once minutes are approved by the Planning Commission, the Secretary must prepare the final version of the approved minutes for the record. Only the Secretary's approved version of the minutes serve as the official record of the meeting to which they pertain. The approved minutes are signed by both the Secretary and the Chair presiding over the meeting during which they were approved.

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5.1.5 PUBLIC HEARINGS: The Planning Commission is responsible for conducting public hearings on legislative actions, which are intended to obtain public input on legislative recommendations on matters of policy. At the time and place specified in the hearing notice, the presiding officer will open the public hearing, announce the time allotted for individual speakers, and call upon staff to describe the matter under consideration. Following questions from Commission regarding the matter, the presiding officer will call for comments from interested parties wishing to speak on the matter. Three minutes will be allowed per speaker when addressing Commission. The presiding officer closes the public hearing or continues it to a future time certain.

Public hearings on legislative actions shall be conducted as follows:

- 5.1.5.1 The Chair introduces the application, opens the public hearing, and directs staff to give an overview of the application. Staff presents technical analysis, reviews planning considerations and basic policy, cites possible alternatives and makes recommendations, if any. Commissioners are permitted to ask any relevant questions on the application, to the Chair or Staff.
- 5.1.5.2 Motion to open the public testimony portion of the public hearing. Chair asks all speakers to speak into the microphone and give their name and address for the record. Any petitions and data shall be presented at this time.
- 5.1.5.3 Interested parties in the audience are given an opportunity to speak about the application. Each person speaking shall give name, address, and nature of interest in the matter.
- 5.1.5.4 Brief rebuttal for interested parties. All speakers will be allowed one rebuttal in the following order; staff, interested parties and then the applicant.
- 5.1.5.5 Motion to close public testimony portion of the public hearing. If the Commission feels additional information is necessary, or when additional testimony is needed in order for the Commission to take action, by majority vote, the Commission may continue the public testimony portion of the hearing to the next regular meeting or to a date specific meeting.
- 5.1.5.6 Commission deliberation. The Commissioners may ask questions of staff, the applicant and other interested parties present at the public hearing.

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5.1.5.7 Motion to close public hearing. Once the public hearing is closed, no additional testimony may be taken, and the Commission will be limited to clarifying questions regarding the proposal to staff only.

5.1.5.8 Motion for action. At the conclusion of the public hearing the Commission should bring a motion to the floor and initiate discussion. The Commission may defer action on an application when the Commission feels additional information is necessary or due to the late hour of the hearing. The Commission may, by majority vote, defer action to the next regular meeting, or the Commission may continue the meeting until a later scheduled time. A meeting date other than the next regularly scheduled meeting date must be established as a part of the motion to continue the meeting.

Any motion for action should include a statement of findings based on facts presented in the hearing. At the conclusion of the discussion, the Chair should call for a vote upon the motion. The Chair may call upon each member to state his or her reasons for or against the particular motion.

5.1.5.9 At the of the vote and the announcement of the decision, the Chair should advise the audience that the recommendation will be submitted to the City Council, and further public comment, written or oral, will be governed by the City Council's rules and procedures.

5.1.6 OLD BUSINESS: Old Business consists of agenda items that have previously been introduced to or considered by the Commission, but have not been finalized. Final approval/adoption may be taken during this portion of the meeting.

5.1.7 NEW BUSINESS: New Business consists of agenda items which have not previously been considered by the Commission and which may require discussion and action. Official final action may also be taken on items under "New Business."

5.1.8 WORKSHOP: Informal workshops begin with the Chair introducing a discussion topic to the Planning Commission. Staff will then present technical analysis, review planning considerations and basic policy, cite possible alternatives, and ask for direction from the Commission regarding the need for additional information, revisions, or direction. With the consensus of the Commissioners present, the Chair may invite public to participate in the discussion. If audience participation becomes disruptive, the Chair may recess the meeting or request that the meeting be adjourned.

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A substantial amount of the Planning Commission's work is conducted at informal workshops; therefore, the following procedures will apply to workshops held by the Commission:

5.1.8.1 The Chair introduces the discussion topic.

5.1.8.2 Staff presents technical analysis, reviews planning considerations and basic policy, cites possible alternatives and asks for direction from the Commission regarding the need for additional information, revisions, or direction to set the date for a public hearing in preparation of forwarding a recommendation to the City Council.

5.1.8.3 With the consensus of the Commissioners present, the Chair may invite the public to participate in the discussion. Before making comments, the speaker shall state for the official record their name and address. If audience participation becomes disruptive, the Chair may recess the meeting or request that the meeting be adjourned.

5.1.9 DISCUSSION BY COMMISSIONERS AND STAFF: Staff and Planning Commissioners can bring information forward for the benefit of the Commission, including brief reports on other meetings or community events the Commissioners have attended.

5.1.10 ADJOURNMENT: The presiding officer adjourns the meeting after a motion to adjourn is made, seconded, and passed.

5.2 The Planning Commission or City Staff may add items to an agenda and Commission may take action on items not listed on the agenda.

SECTION 6. COMMISSION DISCUSSION

6.1 All Commission discussion unless otherwise noted here, shall be governed by ROBERT'S RULES OF ORDER, THE MODERN EDITION, as amended, revised, or updated.

SECTION 7. RESERVED

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SECTION 8. RESERVED

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SECTION 9. COMMISSION MEETING STAFFING

- 9.1 The Zoning Administrator or their designee shall provide administrative support for the Commission.

SECTION 10. RESERVED

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SECTION 11. RESERVED

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SECTION 12. RESERVED

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SECTION 13. COMMUNICATION WITH PLANNING COMMISSION

- 13.1 Access to the Planning Commission by written correspondence is a significant right of all members of the general public, including, in particular, citizens of the City. The Planning Commission desires to encourage the exercise of this right by the general public to bring to the attention of the Commission, matters of concern to Monroe residents. In order to do this most effectively, some orderly procedure for the handling of written correspondence is essential. Documents received from citizens will not be read into the record by City Officials or staff but rather filed as part of the record. They may however be read into the record by the author or the author's designee, subject to the applicable speaking time limitations established by these Rules of Procedure.
- 13.2 Remarks made to Commission should address the Commission as a whole. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, disruptive, or personally abusive may be requested to leave the meeting.
- 13.3 The presiding officer has the authority to preserve order at all meetings of the Commission, to cause removal of any person from any meeting for disorderly conduct, and to enforce the rules of the Commission. The presiding officer may command assistance of any peace officer to enforce all lawful orders of the presiding officer to restore order at any meeting.
- 13.4 Citizens wishing to address complaints, concerns or questions to the Planning Commission are encouraged to first contact the Community Development Department before contacting the Planning Commission directly. If the issue is not resolved at the staff level, City Staff may place the matter on a commission agenda with the appropriate background information for discussion.

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SECTION 14. RESERVED

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SECTION 14A. RESERVED

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SECTION 15. RESERVED

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SECTION 16. RESERVED

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SECTION 17. SUSPENSION AND AMENDMENT OF RULES

- 17.1 Any provision of these rules not governed by state law or ordinance may be temporarily waived or suspended by a majority vote of the Commission, except as otherwise specified in these rules or required by law. Any formal action of the Planning Commission in violation or disregard of these rules shall be deemed as an implied waiver thereof.
- 17.2 These rules may be amended, or new rules adopted, by a majority vote of the Commission.

SECTION 18. EFFECT OF RULES

- 18.1 These rules are for the sole convenience of the Planning Commission, and may only be enforced by Commission Members. Nothing in these rules shall be construed as creating any enforceable right, entitlement, or cause of action in or for any other party.
- 18.2 If any sentence, clause or provision of these rules irreconcilably conflicts with an applicable provision of state or federal law or is otherwise invalidated by a court of competent jurisdiction, the offending sentence, clause, or provision of these rules shall be severable from the remainder.

SECTION 19: NOMINATION AND ELECTION OF OFFICERS

- 19.1 The Commission shall elect a new Chairperson, herein after referred to as the Chair, and Vice-Chairperson, herein after referred to as the Vice Chair, by a majority of the Commissioners at the first regular meeting in January of each year, or soon thereafter as feasible. A quorum must be present to elect the Chair and Vice-Chair.

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19.1.1 NOMINATIONS: Nomination of elective officers for the position of Chair and Vice-Chair shall be made from the floor and the election shall follow immediately thereafter. Only existing Planning Commissioners shall be eligible to put forth nominations for Planning Commission elective officer positions; and only existing Planning Commissioners are eligible to be nominated for Planning Commission elected officer positions.

19.1.2 VACANCIES. If the term of the Commissioner who is serving as Chair ends prior to the January elections, the Vice-Chair will assume this responsibility until the annual elections are conducted. If the Commissioner who is serving as the Chair leaves the Commission prior to December of the Chair's term, a majority of the Commission shall elect an interim Chair until the regularly scheduled election in January. Vacancies on the Commission shall be filled by the Mayor and serve the unexpired portion of the Commissioner being replaced.

SECTION 20. ATTENDANCE

20.1 Attendance at regular meetings is expected of all Commission members. A member anticipating absence from any regular or special meeting shall notify the Chair and Community Development Department in advance of the meeting to be missed.

SECTION 21. RESIGNATION OR REMOVAL

In the event that a Planning Commissioner can no longer fulfill his or her responsibilities, or is no longer a full-time resident of the City of Monroe or has not met the attendance requirements of the Commission, it may be appropriate that the Commissioner resign or be removed from the Commission. The procedures for resignation or removal are outlined as follows:

21.1 RESIGNATION: Whenever a Planning Commissioner is no longer qualified to serve, or is unable to fulfill the responsibilities of a Commissioner and desires to resign, then a resignation may be tendered in writing to the Mayor and the Chair.

21.2 REMOVAL: Commissioners may be removed in accordance with MMC 2.32.030.

Jay Bull
Jay Bull (Jul 2, 2021 09:19 PDT)

Planning Commission Chair, Jay Bull

Jul 2, 2021

Date






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Final Audit Report

2021-07-02

Created:	2021-07-01
By:	Leigh Anne Barr (labarr@monroewa.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAe6T_DhdGsM8ruf3Uti-KM9rz-llck3_f

"PC_Rules_of_Procedure_Clean" History

-  Document created by Leigh Anne Barr (labarr@monroewa.gov)
2021-07-01 - 3:01:06 PM GMT- IP address: 206.208.65.234
-  Document emailed to Jay Bull (jbull@monroewa.gov) for signature
2021-07-01 - 3:01:33 PM GMT
-  Email viewed by Jay Bull (jbull@monroewa.gov)
2021-07-02 - 4:18:33 PM GMT- IP address: 50.207.122.246
-  Document e-signed by Jay Bull (jbull@monroewa.gov)
Signature Date: 2021-07-02 - 4:19:34 PM GMT - Time Source: server- IP address: 50.207.122.246
-  Agreement completed.
2021-07-02 - 4:19:34 PM GMT