

RESOLUTION NO. 1388

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAYTON, COLUMBIA COUNTY, WASHINGTON ADOPTING THE DAYTON CITY PLANNING COMMISSION RULES OF PROCEDURE

WHEREAS, the City of Dayton Planning Commission is governed by the Dayton Municipal Code Section 1-13; and,

WHEREAS, review of the existing Dayton Planning Commission Rules of Procedure has determined the need for some corrections; and,

WHEREAS, the Dayton Planning Commission reviewed the current Rules of Procedure and made administrative edits; and,

WHEREAS, the Dayton Planning Commission made a motion to present the amended Dayton City Planning Commission Rules of Procedure to Dayton City Council for adoption.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DAYTON, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

ATTACHMENT 1: Dayton City Council hereby adopts by reference the Dayton City Planning Commission Rules of Procedure attached hereto as Exhibit A.

PASSED by the City Council of the City of Dayton, Washington on this 14th day of August, 2019.

City of Dayton


By: Zac Weatherford, Mayor

Attest/Authenticate:


Trina Cole, City Administrator

Approved as to form:


Quinn Plant, City Attorney

DAYTON CITY PLANNING COMMISSION

Rules of Procedure

July 2019 Update

The following Rules of Procedure for the Dayton Planning Commission have been developed pursuant to Dayton Municipal Code, Chapter 1-13. Within these Rules of Procedure, Planning Commission hereby refers to the Dayton Planning Commission.

SECTION I - MEETINGS

A. General:

- a. Regular meeting – the Planning Commission shall meet regularly on the 4th Tuesday of each month at 6:30 p.m. in the Council Chambers at Dayton City Hall, 111 South 1st Street, Dayton, Washington 99328.
- b. When a regular meeting conflicts with a legal or religious holiday, or an election day, the Chairperson may reschedule or cancel that meeting.
- c. If no matters over which the Planning Commission has jurisdiction are pending, the Chairperson may cancel a regularly scheduled meeting after giving five (5) days' notice to Planning Commission members. Notice shall be posted at the meeting place.
- d. Special meetings may be called by the Chairperson or a majority of the Planning Commission members following notice requirements as outlined in RCW 42.40.080. In addition, a minimum of 24 hours' notice shall be provided. No ordinance or policy shall be passed involving real property at any special meeting unless proper notification procedures have been given in the matter outlined in Dayton's zoning code, Title 11.
- e. All meetings shall be open to the public pursuant to the Open Public Meetings Act as outlined in RCW 42.30.
- f. All meetings of the Planning Commission shall be presided over by the Chairperson, or in his/her absence the Vice-Chairperson.
- g. The Planning Commission shall act upon business by a majority vote after establishing a quorum comprised of a majority of its membership.
- h. Citizen testimony shall be permitted only as provided for in Section III – Order of Business, except where a majority of the Planning Commission members present believe that such testimony would be beneficial to a particular subject matter.
- i. City staff shall provide at least 24 hour notification to all area newspapers requesting such notification regarding the subject matter to be discussed at all Planning Commission meetings. City staff shall also distribute information packets to all Planning Commission members at least 48 hours before the Planning Commission meeting.

B. Rules of Order:

- a. The following rules of order shall govern all Planning Commission meetings. In case of a dispute or need for further clarification, the Planning Commission shall refer to the "Parliamentary Procedure Made Easier" published in 2005 by Washington State University.
- b. Conflict of Interest – The Planning Commission shall be subject to the code of ethics and prohibitions on conflict of interest as set forth in RCW 35A.42.020 and Chapter 42.23 RCW, as the same now exists or may hereafter be amended.
- c. Ex parte communications – Quasi-judicial proceeding
 - i. No member of the Planning Commission may communicate, directly or indirectly, regarding any issue in a quasi-judicial proceeding before him or her, other than to participate in communications necessary to procedural aspects of maintaining an orderly process, unless he or she provided notice and opportunity for all parties to participate, except as provided in this section:
 1. The Planning Commission may receive legal advice from legal counsel;
 2. The Planning Commission may communicate with staff members (except where the proceedings related to a code enforcement investigation or prosecution).
 - ii. If, before serving as the Planning Commission in a quasi-judicial proceeding, any member of the Planning Commission receives an ex parte communication of a type that could not properly be received while serving, the member of the Planning Commission, promptly after starting to serve, shall disclose the communication.
 - iii. If a member of the Planning Commission receives an ex parte communication in violation of this section, he or she shall place on the record:
 1. All written communications received;
 2. All written responses to the communications;
 3. The substance of all oral communications received, and all responses made; and,
 4. The identity of each person from whom the member received any ex parte communication.
 - iv. The Planning Commission shall advise all parties that these matters have been placed on the record. Unless request made after notice of the ex parte communication, any party desiring to rebut the communication shall be allowed to place a rebuttal statement on the record.
- d. Disqualification/Recusal
 - i. A member of the Planning Commission who is disqualified shall be counted for purposes of forming a quorum. Any member who is disqualified shall make full disclosure to the audience of the reason(s) for the disqualification, abstain from voting on the proposal, and physically leave the hearing.
 - ii. If enough members of the Planning Commission are disqualified so that a quorum cannot be achieved, then all members present, after stating their

reasons for disqualification, shall be requalified and deliberations shall proceed.

- iii. Appearances of Fairness – The Planning Commission shall comply with chapter 42.36 RCW, when reviewing quasi-judicial land use actions, as defined in RCW 42.36.010.
- iv. Each member of the Planning Commission who cannot attend a scheduled meeting of the Planning Commission shall notify the Planning Department at the earliest possible opportunity and at the latest, prior to 4:30 p.m. on the date of the meeting. The Planning Director shall notify the Chairperson of the Planning Commission in the event that the projected absences will produce a lack of a quorum.
- v. Only one subject may claim the attention of the Planning Commission at any one time.
- vi. No person who is not a member of the Planning Commission shall be allowed to address that body without the permission of the presiding officer.
- vii. All questions regarding the rules of order shall be decided by the presiding officer with the right of appeal to the body as a whole by any member. Such appeal shall be granted if the majority of the members agree.
- viii. Only one motion can be considered by the Planning Commission at any one time. No more than two amendments on a motion may be proposed at any one time.
- ix. The order of voting shall require consideration of the last amendment to a question first, the first amendment second and the original question last.
- x. Motions to reconsider must be made by a member who voted with the majority and, the motion must occur at the same or next succeeding Planning Commission meeting.
- xi. Each member present must vote on all questions put forth to the Planning Commission, except when a conflict of interest or appearance of fairness requires abstention.
- xii. The rules of order may be altered, amended or temporarily suspended by a vote of two-thirds of the members present.

A motion of adjournment shall always be in order.

SECTION II – ROLE OF THE PRESIDING OFFICER

It shall be the role of the presiding officer of the Planning Commission meeting to:

- A. Call the meeting to order.
- B. Keep the meeting to its order of business.
- C. State each motion and require a second to the motion before permitting discussion.
- D. Handle each discussion in an orderly way by:
 - a. Giving every Planning Commission member who wishes to speak an opportunity to speak;

- b. Permitting audience participation at appropriate times and limiting such participation to five minutes per person unless further time is approved by the Planning Commission;
- c. Require all citizens to state their names and address before addressing the Planning Commission;
- d. Keeping all speakers to the rules and subject;
- e. Giving pro and con speakers opportunity to speak;
- E. Put motions to a vote and announce the outcome;
- F. Suggest, but not make motions for adjournment.

SECTION III – ORDER OF BUSINESS

The following procedure will normally be observed; however, it may be rearranged by the Chairperson for individual items if necessary for the expeditious conduct of business.

- A. Call to Order
- B. Roll Call
- C. Review of Minutes
- D. Communications from Citizens
- E. Public Hearing
- F. Old Business
- G. New Business
- H. Adjourn Meeting

SECTION IV – PROCEDURES FOR PUBLIC HEARINGS

- A. Chairperson states purpose of the hearing and declares the public hearing open.
- B. The Chairperson states that the hearing is being recorded and that prior to speaking, members of the public must state their name and address.
- C. The Chairperson will request that anyone who has any objection to any Planning Commission member participating in the hearing will state so and give reasons for the objection.
- D. The Chairperson shall request that any member of the Planning Commission place in the record the substance of any communications a member may have had outside of the hearing on the issue to be heard.
- E. The Chairperson then shall request the Planning Department staff to present its report: introduce issues, recite those steps taken to insure proper notice was given, description of the land involved, and discuss potential impacts to surrounding property. A recommendation to the Planning Commission may be provided.
- F. The applicant, if any, is invited to comment. At this time testimony of technical experts in support of the position such as engineers or planners may be heard.
- G. The Chairperson shall invite comments from citizens for the proposal.
- H. The Chairperson shall invite comments from citizens against the proposal.
- I. The Chairperson shall invite the applicant to rebut any opposition.
- J. Any additional comments may be recognized.

- G. In the event the Chairperson position is vacated for any reason the position shall be replaced by the Vice-Chairperson, and the Vice-Chairperson position shall be replaced by nomination and a vote of the members of the Planning Commission.

SECTION VIII– ABSENCE OF MEMBERS

In the event of a member having three (3) consecutive absences, the member's record shall be forwarded by the Chairperson to the Mayor for consideration of asking for the member's resignation.

SECTION IX– MODIFICATION OF RULES

The rules of procedure may be amended at any meeting of the Planning Commission by a majority of a quorum of the Planning Commission, provided that notice of said amendments is given to each member in writing at least 5 days prior to said meeting.

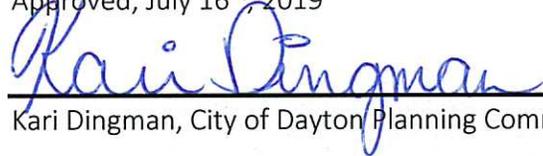
SECTION X– COMPENSATION

As specified in R.C.W. 35.63.030, the members of the Planning Commission, including the Chairperson and Vice-Chairperson while acting as such, shall serve without compensation.

SECTION XI– APPOINTMENT OF PLANNING COMMISSION TENURE

Under Chapter 1-13 of the City of Dayton municipal code the Planning Commission will have five members. The Mayor shall appoint the members of the Planning Commission, subject to confirmation by the City Council. Members shall be selected without respect to political affiliation and serve without compensation. Not more than one-third of the members of the Planning Commission may be ex-officio members by virtue of office. Initial appointments are staggered and thereafter the term of each appointive member is for four years. Any vacancies occurring otherwise than through the expiration of terms are to be filled for the unexpired term.

Approved, July 16th, 2019


Kari Dingman, City of Dayton Planning Commission Chair

7-16-19

Date

Attest:


Meagan Bailey, Planning Director