

# BYLAWS OF THE CLALLAM COUNTY PLANNING COMMISSION

## ARTICLE I - NAME

### Section 1. Name

The official name of the organization shall be "Clallam County Planning Commission".

## ARTICLE II - OFFICIAL SEAT

### Section 1. Official Seat

The official seat of the Planning Commission shall be in the Clallam County Courthouse, 223 East 4th Street, Port Angeles, Washington, and meetings shall be held there except on such occasions and at such times as the Planning Commission may, by a majority vote of those present at any regular, recessed or special meeting, otherwise direct.

## ARTICLE III - OFFICERS

### Section 1. Officers

The elective officers of the Planning Commission shall consist of a Chair and Vice-Chair. The Executive Secretary of the Planning Commission shall be the Planning Division Manager or designee.

### Section 2. Nomination and Election of Officers

Nomination of elective officers shall be made from the floor at the annual election meeting, which shall be held on the first regular meeting of January of each year. The election shall follow immediately thereafter. Officers shall be nominated and elected from the appointed members only. A nominee receiving a majority vote of those present at the election meeting shall be declared elected.

### Section 3. Terms of Officers

The elective officers shall take office at the first regular meeting in February and shall serve for a term of one year.

### Section 4. Vacancies in Offices

Vacancies in elective offices shall be filled immediately by regular election procedure for the unexpired portion of the term.

### Section 5. Duties of Officers

- a. Chair. The Chair shall preside at all meetings and public hearings of the Planning Commission and shall call special meetings when necessary or required. The Chair shall appoint all committees, shall be an ex-officio member of each, without power to vote. The Chair shall sign all official papers and plans involving the authority of the Planning Commission which are transmitted to the County Commissioners. The Chair shall have the privilege of discussing all matters before the Planning Commission and voting thereon. The Chair shall have all the duties normally conferred by parliamentary usage on such officers and shall perform such other duties as may be conferred by the Planning Commission except as otherwise provided in these Bylaws, in other Planning Commission regulations, or in County ordinances.

- b. Vice-Chair. The Vice-Chair shall assume the duties and powers of the Chair in the Chair's absence. If the Chair and Vice-Chair are both absent, the Planning Commission members may elect a temporary chair by a majority vote of those present at the regular, recessed or special meeting, who shall assume the duties and powers of the Chair and Vice-Chair during their absence.
- c. Executive Secretary. The Executive Secretary or designee shall keep the minutes of all regular, recessed, and special meetings of the Planning Commission; such minutes shall be approved by the Planning Commission. The Executive Secretary or designee shall give notice of all regular and special meetings to Planning Commission members, shall prepare the agenda of regular and special meetings, shall serve proper and legal notice of all public hearings, and shall draft and sign the routine correspondence of the Planning Commission. The Executive Secretary or designee shall maintain a file of all studies, plans, reports, recommendations, and official records of the Planning Commission, and perform such other duties as the Planning Commission may request.

## **ARTICLE IV - MEETINGS**

### **Section 1. Regular Meetings; Time and Place**

The regular meetings of the Planning Commission shall be held on the first and third Wednesday of each month commencing at 6:30 p.m. in the Commissioners' Meeting Room #160, Clallam County Courthouse, 223 East 4<sup>th</sup> Street, Port Angeles, except as otherwise designated by the Planning Commission. The meeting will adjourn no later than 9:30 p.m., unless extended by majority vote of the Planning Commission. Any change in the hour, date and place of regular meetings shall be given wide publicity for the convenience of persons having business before the Planning Commission. When the regular meeting day falls on a legal holiday, the meeting shall be held the next day unless otherwise determined.

### **Section 2. Recessed Meetings**

Any regular meeting may be recessed to a definite time and place by a majority vote of the Planning Commission members present at the meeting.

### **Section 3. Special Meetings**

Special meetings may be called by the Chair. Special meetings may also be called upon the written request of any three members of the Planning Commission, or by majority vote of the Planning Commission at a regular, special, or recessed meeting.

### **Section 4. Notice of Meetings**

Notice of all regular and special meetings shall be given by the Executive Secretary to each local newspaper of general circulation in Clallam County and to each radio station and television located in Clallam County. Notice of meeting cancellations shall be provided to the media as soon as possible after a meeting is canceled.

### **Section 5. Order of Business - Regular and Special Meetings**

- A. Call to order by Chair
- B. Pledge of Allegiance
- C. Roll Call
- D. Welcome
- E. Approval of minutes of preceding meeting
- F. Announcements
- G. Public Comment on Agenda Items (Not subject of Public Hearing)
- H. Unfinished Business
- I. Public Hearing

- J. Work session items
  - K. Public Comment
  - L. Adjournment
- 

See Attachment 1 for standard welcome format.

Each speaker will be limited to 3 minutes at the Chair's discretion.

The Chair may change the order of the agenda if deemed necessary.

#### **Section 6. Operational Guidelines**

- a. Any application may be tabled by majority vote of the Commission if the applicant or an authorized representative is not present at the public hearing.
- b. Action on any application or request may be tabled by majority vote of the Commission if all essential information is not provided to the Planning Commission, or if the volume of information provided is significant.
- c. Action on any request or application may be tabled to request a legal opinion or interpretation by a majority vote of the Commission.
- d. The Commission shall act as a body in (1) making its decisions and in announcing them; and, (2) officially representing itself or making public disclosures to entities outside the Commission or the County Planning staff.
- e. Willful misrepresentation of information provided by an applicant pertaining to a request or application will void that request or application upon discovery of the misrepresentation.
- f. The Planning Commission will not commence a new public hearing after 9:00 p.m., at the discretion of the Chair.

#### **Section 7. Public Hearing Procedure**

1. General. Public hearings provide an opportunity for citizens to give direct input to the Planning Commission on matters being considered. It is the policy of the Planning Commission to conduct hearings in a manner that allows input from the maximum number of citizens possible and respects the opinion of all those wishing to testify.
2. Conducting the Hearing. Public hearings are conducted as regular items on the Planning Commission's Board's published agenda. In order to ensure that the public hearing is conducted in a manner that encourages maximum public participation and respect for varying opinions, the Planning Commission will generally adhere to the following rules:

- a. A sign-up sheet will be available for the public to indicate their desire to testify. Speakers will generally be heard in the order in which they sign up, followed by an opportunity for those who did not sign up to comment.
- b. The Chair will open the public hearing and accept any written testimony. All written testimony received prior to the close of the public hearing will be considered.
- c. The Chair will request planning staff to provide a staff report and recommendation on the matters being considered. Planning Commission members are permitted to ask staff any relevant questions regarding the matter being considered.
- d. In order to maintain an accurate public record, all citizens testifying will be required to state their name, address, and nature of interest in the matter for the permanent record.
- e. For any application before the Planning Commission, the applicant will be given the opportunity to testify first with a limit of 20 minutes divided among as many of the speakers as determined by the applicant. The applicant will also be given an opportunity, at the end of the testimony period, to have one rebuttal, limited to 10 minutes. Rebuttal comments shall be limited to factual statements relating to previous testimony. The Chair has the discretion to allow more time to speak and/or additional opportunities to comment with the objective of ensuring adequate time for all present to have an opportunity to comment and in consideration of meeting time and other agenda items.
- f. The Chair, at its discretion, may limit the comment period for each speaker so that all can be heard. As a general rule, testimony will be limited to three minutes per person, except for a group spokesperson, who will be allowed up to 10 minutes.
- g. Public hearings are intended to provide information and opinions from citizens to the Planning Commission. They are not intended to be a debate between those on opposing sides of an issue, nor to weigh how many on each side of an issue attend. The Chair, at its discretion, may limit testimony that provides no new information and/or comments intended solely to debate another person's position on a particular issue while not providing new information to the Planning Commission.
- h. The public hearing is closed. Planning Commission members may voice other significant considerations and pose any relevant questions through the Chair. The Chair will question the proper party for answers.
- i. The Chair with majority vote may extend the written comment period at their discretion.
- j. Motion for disposition.

#### **Section 8. Quorum**

Five members of the Planning Commission shall constitute a quorum to conduct business and make recommendations.

#### **Section 9. Motions**

When requested, motions shall be restated by the Executive Secretary before a vote is taken. The name of the members making and seconding a motion shall be recorded in the minutes of the meeting.

#### **Section 10. Voting**

Any action taken by a majority of the quorum, at any regular, recessed or special meeting of the Planning Commission shall be deemed and taken as the final action of the Planning Commission; except that any changes to the Comprehensive Plan, as referenced in RCW 36.70.500, or development regulations involving Clallam County ordinances must be approved by a majority of the total membership of the

Planning Commission. Voting on all matters requiring a public hearing before the Planning Commission, and all matters referred to the Planning Commission by the Board of Clallam County Commissioners shall be by roll call vote and the vote of each member shall be recorded in the minutes of the meeting.

#### **Section 11. Staff Reports**

On all matters considered by the Planning Commission, the report and recommendations of the Planning Division shall be presented to the Planning Commission and shall be recorded in the minutes of the meeting.

#### **Section 12. Conflict of Interest/Appearance of Fairness**

- a. Any member of the Planning Commission who has an interest in any matter before the Planning Commission that would or could tend to prejudice his/her actions thereon, shall so publicly indicate this fact to the Planning Commission prior to the opening of the Public Hearing and shall abstain from voting or participating in any way in the Planning Commission members' action on that matter. The member shall excuse him/herself from the Planning Commission and shall leave the meeting room until the conclusion of the subject matter.
- b. During Planning Commission deliberation on any quasi-judicial matter, no member should engage in ex parte communications with opponents or proponents unless the member:
  1. Places on the record the substance of any written or oral ex parte communications concerning the application; and
  2. Provides that a public announcement of the content of the communication and of the parties' rights to rebut the substance of the communication shall be made at each hearing where action is considered or taken on the matter. This prohibition does not preclude a member of a decision-making body from seeking in a public hearing specific information or data from such parties relative to the decision if both the request and the results are part of the record. Anyone seeking to rely on the appearance of fairness doctrine to disqualify a member of the Planning Commission from participating in a decision must raise the challenge as soon as the basis for disqualification is made known to the individual.

In the event of a challenge to a member or members of the Planning Commission which would cause a lack of a quorum or would result in a failure to obtain a majority vote as required by law, any challenged member or members shall be permitted to fully participate in the proceeding and vote as though the challenge had not occurred, if the member or members publicly disclose the basis for disqualification prior to rendering a decision.

#### **Section 13. Attendance**

- a. Attendance at all regular meetings and executive sessions is expected of each Planning Commission member.
- b. Any members anticipating absence from any meeting shall notify the Chair or Executive Secretary in advance.
- c. Any absence may be excused by the Planning Commission, even for an extended period, provided the absence is requested at least 48 hours in advance, unless the absence is necessitated by an emergency.

Bylaws of the Clallam County Planning Commission  
Adopted February 7, 1996  
Revised July 7, 1999  
Revised March 7, 2012  
Revised February 5, 2014

#### **Section 14. Parliamentary Procedure**

Parliamentary procedure in Planning Commission meetings shall be governed by Roberts Rules of Order, Revised, unless it is specifically provided otherwise in these Bylaws, in other Planning Commission resolutions or in the County Code.

#### **Section 15. Public Nature of Meetings and Records**

All regular, recessed and special meetings, hearings, records, and accounts shall be open to the public; provided, however, executive sessions may be held by the Planning Commission as provided in RCW 42.30.110.

### **ARTICLE V - COMMITTEES**

#### **Section 1. Establishment of Committees**

The Planning Commission may establish such standing or special sub-committees as it deems advisable and assign each sub-committee specific duties or functions. Each standing sub-committee shall consist of 3 members. No standing or special sub-committee shall have the power to commit the Planning Commission to the endorsement of any plan or program without its submission to the body of the Planning Commission.

#### **Section 2. Appointment and Terms of Committee Members**

The Chair of the Planning Commission shall appoint the members of each standing or special sub-committee and shall name the chair of each sub-committee. The members of each standing sub-committee shall be appointed as needed for a term of one year. Special sub-committees may be appointed at such times and for such purposes and terms as the Planning Commission approves.

#### **Section 3. Committee Vacancies**

Vacancies on sub-committees shall be filled immediately by the Chair of the Planning Commission for the unexpired portion of the term.

#### **Section 4. Meetings of Committees**

The sub-committees shall meet at the call of the sub-committee chair, provided that the Chair of the Planning Commission shall also have the authority to call a special meeting of any sub-committee at any time and upon such notice as the Chair may specify.

The Planning Staff shall issue notice of sub-committee meetings at the request of a sub-committee chair or the Planning Commission Chair.

#### **Section 5. Quorum and Voting**

A majority of the members appointed shall constitute a quorum of all sub-committees. The affirmative vote of a majority of the sub-committee membership shall be required for the adoption of a matter before the sub-committee.

### **ARTICLE VI - AMENDMENTS**

#### **Section 1. Amendments**

THESE BYLAWS MAY BE AMENDED AT ANY REGULAR MEETING BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE MEMBERS OF THE PLANNING COMMISSION PROVIDED THAT THE PROPOSED AMENDMENTS HAVE BEEN SUBMITTED IN WRITING AT A PREVIOUS MEETING.

Bylaws of the Clallam County Planning Commission  
Adopted February 7, 1996  
Revised July 7, 1999  
Revised March 7, 2012  
Revised February 5, 2014

### **ADOPTION**

Adopted February 5, 2014 by an affirmative vote of the members of the Clallam County Planning Commission.

#### **Attachment 1 - Welcome**

Welcome to the regular meeting of the Clallam County Planning Commission. The Commission is a nine-member, volunteer advisory panel appointed by the Board of Clallam County Commissioners. The Commission makes recommendations to the Board on legislative changes to the Clallam County Comprehensive Plan and implementing development regulations; the Six Year Transportation Improvement Program; applications for amendments to the Comprehensive Plan and Zoning Code, and applications for open space tax reductions. The Commission's actions are advisory to the Board of Clallam County Commissioners.

If you have any questions, please let me know at this time.