



PLANNING COMMISSION PROCEDURES

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2 CHARTER

A. The Planning Commission (“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 areawide 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 thereof 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 of the Commission and terms of office of its Commissioners are established in North Bend Municipal Code (“NBMC”) 2.28 and repeated below for reference. In the case of these procedures conflicting with the NBMC, the NBMC shall govern.

B. The 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, and three (3) Commissioners may reside outside the city but inside the 98045 ZIP Code area. The positions of the Commissioners shall be assigned position numbers. Each Commissioner will be appointed to serve for a period of four (4) years from the time of appointment.

C. If any Commissioner 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.

D. Commissioners may be removed by the Mayor, with Council approval. Commissioners shall be selected without respect to political affiliation and shall serve without compensation.

E. If a Commissioner cannot complete their term of office, such Commissioner shall notify the Mayor and Chair in writing. The Mayor may appoint, without confirmation, a person to serve the remainder of the term of any Commissioner who does not complete their term. If a Commissioner has a conflict of interest such as running for

Council, they may continue until they are elected. If elected to Council, that Commissioner shall resign before the next scheduled Commission 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 Commissioners of the Planning Commission.

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 is 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. Commissioners:
 - 1. Commissioners should be recognized by the Chair before asking questions or providing other information. This allows for the Chair to specifically recognize the Commissioner by name who is about to speak, so that the record accurately reflects who has spoken.
 - 2. Commissioners should avoid whispered conversations between themselves during the course of the meeting or hearing. These conversations might not be audible on the audio 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 first and third Wednesdays of the month. Meetings are typically held at the conference room of the City Hall Building 920 SE Cedar Falls Way, North Bend. 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 6:30 p.m. and continue no later than 8:30 p.m. Continuation of meetings past 8:30 p.m. requires approval of a motion by a majority of the Commissioners.
- B. Absences and Attendance
 - 1. Commissioners are a member of a recommending body to the City Council and are therefore expected to attend all Planning Commission 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 at least 48 hours in advance of the absence via written letter or email at planning@northbendwa.gov or to the staff sending the packet out.
 - 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 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. Commissioners shall send such comments only to staff and the Chair of the Commission, and not to other Commissioners. 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 provide detailed written and/or verbal comments as described in 4.2(B)(5) herein, 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 by a Commissioner, as described in 4.2(B)(5) herein, 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 agendas and notices are posted on the City's online meeting calendar at northbendwa.gov, and at City Hall, 920 SE Cedar Falls Way, before the regular Commission meeting date. In addition to the above, notices for public hearings before the Commission are additionally posted at the North Bend Library, and the North Bend Post Office consistent with NBMC 20.08. The City staff provides an email of the meeting date and packet to all Planning Commissioners, City Council. Citizens may sign up to receive agendas through Notify Me on the www.northbendwa.gov 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, not less than 1 week in advance of the Commission meeting. Special meeting notices must indicate business items for the meeting. For 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 sent to Commissioners not later than the one week in advance of a regular meeting to each Commissioner's official City email account. A copy of the Planning Commission agenda package is available for public inspection at City Hall and at the City's website. 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. As per NBMC 2.28.030 ('Quorum') no less than four (4) members 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 Commissioners 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 these procedures and Roberts Rules of Order Newly Revised. If any of these procedures conflict with Roberts Rules of Order Newly Revised, Roberts Rules of Order Newly Revised shall control.
- C. Commissioners must be present to vote on a motion; proxy votes are not valid. Any Commissioner may abstain from voting.

5.3 CONFLICT OF INTEREST AND APPEARANCE OF FAIRNESS

Any member of the Planning Commission who in 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 of such topic. When any Commissioner cannot make a fair and impartial decision because of a real or perceived interest in a matter before the commission, the Commissioner shall state the real or perceived interest, or have the interest described by other Commissioners 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. If there are further concerns Commissioners should review RCW 42.23 with staff ahead of the meeting time.

5.4 RECORD OF FORMAL ACTIONS

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

5.5 MINUTES – RECORDED AND WRITTEN

All Commission meetings are recorded and copies of the recordings are kept by the City, 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 4, and City Clerk. Once approved, minutes are saved to City files and posted to the city's website. 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. A 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

Commissioners may occasionally attend the regularly scheduled meetings of the City Council and Council committees. Three or fewer Commissioners may attend, preferably on a rotating basis, and shall report to the Planning Commission at their next regular meeting.

5.8 RELATIONSHIP WITH HEARING EXAMINER

Commissioners should stay informed of issues brought to the Hearing Examiner at a minimum by receiving copies of the Hearing Examiner's decisions. Commissioners may request through Notify Me on the City's website to be on the distribution list for all hearings before the Hearing Examiner.

5.9 PLANNING COMMISSION MONTHLY ACTIVITY UPDATES

City Council agendas may include a "Reports" section in which staff provide the City Council updates regarding activities of Boards and Commissions. Except for the annual report, 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 PLANNING COMMISSION 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 periodically, or 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 members of the public want 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 Commission 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 Commission meetings during the “Public Comment on Non-Agenda Items” and before the study session items are introduced.

6 PUBLIC PARTICIPATION

- A. Consistent with NBMC 2.28.070, the Commission shall make recommendations to the Council for the establishment of a broadly disseminated 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 that implement such plans.
- B. Public Comment. 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 maximum of three 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.
- C. 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.
- D. Expectations for speakers:
 1. Speakers are expected to focus their remarks to the specific agenda items being discussed by the Commission at that time and avoid extraneous issues.
 2. Speakers must state their views respectfully without personal attacks, insults or disparaging comments.
 3. Everyone is expected to respect the views of others even when they disagree with those views. Disruptive behavior will not be tolerated.

4. Everyone will be expected to respect the person speaking and interruptions will not be allowed.
- E. If a speaker is out of order, the Chair will direct the speaker to return to his or her seat or, for virtual attendees, may direct staff to mute their microphone. If a speaker does not comply, the Chair may take a recess to restore order. If a disruption to the meeting occurs and order cannot be restored, the Chair may proceed to use one of the options provided for in RCW 42.30.050 to ensure orderly continuation of the meeting.

F. Public Testimony Written Materials

1. Written testimony may be submitted to city staff prior to the public hearing. Staff will provide copies for the commission. If a speaker brings written materials to the public hearing and would like each Commissioner to immediately have a copy, they are requested to bring written copies for the Commissioners, staff and the recording secretary; 10 copies are recommended.
2. 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 a speaker may summarize their written comments in spoken testimony.

G. Spoken Testimony

1. Each speaker is allotted up to three minutes to provide testimony. A timer is activated after the speaker provides their name and address. At 2:30 minutes, the timer will indicate that it is time to immediately conclude comments. At three minutes, comments are to be concluded. At the start of the speaker's testimony, they shall clearly state your name and address (if comfortable) for the record.
2. Each speaker is entitled to speak only once at each Public Hearing.
3. During their allotted time for testimony on non-agenda items, speakers may address one or more items.

6.1 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 may be a separate sign-up sheet for each hearing. Speakers are asked to be sure to sign up on the correct sheet. If a speaker does not sign up, yet later decides they wish to provide testimony, they will have that opportunity when the Chair calls upon the audience after each speaker who signed up has been called.
- D. Agenda and supporting materials are sent to Commissioners in advance of meeting date. Agendas are posted at City Hall, North Bend Library, and North Bend Post Office and on the City's website. Those enrolled in Notify Me will also receive a message.

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

F. 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.

6.2 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 the type of public hearing). Additional public-relations efforts are completed as necessary.
- C. In coordination with the City Clerk, 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.

6.3 HIGH LEVEL PUBLIC HEARING PROCESS

- A. Commissioners convene at scheduled meeting time and place.
- B. Staff begins recording of meeting.
- C. Chair calls meeting to order (in absence of Chair, Vice-Chair runs meeting).
- D. Chair takes roll call; notes members of public present.
- E. Minutes are typically addressed (past minutes approved).
- F. Business Items are addressed. Typically, staff-person overviews topic at Chair's direction, including outline of the Commission's 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.
- G. As appropriate, consensus is reached on business item(s).

H. 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 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 begin, please identify their full name and address, exceptions to providing an exact house number may be granted at the discretion of the Chair.
 - 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 are responded to by staff or otherwise.
 - b. Additional Comments/Questions & Response from those not signed in, which proceed under direction of Chair

6) Planning Commissioner Questions, which proceed under direction of Chair. Note: Commissioners may ask questions during other periods (e.g., staff report [3]; applicant report [4]; or public comment period [5])).

7) 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.

8) Close Hearing

9) 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.