

# CITY OF BELLEVUE PLANNING COMMISSION MANUAL

AUGUST 8 2022



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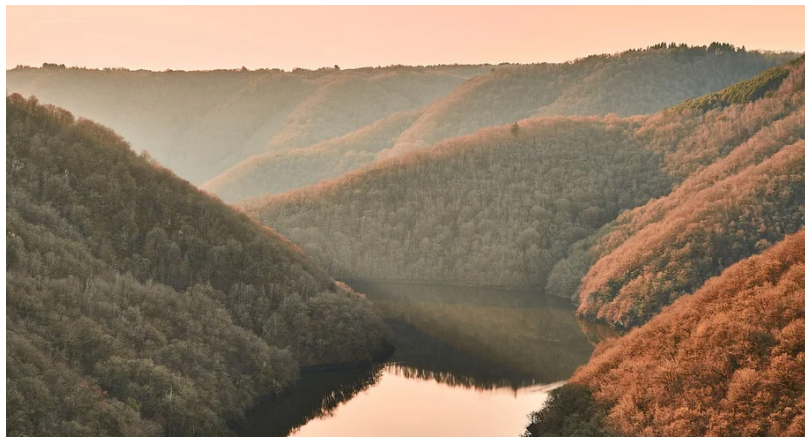
# 1 INTRODUCTION

## ORIENTATION TO THE CITY OF BELLEVUE P.C.

### WHAT YOU WILL FIND IN THIS MANUAL

- Roles and Responsibilities
- Description of Bellevue's planning & staff framework
- Bellevue Planning Commission Procedures
- Information on State Planning framework
- General information on comprehensive planning and more!

This Orientation is intended to provide an overview of the functions and responsibilities of the Planning Commission. The Orientation also includes important information on the creation of the Planning Commission, the Planning Commission's role and responsibilities, and the framework for the Planning Commission's review of amendments to the City's Comprehensive Plan and to the text of the Land Use Code. This information will help Planning Commissioners better understand the function, responsibilities, and legal framework of the Planning Commission so they know how to best serve in their position.



## HOW IS THE PLANNING COMMISSION CREATED?

Following the City of Bellevue incorporation in 1953, the City Council's first ordinance established the Bellevue Planning Commission. Thus began a long history of involved citizens planning for the community's future.

Bellevue Planning Commissioners play an important role in City governance by lending professional expertise, facilitating community decision making, and serving as a conduit between citizens, City departments and staff, and the City Council.

Bellevue is an optional municipal code city, governed by the provisions of chapter 35A RCW. The provisions of that chapter relating to planning specifically discuss "Planning and Zoning in Code Cities" and provide in pertinent part as follows:

### ***RCW 35A.63.020***

Planning agency—Creation—Powers and duties—Conflicts of interest.

By ordinance a code city may create a planning agency and provide for its membership, organization, and expenses. The planning agency shall serve in an advisory capacity to the chief administrative officer or the legislative body, or both, as may be provided by ordinance and shall have such other powers and duties as shall be provided by ordinance....

A "planning agency" is defined as "any person, body, or organization designated by the legislative body to perform a planning function or portion thereof for a municipality, and includes, without limitation, any commission, committee, department, or board together with its staff members, employees, agents, and consultants." RCW 35A.63.010(8).

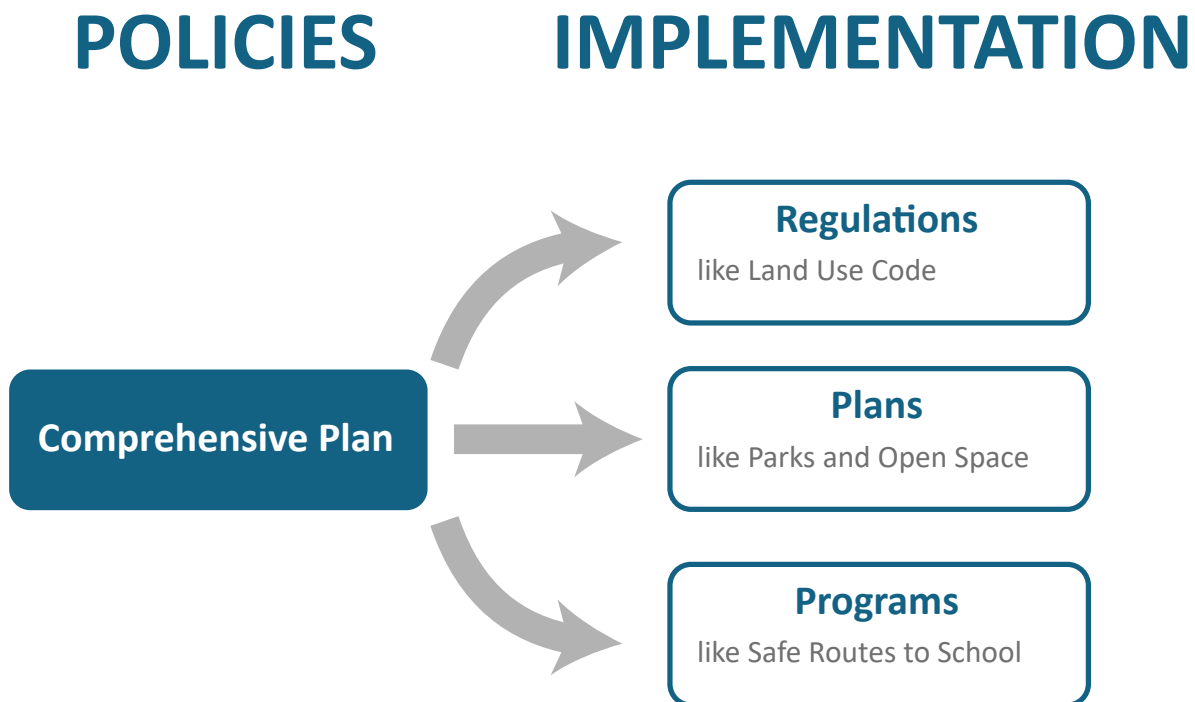
A code city council has a number of options to choose from for how to perform its statutorily required planning functions. It could, for example, choose to designate a single planning director, form a planning department, appoint a planning commission or committee alone, or a combination of these bodies.

In the past, it may have been more common for smaller code cities to eschew appointment of a commission or committee. However, with the advent of the Growth Management Act, chapter 36.70A RCW, and its heightened level of planning responsibilities, even smaller towns have appointed planning commissions to aid their city councils and planning staff in carrying out planning functions. As mentioned above, the Bellevue City Council's first act, Ordinance No. 1, established the City's Planning Commission, beginning a long history of planning for the community's future.

## WHAT IS THE SCOPE OF RESPONSIBILITIES?

The primary and fundamental role of the Planning Commission is review and preparation of proposed revisions to the City's Comprehensive plan and development regulations, which includes gathering public input and acting in an advisory role to the City Council. This fundamental role is best described as the Commission acting as the citizen advisory body that provides input to the legislative body, i.e., the City Council, on planning and land use legislation. Thus, the Planning Commission is advisory to the City Council, providing recommendations for changes and updates to the Comprehensive Plan and amendments to the City-wide regulations that exist in the Land Use Code.

The City's Planning Commission is creature of statute, and the scope of responsibilities of the Planning Commission are spelled out in the City's Personnel Code, chapter 3.64 BCC. For reference, the general policy framework for City planning is included in the chart below. The Planning Commission frequently plays a direct role in all of the areas below except for "programs."



Because the Planning Commission is established and operates through express statutory authority, it is bound by the statutory framework established by state law or City Code, as applicable, for considering proposals and making recommendations to the City Council for legislative changes.

For example, where the Land Use Code specifies the process to be followed or criteria to be applied in making a recommendation to Council, the Land Use Code provisions must be followed. Neither staff nor the Planning Commission may alter the criteria or disregard the decision criteria even if there is agreement that the criteria are outdated or should be amended to better meet the interests of the City and planning objectives.

One of the specific responsibilities of the Planning Commission under the City’s Land Use Code is in connection with the City’s Process IV legislative process, found in Bellevue Land Use Code (LUC) 20.35.410. That section establishes the legislative process for both proposed Comprehensive Plan amendments and Land Use Code amendments as follows:

***20.35.410 Planning Commission procedure.***

**A. General.**

Process IV proposals may be introduced to the Planning Commission, which may schedule study sessions as needed to consider the proposal. Prior to making a recommendation, the Planning Commission shall schedule a public hearing. After the public hearing, and after any further study sessions as may be needed, the Planning Commission shall transmit its recommendation to the City Council through the applicable Department Director and the City Clerk. Alternatively, the City Council may conduct its own process and hold its own public hearing when the proposal is for a change to the text of the Land Use Code, provided a finding of necessity is made. (Emphasis added.)

On the other hand, the City’s Personnel Code, at BCC 3.64.090, explains that the Planning Commission has no powers or duties to:

- 1. Advocate on behalf of the City or the Commission without express City Council permission;
- 2. Supervise staff, administrative operations, or maintenance; and
- 3. Advise on regional issues not specifically assigned to the Commission by the City Council.

It is important to remember that Department Directors for Community Development and Development Services, not the Planning Commission, are in charge of supervising Department Staff and directing administrative operations. This includes, but is not limited to, the administrative operations necessary for amendments to the Comprehensive Plan and to the text of the Land Use Code. Although Staff from these City Departments appear before the Planning Commission on a regular basis, the Planning Commission, as a citizen advisory body to the City Council, has no supervisory role in connection with the administrative operations of these City Departments.

## WHAT ARE THE IMPORTANT DISTINCTIONS...

### ...BETWEEN THE ROLES OF THE CITY COUNCIL, AN ELECTED LEGISLATIVE BODY, AND THE PLANNING COMMISSION, AN APPOINTED CITIZEN ADVISORY BODY?

The City Council is the elected body that assigns the Planning Commission its duties and responsibilities and appoints Planning Commission members. The City Council has ultimate decision-making authority for planning issues.

The Planning Commission is advisory to the City Council, providing recommendations for changes and updates to the Comprehensive Plan and other documents that guide City-wide regulation and policy.

When charged with working on changes to the City's Comprehensive Plan, the Planning Commission and City Council are governed by separate statutory sections. The Council gives direction to the "planning agency" (in Bellevue, this is the Community Development Department and the Planning Commission), whose responsibilities are to prepare the Plan in whole or in parts (RCW 35A.63.060), hold at least one public hearing (35A.63.070), and transmit recommendations for adoption to the City Council (35A.63.071).

Direction to the Planning Commission takes different forms but generally involves the statutory framework for decision-making contained in City codes and sometimes also includes guiding principles adopted by Council as specific feedback for the Planning Commission as to the expectations for the issues to address in public hearings as well as types of legislative proposals for the Planning Commission to focus on.

The Planning Commission is provided with professional staff support, including planning, land use, and legal expertise.



With respect to the Comprehensive Plan, the City Council's responsibilities are described at RCW 35A.63.072:

Within sixty days from its receipt of the recommendation for the comprehensive plan, as above set forth, the legislative body at a public meeting shall consider the same. The legislative body within such period as it may by ordinance provide, shall vote to approve or disapprove or to modify and approve, as modified, the comprehensive plan or to refer it back to the planning agency for further proceedings, in which case the legislative body shall specify the time within which the planning agency shall report back to the legislative body its findings and recommendations on the matters referred to it. **The final form and content of the comprehensive plan shall be determined by the legislative body.** An affirmative vote of not less than a majority of total members of the legislative body shall be required for adoption of a resolution to approve the plan or its parts. The comprehensive plan, or its successive parts, as approved by the legislative body, shall be filed with an appropriate official of the code city and shall be available for public inspection. Similarly, with respect to Land Use Code amendments,

RCW 35A.63.073 provides for the City Council to adopt zoning ordinances, including changes to development or land use regulations that govern development of land following a public hearing process which may be delegated to a planning commission. In Bellevue, the Council has delegated responsibility for zoning recommendations to the Hearing Examiner and changes to development or land use regulations to the Planning Commission.

While the role of the Planning Commission is to conduct fact-finding and act as citizen advisors to the legislative body, the Planning Commission is not a substitute for the City Council<sup>1</sup>. This is because functions of an administrative and a legislative body are distinct and separate<sup>2</sup>. Further, when considering the recommendations of the Planning Commission, the City Council is free to substitute its judgment as to whether to accept or modify those recommendations.

Again, it is important to remember that the state legislature has vested the City Council with final decision-making authority as to the regulations to guide development in the City. The role of the Planning Commission is an important advisory function, particularly in gathering public input. But the final word on what regulations shall be adopted and govern land use in Bellevue is the determination by the City Council, a responsibility that cannot be delegated to the Planning Commission.

<sup>1</sup> *Lutz v. City of Longview*, 83 Wn2d 566, 569-70 (1974)

<sup>2</sup> *Id.*, citing *State ex rel. Bowen v. Kruegel*, 67 Wn.2d 673 (1965)



## OVERVIEW AND PART 20.301 LUC DECISION CRITERIA

Bellevue's Comprehensive Plan has been a fundamental part of the community's vision for the future since incorporation of the City. The City's first Comprehensive Plan under the state's Growth Management Act (GMA) was adopted almost thirty (30) years ago, in 1993. Over time, the Comprehensive Plan has successfully guided growth and development, resulting in the City's vibrant residential neighborhoods and commercial areas, and a Downtown that is one of the chief urban centers in the region.

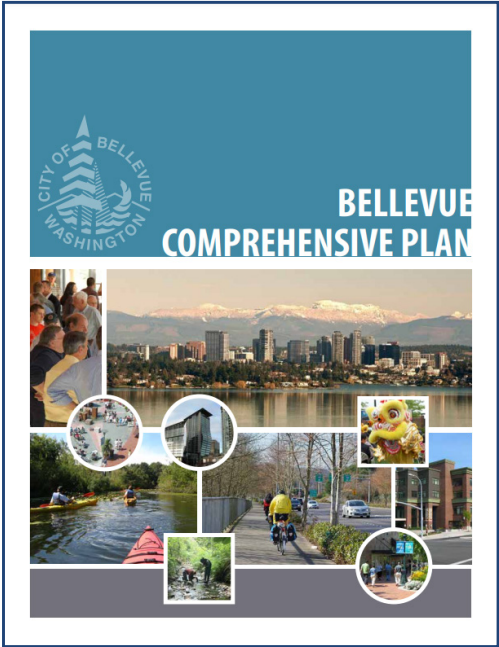
The Comprehensive Plan provides the framework for how the City seeks to grow. The Comprehensive Plan sets policy that directs City actions and decisions, and guides City investments in infrastructure. More importantly, the Plan is a statement of the community's values and what the City wants to be in the future. Using the plan as a guidepost alongside the hierarchy of planning envisioned by the GMA that guides the City and the region's growth management, actions the City takes now lead to a greater tomorrow.

Specifically, the Comprehensive Plan guides growth and development within the City over the course of a twenty (20) year planning period. Under the GMA, the Comprehensive Plan plans for transportation, housing, land use, capital facilities, utilities, economic development, natural resources, parks, recreation, and the environment. RCW 36.70A.070. Although the Comprehensive Plan analyzes projected growth over a 20-year planning horizon, the Plan is reviewed and, if needed, updated every ten (10) years. RCW 36.70A.070(4)-(5).

The Plan consists of four key components:

1. The Community Vision statement describes the City that Bellevue hopes to become.
2. General Elements of the Plan include goals and policies that guide City actions.
3. Subarea Plans address each of fourteen (14) geographic areas in the City.

Within this framework, the GMA leaves broad discretion to local governments to include a variety of factors in making certain policy decisions. Local circumstances may result in unique choices and solutions by individual cities, and those choices may be incorporated into the Comprehensive Plan. For instance, whether the City wants to emphasize market factors, or a jobs-based economy, or the creation of housing stock are all policy choices. These choices may also include the specific location of particular land uses and development intensities, community character and design, spending priorities, financing mechanisms, site development standards and the like.



***A. Overview of Amendments to the Comprehensive Plan:***

Amendments to the Comprehensive Plan modify the City’s long-term land use, development or growth policies. The Planning Commission takes a lead role in the annual amendments to the Comprehensive Plan (described below), and a coordinating role for major updates to the Comprehensive Plan.

Bellevue’s annual amendment process consists of two major stages. After Comprehensive Plan Amendment (CPA) applications are received each year, the Planning Commission reviews them to determine which should be considered for inclusion in the work program. This is referred to as Threshold Review. Amendments accepted into the CPA work program proceed to the second, Final Review, where more detailed analysis will assess the merits of the proposal and its potential impacts.

***B. Decision Criteria for Threshold Review and Final Review:***

The annual amendment review process, which includes Threshold Review and Final Review, can be summarized as:



## Threshold Review

Is a proposal appropriate and timely for including in the annual work program?

1. Planning Commission study sessions and public hearings; and then
2. City Council action on Planning Commission recommendations - establishes the annual work program.

Under LUC 20.30I.140, “[t]he Planning Commission may recommend inclusion of a proposed amendment to the Comprehensive Plan in the Annual Comprehensive Plan Amendment Work Program if the following criteria have been met:

- A. The proposed amendment presents a matter appropriately addressed through the Comprehensive Plan; and
- B. The proposed amendment is in compliance with the three-year limitation rules set forth in LUC 20.30I.130.A.2.d; and
- C. The proposed amendment does not raise policy or land use issues that are more appropriately addressed by an ongoing work program approved by the City Council; and
- D. The proposed amendment can be reasonably reviewed within the resources and time frame of the Annual Comprehensive Plan Amendment Work Program; and
- E. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 for the definition of “Significantly Changed Conditions”; and
- F. When expansion of the geographic scope of an amendment proposal is being considered, shared characteristics with nearby, similarly situated property have been identified and the expansion is the minimum necessary to include properties with those shared characteristics; and
- G. The proposed amendment is consistent with current general policies in the Comprehensive Plan for site-specific amendment proposals. The proposed amendment must also be consistent with policy implementation in the Countywide Planning Policies, the Growth Management Act, other state or federal law, and the Washington Administrative Code; or
- H. State law requires, or a decision of a court or administrative agency has directed such a change.”

## Final Review

Should the proposal be adopted into the Comprehensive Plan?

1. Planning Commission study sessions and public hearings; and then
2. City Council action on Planning Commission recommendations – adopts or denies amendments.

If the proposed Comprehensive Plan amendment proceeds beyond Threshold Review, then the Planning Commission considers the proposal under the Final Review Decision Criteria in LUC 20.30I.150. Under this Decision Criteria, “[t]he Planning Commission may recommend and the City Council may adopt or adopt with modifications an amendment to the Comprehensive Plan if:

- A. There exists obvious technical error in the pertinent Comprehensive Plan provision; or
- B. The following criteria have been met:
  1. The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the City, the Countywide Planning Policies, the Growth Management Act and other applicable law; and
  2. The proposed amendment addresses the interests and changed needs of the entire City as identified in its long-range planning and policy documents; and
  3. The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 for the definition of “Significantly Changed Conditions;” and
  4. If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and
  5. The proposed amendment demonstrates a public benefit and enhances the public health, safety and welfare of the City.”



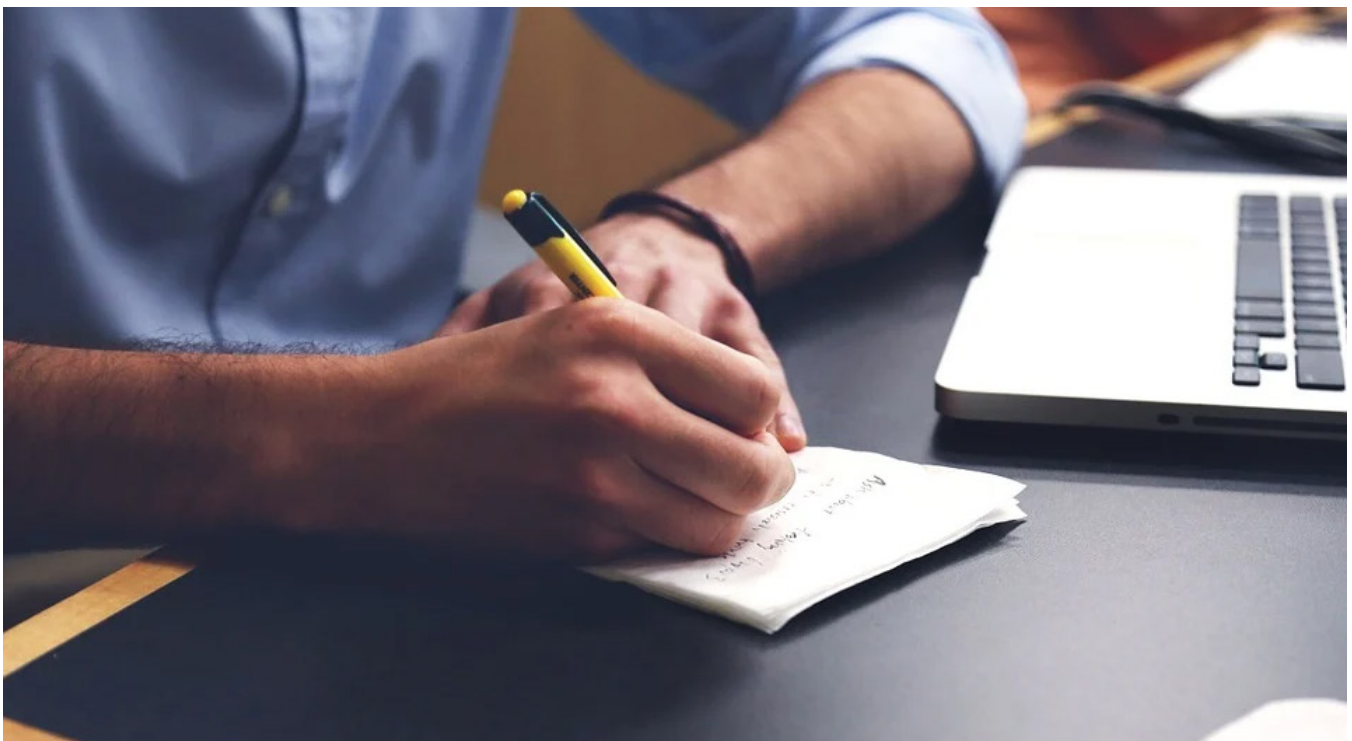
When the Planning Commission reviews a proposed Land Use Code amendment, the Planning Commission is acting as the fact-finding and citizen advisory body to the City Council. BCC 3.64.070 (Powers and duties). The purpose of Planning Commission review is to apply the below Decision Criteria in LUC 20.30J.135 and provide a recommendation to the City Council for consideration:

The City may approve or approve with modifications a proposal to amend the text of the Land Use Code if:

- A. The amendment is consistent with the Comprehensive Plan; and
- B. The amendment enhances the public health, safety or welfare; and
- C. The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue.

If the proposal complies with the LUC 20.30J.135 Decision Criteria, the Planning Commission is tasked with recommending that the City Council adopt the proposed land use code amendment, or adopt the amendment with modifications. If the proposal does not comply with the Decision Criteria, then the Planning Commission should recommend denial. If the Planning Commission recommends a modification which results in a proposal not reasonably foreseeable from the notice provided by the City, then the Planning Commission must conduct a new public hearing on the proposal as modified. LUC 20.35.410.C.

The Planning Commission recommendation to the City Council to adopt, adopt with modifications, or deny the proposed land use code amendment, is transmitted by Resolution. The Resolution should include the Planning Commission findings on how the proposal is or is not consistent with the Decision Criteria.





# PLANNING COMMISSION PROCEDURE

The Commission operates under the procedures established in the Planning Commission Bylaws and Chapter 3.64 BCC. Planning Commission meetings are conducted according to the Bylaws and Robert's Rules of Order.

## Meetings

The Planning Commission generally meets at 6:30 p.m. on the 2nd and 4th Wednesdays of each month, or at another time and day as determined. All meetings are open to the public. Meetings may include Study Sessions and Public Hearings.

To conduct official Planning Commission business, a quorum must be present. A quorum consists of four of the seven Commissioners. Action is taken by a majority vote of the members present and voting. The printed agenda may be modified by unanimous vote of the members present.

## Study Sessions

A substantial amount of the Planning Commission's work is conducted at informal Study Sessions. During these Study Sessions, the Commission receives information from City Staff and works together to determine the contents of recommendations to be forwarded to the City Council. Such sessions may be held both before and after Public Hearings.

## The Chair's Duties

The Chair of the Planning Commission is the presiding officer who has obligations to the group that must be achieved at meetings and should:

- Follow the agenda
- Remain impartial
- Entertain all motions, even if he/she opposes them
- Avoid cutting off debate arbitrarily
- Keep the debate of the assembly germane
- Keep the group informed of the motion on the floor at all times
- Maintain an atmosphere where issues can be debated in a civil manner
- Administer the rules of order

**Public Comment/Oral Communications**

The Planning Commission considers public comment and public testimony as part of its fact-finding role in order to effectively advise the City Council. A primary and fundamental role of the Planning Commission is to provide a forum in which to gather public input in connection with fulfilling its advisory role to the City Council.

However, it is very important to remember that the Planning Commission does not represent the public—only elected officials represent the public. Instead, Planning Commissioners serve at the pleasure of City Council. Ultimately, a Planning Commission recommendation is based on review of the Decision Criteria in the Land Use Code, even though the Planning Commission is often the forum for receiving public comment and holding a public hearing prior to the Planning Commission recommendation and, later, the City Council action on the legislative item.

At each Planning Commission meeting there is an opportunity for public comment near the beginning and end of the agenda. This is an important opportunity for the Planning Commission to hear what the community and other interested parties want to say about any matter not scheduled for Public Hearing. The Commission places a limit of three (3) minutes per speaker on public comment at the beginning and at the end of the meeting. The time allowed for Oral Communications at the beginning of the meeting shall not exceed thirty (30) minutes, and the time allowed for Continued Oral Communications at the end of the meeting shall not exceed fifteen (15) minutes.



## Public Hearings

A Public Hearing is the formal opportunity for the Commission to hear information and opinions from supporters and opponents of a specific legislative land use proposal. Usually, a staff member provides background information at the beginning of the hearing. Anyone may speak to the Commission on the subject of the hearing and/or submit written comments. Public Hearings are recorded for later reference. The notes of the hearing and all written materials are included in the Hearing Record. The Commission has established these specific procedures for Public Hearings:

1. The Chair shall, at the opening of a public hearing, state the purpose of and process for the hearing and may request that staff provide an introductory staff report.
2. Persons wishing to speak shall sign in on the sign-in sheet provided. Speakers will be called to speak in the order in which they signed in, subject to the Chair's discretion to modify the order in the interest of a fair public hearing that allows an opportunity for everyone wishing to speak.
3. Speakers will be allowed three (3) minutes in which to make their comments. Additional time will not be allowed unless the Chair or a majority of the Commission determines to allow additional time.
4. Applicants or applicant representatives (collectively "applicants") for a privately-initiated comprehensive plan amendment proposal will be allowed one presentation of seven (7) minutes (in total). Applicants will not be allowed to exceed seven (7) minutes unless the Chair or a majority of the Commission allows additional time. Other proponents for a privately-initiated comprehensive plan amendment who are not the applicant will be allowed the general three (3) minutes.
5. Speakers are encouraged to indicate support for or opposition to previous comments rather than repeating prior testimony.
6. No specific time limitations are placed on the length of public hearings.
7. The Commission may continue a hearing to a future date or close a hearing after everyone wishing to speak has spoken.
8. All written material provided before or during the hearing will be included in the hearing record.
9. The Chair may allow additional time for receipt of written comments when needed.

Because one of the Planning Commission's key functions is to obtain public input prior to making a recommendation, it is important that Commissioners not rush to judgment before public testimony is provided on all sides of an issue. Commissioners should be considerate and attentive to all perspectives, and patient with those uncomfortable speaking in public.

# BEING AN EFFECTIVE COMMISSIONER

Bellevue Planning Commissioners play an important role in facilitating community decision-making, and serving as a conduit between citizens, City staff, and the City Council. With this influence comes responsibility and accountability. Planning Commissioners should prepare in advance for meetings, which includes reviewing Planning Commission agendas and packet materials as well as relevant materials and minutes from recent meetings. Commissioners should also be familiar with the documents that govern the issues under consideration such as the Comprehensive Plan, Land Use Code, Bellevue City Code, City ordinances and resolutions, and other relevant documents or reports. Commissioners are expected to come prepared to participate in the discussion of the issues and to make decisions.

## Reaching Consensus

It is not unusual for Planning Commissioners to hold and articulate diverse views, interests and backgrounds. In light of this, disagreement is to be expected and even desirable. When there is disagreement in the discussion or decisions of the Planning Commission, different viewpoints should always be articulated in a civil manner. What is said by the Commissioners in discussion is often as important as the vote:

- Explain the rationale for votes taken, especially in disagreement.
- These comments help the City Council, as they frequently ask staff what the Planning Commission discussed or considered.
- These comments help the public understand or make better arguments at the next stage in the process.





# 2 PLANNING IN BELLEVUE

This chapter includes the following sections to bring a Bellevue-specific lens to planning efforts.

- The Planning Commission Guiding Principles
- Short descriptions and organization charts for the departments that work most with the Planning Commission: Community Development and Development Services



# PLANNING COMMISSION GUIDING PRINCIPLES



## CITY MOTTO

► “Bellevue welcomes the world, our diversity is our strength.”

### *Consolidated Version*

Our city motto is: “Bellevue welcomes the world, our diversity is our strength”. That strength is magnified by respecting our past, appreciating our present and embracing our future.

The Planning Commission serves our city through land use and zoning recommendations to our elected councilmembers that will grow the economy while preserving the vitality and vibrancy of Bellevue’s neighborhoods. These recommendations come after listening to fellow commissioners, presentations from staff and the community, as well as studying reports prepared by staff.

The Planning Commission takes its direction from the City Council, and works in conjunction with staff, which answers requests in a timely and professional manner, and prepares packet materials to drive policy discussion.

Our recommendations directly affect people’s lives. This means members must be willing to challenge underlying assumptions, to have courageous, candid conversations about the changes in our community and how they affect land use and zoning policies for longtime residents and newcomers alike. Listening with an open mind, encouraging transparent, respectful discussion and appreciating the contributions of others is vital to the success of our work.

The Planning Commission seeks excellence, but does not allow the perfect to become the enemy of the good. All views will be heard and considered. Though our views may differ, our work is driven by our shared concern for doing what is best for Bellevue.



# CITY OF BELLEVUE

## City Council

### City Manager

#### Deputy City Manager

Community Development

Development Services

Finance & Asset Management

Transportation

#### Deputy City Manager

Fire Development

Human Services

Information Technology

Parks & Community Services

Utilities

#### Assistant City Manager City Clerk

City Clerk's Office

Diversity Advantage Team

Police Department

City Attorney's Office

#### Assistant City Manager Director of Intergovernment Relations

City Clerk's Office

Diversity Advantage Team

## DEPARTMENT OVERVIEWS

### COMMUNITY DEVELOPMENT DEPARTMENT (CD)

Community Development is organized into three divisions:

Planning, Neighborhood Services and the Cultural and Economic Vitality Office. The Planning Division is responsible for managing the City’s various long range planning initiatives such as administering and supporting the City’s Comprehensive Plan, subarea plans, affordable housing and other growth management plans and regional planning. Staff support is provided to the City Council and the Planning Commission. The division coordinates with other agencies on regional and state-wide planning issues, monitors legislative activity, and undertakes special projects as directed by the City Council or City Manager.

### Community Development Director



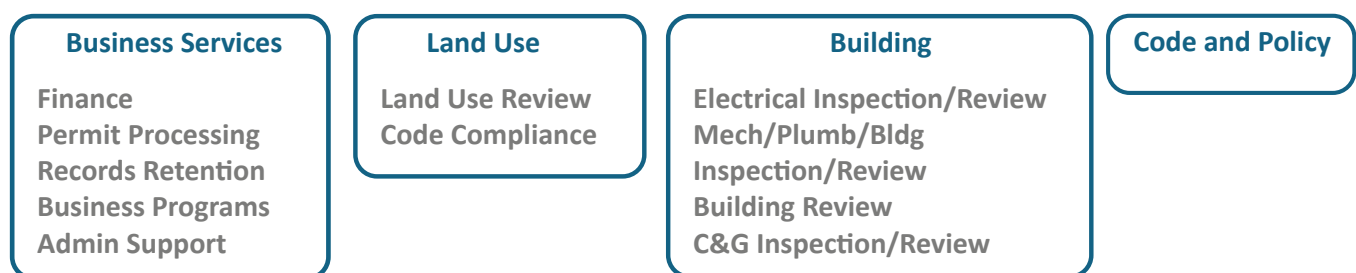
## DEVELOPMENT SERVICES DEPARTMENT (DSD)

The Development Services Department includes a multi-department Development Services line of business that provides review, permit, inspection, code enforcement, and updates to the Land Use Code and other development regulations for private and public development throughout the City. The staff work closely with architects, engineers, contractors, residents, developers, and other departments and agencies to make sure there is compliance with all applicable regulations, ensuring city neighborhoods continue to be safe and livable for all residents, visitors and businesses.

The Planning Commission will most often interface with two divisions from within the Development Services Department:

- The Code and Policy Division works together with staff from other city departments to develop city codes and regulations that unlock and guide future land uses that advance the City's vision. This division is responsible for managing and processing Land Use Code Amendments (LUCAs) for Planning Commission recommendation and Council action and city code amendments for Council action.
- The Land Use Division is comprised of several land use planners that specialize in urban design, environmental review, and neighborhood-scaled development. Planners review ministerial and discretionary permits for compliance with the Land Use Code and Comprehensive Plan. The Land Use Division supports code updates and updates to the Comprehensive Plan.

## Development Services Director



### Other Departments: Reviewers/Inspectors

Fire  
Transportation  
Utilities

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## PLANNING COMMISSION BYLAWS

These Bylaws constitute the official rules of procedure for the Planning Commission (hereinafter Commission). Where rules of procedure are not addressed in these Bylaws, the Commission shall be governed by the City Council's adopted Rules (Resolution No. 8928) and/or by *Robert's Rules of Order, Newly Revised*.

### ARTICLE I – Scope of Authority/Responsibility

The members of the Commission accept the responsibility of the office and declare their intention to execute the duties defined under the State law and Bellevue City Code to the best of their ability and to respect and observe the requirements established by the Bellevue City Council.

The authority of the Commission is limited to those specific functions set forth in the Bellevue City Code, Chapter 3.64. The purpose of the Commission is advisory to the City Council.

The Commission shall have no authority or responsibility relating to the following activities:

- A. The Commission or its individual members shall not speak for or advocate on behalf of the City or Commission, or act in a manner that may be construed as representing the City, unless specifically authorized to do so by the City Council.
- B. The Commission or its individual members have no supervisory authority and shall not direct administrative operations, maintenance, or hiring of consultants and other independent contractors.
- C. The Commission shall not participate in regional issues not specifically assigned to the Commission by the City Council.

A member of the Commission is not authorized to speak on behalf of the Commission unless the Commission has expressly authorized the member's communication.

An individual member is free to voice a position, oral or written, on any issue after making it clear that the member is not speaking as a representative of the City or as a member of the Commission.

### ARTICLE II – Membership and Organization of the Commission

- A. Membership.
  1. Each person at time of nomination and continuing uninterrupted thereafter while serving on the Commission shall be a resident of the City of Bellevue.
  2. Each person to be appointed shall be nominated by the City Council Liaison for a specific, numbered position on the Commission.



3. Appointees shall commence service after confirmation by the City Council and the effective date of the previous member's resignation or expiration of the existing term for the position, as applicable.
  4. Each confirmation motion by the City Council shall include the ending date and term for the position to which the member is appointed and that information shall be entered into the City Council meeting minutes and maintained in the Commission's records by the Deputy City Clerk.
- B. Election of Officers. The Commission shall elect a Chair and Vice-Chair, and any other officers the Commission deems necessary, for a term of one year at their first regular meeting in June of each year, or as soon thereafter as feasible based on seating of newly-appointed members.
- The election process shall be in accordance with *Roberts Rules of Order Newly Revised*.
- In the event of the resignation of the Chair or Vice-Chair, the Commission shall expeditiously elect a new officer to fill the vacancy.
- In the absence of the Chair and Vice-Chair, a Chair pro-tem shall be elected informally by the members present to conduct the meeting.
- C. Committees. The Chair, with the concurrence of the Commission, may appoint standing committees or special committees of the Commission and assign one or more members to such committees.
- D. Quorum. At all meetings of the Commission, quorum shall consist of a majority of the members. Quorum must be maintained throughout the entirety of the meeting.
- E. Ex officio members. The City Council may approve the appointment of an ex officio member to the Commission. Ex officio members are authorized to sit at the table and participate in discussions, but are non-voting members.
- F. Resignation. A member may resign by giving written notice to the City Clerk and the Chair of the Commission.
- G. Removal from office. Members of the Commission may be removed at any time by the Mayor, upon approval of a majority of the Council, for neglect of duty, conflict of interest, unexcused absence from three consecutive regular meetings of the Commission, or for any reason deemed sufficient by the majority of the City Council. The decision of the Council shall be final and there shall be no appeal.
- H. Vacancies. Vacancies shall be reported immediately to the City Clerk.
- Vacancies occurring for reasons other than the expiration of a term shall be filled for the unexpired portion of the term by appointment by the Mayor upon approval of a majority of the City Council.
- I. Staffing. The Planning and Community Development Director shall assign staff support to the Commission.

### ARTICLE III - Duties of Officers

- A. Presiding Officer. The Chair shall be the presiding officer of the Commission. In the temporary absence of the Chair, the Vice-Chair shall perform the duties and responsibilities of the Chair. The Presiding Officer is required to attend meetings in person. If the Presiding Officer is authorized to participate in a meeting remotely under Article V.G of

these Bylaws, the Presiding Officer must pass the Presiding Officer role for that meeting to a commission member who will attend that meeting in person.

It shall be the Presiding Officer's duty to see that the transaction of Commission business is in accord with these Bylaws.

- B. Presiding Officer Duties. It shall be the duty of the Presiding Officer to:
1. Call the meeting to order.
  2. Keep the meeting to its order of business.
  3. Control the discussion in an orderly manner.
    - a. Introduce the agenda topic, provide for staff presentation and questions from the Commission, and call for discussion among the Commission members.
    - b. Give every Commission member who wishes an opportunity to speak.
    - c. Permit audience participation at the appropriate times.
    - d. Require all speakers to speak to the question and to observe the rules of order.
    - e. Give pro and con speakers opportunities to speak to a question when practicable.
    - f. Guide the Commission in providing direction to staff and making recommendations to the City Council.
  4. State each motion before it is discussed and before it is voted upon.
  5. Put motions to a vote and announce the outcome or summarize consensus direction achieved by the Commission.
  6. Decide all questions of order, subject to the right of appeal to the Commission by any member.

The Presiding Officer may at his or her discretion call the Vice-Chair or any member to take the Chair so the Presiding Officer may make a motion.

- C. Commission Staff. The Commission staff, or an authorized designee, shall attend all meetings of the Commission. The Commission staff shall:
- a. Provide for noticing of special meetings or changed locations of meetings;
  - b. Post agendas and Commission packet materials for each meeting;
  - c. Record and retain, by electronic means, each meeting for the official record;
  - d. Provide for timely preparation of summary minutes of all Commission meetings;
  - e. Maintain the Commission's official records;
  - f. Manage correspondence on behalf of the Commission.

#### **ARTICLE IV – Council Liaison**

- A. The Mayor, with the concurrence of Council, shall appoint a Councilmember to serve as Liaison to the Commission.
- B. The Council shall identify roles and responsibilities for Liaisons to the Council's appointed Boards and Commissions.

#### **ARTICLE V -- Meetings**

Public notice of meetings or hearings before the Commission shall be provided as required by law. Noticing of special meetings is provided by the Deputy City Clerk.

- A. Regular meetings. The regular meetings of the Commission shall be held at 6:30 pm on the second and fourth Wednesdays of each month. Unless there is critical or time-sensitive work, the Commission may recess for either the month of August or December.

Regular or continued meetings that fall on a holiday shall be rescheduled by the Commission. A regular or continued meeting that falls on the Wednesday before Thanksgiving shall be rescheduled by the Commission.

- B. Special meetings. Special meetings may be held by the Commission subject to notice requirements prescribed in state law. The notice for special meetings shall state the subjects to be considered, and no subjects other than those specified in the notice shall be considered.

Electronic mail shall be considered written notice to members for purposes of this rule.

- C. Meeting place. Meetings of the Commission shall be held at Bellevue City Hall unless otherwise noticed.
- D. Open Public Meetings. No legal action may be taken by the Commission except in a public meeting. "Action" is defined as the transaction of official business, but is not limited to receipt of public testimony, deliberations, discussions, considerations, reviews, evaluations, and final actions.

All meetings of the Commission shall be open to the public; provided, the Commission may hold Executive Sessions as permitted by law (RCW 42.30.110).

Minutes will be prepared for all regular and special meetings and presented as soon as practicable for Commission review and approval. Minutes will include all pertinent information, motions, decisions made, and actions and votes taken. Minutes are not required to be taken at an Executive Session (RCW 42.32.035).

- E. Public Notice. Public notice of meetings or hearings before the Commission shall be provided as required by law. Notice of special meetings will be delivered in writing by mail or electronic mail at least 24 hours in advance to Commission members and to the City's newspaper of record and other media publications that have filed written requests of the City to be notified. The notice will specify the time and place of the special meeting and the business to be transacted.
- F. Attendance. Attendance at regular and special meetings is expected of all Commission members.

Any member anticipating absence from an official meeting should notify the Chair and the City staff assigned to the Commission in advance.

Unexcused absences from three consecutive regular meetings shall be reported to the City Council for appropriate action as prescribed by Bellevue City Code, Section 3.64.010.

- G. Remote participation. Commission members are encouraged to attend meetings in person when practicable. A member not able to attend a meeting in person may participate remotely using approved teleconferencing equipment. However, remote participation must be approved by the Commission in advance of the meeting.

No more than three Commission members may participate remotely during any one Commission meeting. Such remote participation will be considered attendance at the meeting and shall be counted toward determination of a quorum.

- H. Recess. The Commission may, by a majority vote or consensus, recess for a short break. The proposal to recess may set a time limit or run until the Chair calls the meeting back to order.
- I. Continuation. The continuation of a meeting shall be to a definite time and place and approved by majority vote.

- J. Adjournment. Regular meetings of the Commission shall adjourn at 9:00 p.m. The adjournment time may be extended to a later time certain upon approval of a motion carried by a majority of Commission members.

At the conclusion of the agenda, after calling for any additional business, the Chair may declare the meeting adjourned.

#### **ARTICLE VI – Order of Business/Agenda**

- A. Preparation of meeting agendas will be the duty of the Commission staff in coordination with the Chair.
- B. Copies of the agenda will be available to all Commission members at least two days prior to a regular meeting and 24 hours in advance of special meetings.
- C. The agenda will indicate whether formal action is intended to be taken by the Commission on a particular matter.
- D. The order of business for each regular meeting shall be as follows:
  - 1. Call to Order
  - 2. Roll Call
  - 3. Approval of Agenda
  - 4. Reports of City Council, Boards and Commissions
  - 5. Staff Reports
  - 6. Oral and Written Communications
  - 7. Public Hearing
  - 8. Study Session
  - 9. Other Business
  - 10. Approval of Minutes
  - 11. Continued Oral Communications
  - 12. Executive Session
  - 13. Adjournment
- E. The printed agenda of a regular meeting may be modified, supplemented or revised by a majority affirmative vote of the Commission members present.
- F. A topic on the agenda may be continued to subsequent meetings when it is apparent that one meeting will not be sufficient to complete the scheduled business.
- G. The order of business does not apply to Special Meetings.

#### **ARTICLE VII – Public Comment**

- A. Timing of Communications. The Commission shall not take public comment at regular meetings except for that given at a public hearing or at Oral and Written Communications. Written comments may be submitted to the Commission staff in advance of the meeting.
- B. Addressing the Chair. Speakers shall address all statements to the Chair. Commission members may direct questions to speakers only with the Chair's permission.

C. Public hearings. The purpose of a public hearing is to gather information and opinions on a specific subject the Commission is studying. The following rules shall be observed during any public hearing:

1. The Chair shall, at the opening of a public hearing, state the purpose of and process for the hearing and may request that staff provide an introductory staff report.
2. Persons wishing to speak, either in-person or through remote participation, shall sign in on the paper or electronic sign-in sheet provided. Speakers will be called to speak in the order in which they signed in, subject to the Chair's discretion to modify the order in the interest of a fair public hearing that allows an opportunity for everyone wishing to speak.
3. Speakers will be allowed three (3) minutes in which to make their comments. Additional time will not be allowed unless the Chair or a majority of the Commission determines to allow additional time.
4. Applicants or applicant representatives (collectively "applicants") for a privately-initiated comprehensive plan amendment proposal will be allowed one presentation of seven (7) minutes (in total). Applicants will not be allowed to exceed seven (7) minutes unless the Chair or a majority of the Commission allows additional time. Other proponents for a privately-initiated comprehensive plan amendment who are not the applicant will be allowed the general three (3) minutes.
5. Speakers are encouraged to indicate support for or opposition to previous comments rather than repeating prior testimony.
6. No specific time limitations are placed on the length of public hearings.
7. The Commission may continue a hearing to a future date or close a hearing after everyone wishing to speak has spoken.
8. All written material provided before or during the hearing will be included in the hearing record.
9. The Chair may allow additional time for receipt of written comments when needed.

D. Oral Communications.

1. The time allowed for Oral Communications shall not exceed thirty (30) minutes.
2. The time allowed for Continued Oral Communications shall not exceed fifteen (15) minutes.
3. Persons wishing to speak, either in-person or through remote participation, shall sign in on the paper or electronic sign-in sheet provided and will be called to speak in the order in which they signed.
4. Speakers will be allowed to speak for three (3) minutes. Additional time will not be allowed unless the Chair or a majority of the Commission determines to allow additional time.
5. Suspension of these rules will require a majority vote of the Commission members present and must be consistent with the requirements of the Open Public Meeting Act, Chapter 42.30 RCW.

E. Decorum. Persons participating in Commission meetings are strongly encouraged to aid the Commission in maintaining the decorum and orderly progression of the meeting

agenda. Engaging in shouting, use of profanity or slurs against others, disruptive noise, or comments that are off-topic detract from the ability of the Commission to conduct business. Where such conduct results in actual disruption of the meeting, the Chair may issue a verbal warning to the speaker and, if the behavior continues, have the speaker removed from the meeting room. Repeated disruption may result in the speaker being excluded from participating in public comment at one or more subsequent Commission meetings. If the Chair issues an exclusion to any speaker, he or she shall inform the person of the basis for the exclusion and the term of the exclusion. The Chair shall also notify the speaker that if he or she desires to address the Commission during the period of exclusion from public comment, he or she may submit written comments which will be received by the Commission staff and provided to each of the Commission members.

- F. Timekeeping. The City staff assigned to the Commission shall be the timekeeper.

### ARTICLE VIII – Motions

- A. No motion should be entertained or debated until seconded and announced by the Chair.
- B. The motion shall be recorded and, if desired by any member, read by the Commission staff before it is debated. With the consent of the Chair, a motion may be withdrawn at any time before action is taken on the motion.
- C. Motions shall be entertained in the order of precedence outlined in *Robert's Rules of Order Newly Revised*.

### ARTICLE IX – Voting

- A. Action. Action may be taken by a majority of the members present when a quorum exists.
- B. Votes on Questions. Each member present or participating remotely shall vote on all questions put to the Commission except on matters in which he or she has been disqualified for a conflict of interest or under the Appearance of Fairness doctrine. Such member shall disqualify himself or herself prior to any discussion of the matter, stating the reason for the disqualification unless there is a legal impediment to disclosure. The disqualified member will then leave the meeting room.

Voting shall be accomplished by voice or through a showing of hands. Secret balloting is prohibited. Proxy votes of members not present are not valid votes. All votes shall be recorded in the Summary Minutes.

- C. Tie Vote. The passage of a motion is defeated by a tie vote, provided that the question may be brought forward again at the request of any member at the same meeting or at the next meeting when any members who were absent or disqualified at the time of the tie vote are present.
- D. Failure to Vote. Any Commission member who fails to vote without a valid disqualification shall be declared to have voted in the affirmative on the question.
- E. Six-month Time Limitation. Except as otherwise provided in these Bylaws, once a matter has been voted on and the time for reconsideration has passed with no action, the matter may not be taken up again for six months unless there is a showing of a substantial change of circumstances.
- F. Decisions. The Commission shall act as a body in making its decisions and in announcing them. The Chair or the Chair's designee shall serve as the spokesperson for the Commission in reporting decisions.



## **ARTICLE X – Conflict of Interest, Appearance of Fairness, and Legal Assistance**

Commission members are held to high ethical standards and shall at all times comply with the provisions of Chapter 3.92 of the Bellevue City Code, as they exist now or as amended in future.

Any member of the Commission who, in his or her opinion, has an interest in any matter before the Commission that would tend to prejudice his or her actions shall so publicly indicate and shall step down and refrain from voting and participating in any manner on the matter in question to avoid any possible conflict of interest or violation of the appearance of fairness.

When there is doubt concerning the legality of an issue, the City Attorney (or designee) may be called upon to advise members as to the legality of the proposed action. If necessary, a hearing or deliberation may be continued until legal matters can be clarified. Care must be taken in maintaining records of the proceedings when litigation is a possibility.

## **ARTICLE XI – Minutes**

- A. Minutes are the official record of a meeting. Electronic recordings of meetings (if made) are retained on-site for six years.

Minutes should be sufficiently detailed to provide what was done, by whom, and why, in order to provide an accurate summary of the main points of the discussion. Minutes are written to provide a readable, concise record of lengthy meetings, and as such not every speaker's comments on every topic are included.

If a Commission member wishes to ensure that a particular statement is included in the minutes, he or she should indicate, "For the record..." to signal the desire to have this comment included.

Draft minutes presented for approval in the meeting packet may be amended if a legally sufficient reason to do so exists.

Once approved, that page of amended minutes will subsequently show the following wording next to the spot of the amendment: "Corrected – see minutes of \_\_\_\_\_."

## **ARTICLE XII – Compliance with Laws**

All Commission members shall comply with all federal, state, and local laws and ordinances, including but not limited to Chapter 49.60 RCW (Washington's Law Against Discrimination) and 42 U.S.C. 12101 et. seq. (ADA), BCC 3.92 (Code of Ethics), RCW 42.56 (Public Records Act), RCW 42.30 (Open Public Meetings Act), BCC 2.26 (Public Records) and the Civil Rights Act of 1964 (Public Law 88-352).

## **ARTICLE XIII – Communications**

- A. Communications with Council. The Commission shall provide at least quarterly communications to the City Council, either at Reports of Boards and Commissions or in written form. Reports should highlight major activities, future work plans, changes in work plans, and request any policy direction needed from the City Council.



- B. Communications among Commission members. To avoid possible violations of the Open Public Meetings Act, Commission members shall refrain from back-and-forth exchange of information, viewpoints, positions, or other dialogue via email, telephone, or in person among a quorum of the membership about the business of the Commission outside of a public meeting. Communications among less than a quorum that are then relayed by a participant to other members, who together constitute a quorum, are also prohibited.

#### ARTICLE XIV -- Records

The term “public records” applies to any paper, correspondence, completed form, bound record book, photograph, film, audio or video recording, map drawing, machine-readable material, video stream, email, text message, or social media that has been created or received by any state or local government agency during the course of public business and legislative records described in RCW 40.14.100. The following requirements apply to the Planning Commission and its individual members:

- A. Public records are the property of the City and must be managed (preserved, stored, transferred, destroyed, etc.) according to the provisions of Chapter 40.14 RCW.
- B. Tools are in place to manage all emails sent to the Commission’s email account ([planningcommission@bellevuewa.gov](mailto:planningcommission@bellevuewa.gov)), as well as individual city of Bellevue email accounts of Commission members, according to state law.
- C. Commission members are responsible for including Commission staff on all Commission-related communications, including forwarding any emails sent to the member in his/her individual capacity that occur outside of the Commission member’s city provided email, to the [planningcommission@bellevuewa.gov](mailto:planningcommission@bellevuewa.gov) address. Any hard copy records shall also be transferred to staff for long-term maintenance.
- D. Members may be required to produce emails or documents that relate to the activities or operations of the Commission in response to a public disclosure request. Members may also be required to produce their personal notes taken at Commission meetings that relate to the activities and deliberations of the Commission. To the extent those notes contain information that is purely personal or material that is exempt under the Public Disclosure Act, they may not need to be provided to the requestor.
- E. As required by WAC 44-14-04003(3) and the City’s Public Records Act Rules, the City must provide the fullest assistance in response to public disclosure requests. The City’s Public Records Officer and a representative of the City Attorney’s Office will review any documents that may be exempt from disclosure and will provide the necessary explanations of any exemptions to the requestor if access to particular records is denied. Courts may award monetary penalties should the City not respond fully or promptly.
- F. Commission members are advised to establish a separate, clearly-named file within their personal email account and/or on the hard drive of their personal computer to which they file all materials relating to the Commission.

### ARTICLE XV – Compensation and Reimbursement of Expenses

Members of the Commission shall serve without compensation. Members shall be reimbursed for authorized travel or other expenses incidental to that service, which are authorized by the City Manager or City Council. Members should seek pre-authorization for any proposed expense.

### ARTICLE XVI – Amendments

These Bylaws may be amended, revised, or repealed by the entire Commission at any regular meeting or any special meeting, provided that notice of such changes is included on the agenda and the vote to change takes place at the next regular meeting. Amendments will not be valid unless two-thirds of the membership of the Commission vote in favor of amending the Bylaws.

### ARTICLE XVII – Validity

If any part or parts of these Bylaws are found to be invalid, that part or parts will not invalidate the remainder of the Bylaws.

Approved this 8th day of June, 2022.



Chair



Director  
Community Development Department



Commission Staff

# PLANNING COMMISSION STANDARDS & PRACTICES

The following document is an operational guide for the Bellevue Planning Commission. The following Standards and Practices were mutually agreed upon by the Planning Commissioners, City Council Liaison (Mayor John Stokes) and City Staff (Terry Cullen, Dan Stroh, Emil King, Carol Helland, Mike Brennan) at the Planning Commission's annual retreat held on November 16, 2016.

The guide is intended to provide a basis for Planning Commission operations, governance and conduct. The Bylaws are intended to be part of this document.

## STANDARDS & PRACTICES

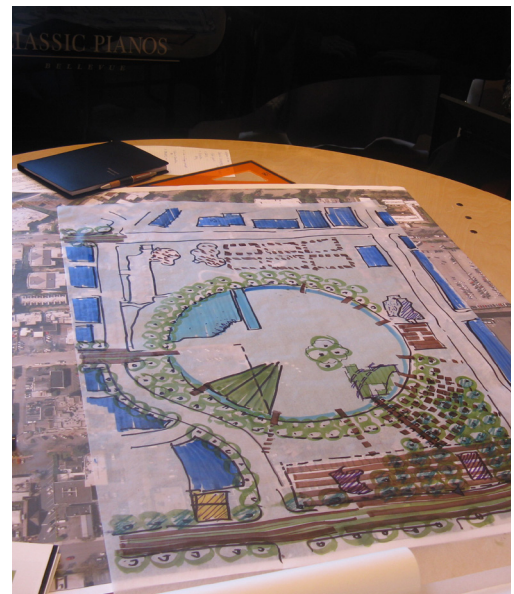
### ***What is the Planning Commission's primary role?***

1. The Planning Commission's role is to advise the City Council in matters pertaining to the Comprehensive Plan and Land Use Code. This includes the following:
  - a. Plan Update - The Commission may recommend new policies to Council when a comprehensive plan is developed and will identify the policy implications for Council's consideration.
  - b. Plan Amendments - The Commission may review proposed policy language during a plan amendment and the review is bounded within the scope set by City Council. The review includes consistency of the proposed policy to other policies in the comprehensive plan, identification of policy implications for Council's consideration and possible recommendations for substitute language.
  - c. Code Amendments - The Commission reviews proposed land use code amendments for consistency with other policies in the comprehensive plan, notes policy implications for Council's considerations and may recommend changes to the proposed code amendments consistent with those findings.
  - d. Council Special Requests - The Commission reviews special requests by Council only within the scope of that request and does not engage in policy debate or recommend underlying policy changes, unless requested by Council to do so. AGREED
2. The City Council is the body charged with setting and adopting policy for the City, and Council highly values the roles and contributions of the Planning Commission which are advisory in nature. AGREED.
3. The Commission cites findings to support their conclusions and decisions and those findings are related to the comprehensive plan. The public record clearly reflects this so the public and Council fully understand the

recommendations made and the reasons. AGREED

4. Each Commissioner brings individual perspectives to the discussion often based on experiences from the neighborhoods in which they live or the interactions of everyday life. The goal of the Planning Commission is to be impartial and take a city-wide view without representing a constituency or being political. AGREED
5. The Commission identifies the scope of policy areas in the plan that are applicable to the matter being considered and the amount and type of data required to adequately conduct their review. Ideally, it is desired that this should be scoped and agreed upon with Staff at the beginning of a project, prior to a Staff report and recommendation coming before the Commission. AGREED.
6. The Planning Commission reviews the record before them, including staff's recommendations and deliberates upon it based on the policy perspectives provided by the Comprehensive Plan. AGREED.
7. The Commission takes into account how site-specific considerations influence broader citywide policy. AGREED
8. The Planning Commission always strives for equity and balance in the decisions carefully weighing the effect on comprehensive plan policies. AGREED.

### *What are the Staff's and City Council's roles in*





### *relationship to the Planning Commission?*

9. Staff provides support to the Planning Commission. This includes research, reports and Staff recommendations (reflecting equity and balance in the analysis, such as showing the pros and cons) to support the Planning Commission work program and carrying out any legal requirements for public notification. Support also includes meeting logistics and staff support services. AGREED
10. Staff's work program and resources are determined and directed by City Council. If the Commission desires to amend the work program or requires additional resources, the Commission will seek Council's approval first. AGREED.
11. The officers of the Planning Commission are encouraged to meet with the City Manager and City Council liaison anytime the Commission believes there is a real or perceived breach of trust. The officers will contact the City Council liaison first to discuss questions, comments and concerns. The City Council liaison may have the discretion to apprise the Planning Commission Chair on matters of City business that are confidential if that matter has potential impact on an ongoing Planning Commission matter. To ensure there is no inadvertent waiver of any privileges or protections afforded by Washington law, the City Council liaison will consult with the City Attorney's Office before sharing such confidential matters.
12. City Council is the legislative authority. Council looks to the Planning Commission to provide planning recommendations (written and verbal) that are objective, backed with facts and findings, and related to comprehensive plan policy to support the conclusion. AGREED.
13. In forwarding an item to the Commission, the City Council will often include specificity about scope and policy direction. To be of best value in its advisory role, the Council's expectation is that the Commission strives to stay within this prescribed scope and policy direction. "Think outside the box but color within the lines." AGREED





### *How should the public be engaged in Planning Commission proceedings?*

14. Public comment and testimony is critical to Planning Commission deliberation and action. As a neutral party, the Commission does not represent any neighborhood, citizens' group or interested party. While being impartial, Commissioners do bring forth a body of knowledge and expertise from their perspectives as citizens. AGREED
15. Public testimony is important to the planning process, and the Commission reviews it objectively and examines its relationship to the overall policy issues at hand. AGREED.
16. Public comment standards in the Planning Commission's By-Laws should be reviewed regularly to ensure they continue to fulfill their intent and purpose. Based on current observations, consider revising the By-Laws and establish that public comment should be 3 minutes per person. Consider having it after each study session and having one overall general comment period at the end of the meeting. POSTPONED FOR FURTHER DISCUSSION.
17. The Planning Commission understands that often factual claims are made without supporting evidence during public testimony and the Commission is very careful about what is considered as credible evidence. AGREED
18. The Commission understands it is not prudent to address public engagement as town-hall democracy. AGREED
19. The Planning Commission recognizes that the By-Laws provide consistency for rules of order. Testimony from persons supporting or protesting proposed actions are addressed to the Chair. Commission members address their statements to the Chair and directly question persons on the floor only with the expressed permission of the Chairperson. AGREED.





### ***What are the operational expectations for the Planning Commission and Staff?***

20. The Planning Commission does not act as its own subject matter expert because it can be misleading, detract from the Commission's objectivity and create conflicts of interest. The City provides its boards and commissions subject matter experts, as needed. Staff will be the primary to coordinate technical and subject matter experts presenting or providing data to the Planning Commission. Planning Commissioners may suggest resources to present or provide data based on their professional knowledge areas. Planning Commissioners shall coordinate this with Staff in advance of any presentation. AGREED
21. Staff and Commissioners are always respectful and tolerant of each other and the right to disagree with each other. Everyone understands that open, thoughtful and honest communication is essential for good working relationships. AGREED.
22. Council communicates clearly the scope, time and schedule for special requests of the Planning Commission. Staff and Planning Commission will adaptively manage the request, work diligently to meet the request and report back to Council if circumstances change. AGREED.
23. The Planning Commission expects the staff to prepare materials and present findings (written and oral) that are clear, concise and include impactful graphics. The use of data and technology can be helpful. The focus is on policy, relevant, supporting data and recommendation. 'Relevant' refers to data that is closely connected or appropriate to the work of the matter of hand, before the Planning Commission.
24. Planning Commission orders their work and agendas with the mandated responsibilities as the highest priority. AGREED.
25. Commissioners are prepared and read the packet materials in advance of the meeting in order to operate efficiently. Staff

strives to make all information given to the Planning Commission to be user friendly and manageable.

AGREED

26. Commissioners who miss meetings request a briefing on issues covered at the last meeting and don't revisit issues already addressed at the previous meeting. AGREED.

27. It is Council's prerogative to decide when its Boards and Commissions meet with each other. The Planning Commission may request such a meeting with reason and value identified. The Liaison will discuss with the City Manager. AGREED



# ROBERT'S RULES OF ORDER

The following excerpt is copied from MRSC's "Parliamentary Procedure: A Brief Guide to Robert's Rules of Order" found at [mrsc.org](http://mrsc.org). An additional resource, "Citizen's Guide to Effective Conduct of Public Meetings Using Parliamentary Procedure and Robert's Rules of Order in Washington State," is available in Appendix C.

## OVERVIEW

Parliamentary procedure provides the process for proposing, amending, approving and defeating legislative motions. Although following parliamentary procedure is not required, it can make council meetings more efficient and reduces the chances of council actions being declared illegal or challenged for procedural deficiencies.

A city may adopt, by ordinance or resolution, its own set of rules governing the conduct of council meetings, or it may adopt by reference formalized rules such as Robert's Rules of Order. Many Washington cities have adopted Robert's Rules, supplementing those rules with additional rules on issues such as voting abstentions and motions for reconsideration.



## BASIC RULES

- ***Only one subject may be before a group at one time.*** Each item to be considered is proposed as a motion which usually requires a “second” before being put to a vote. Once a motion is made and seconded, the chair places the question before the council by restating the motion.
- ***“Negative” motions are generally not permitted.*** To dispose of a business item, the motion should be phrased as a positive action to take, and then, if the group desires not to take this action, the motion should be voted down. The exception to this rule is when a governing body is asked to take action on a request and wishes to create a record as to why the denial is justified.
- ***Only one person may speak at any given time.*** When a motion is on the floor, an order of speaking is prescribed by Robert’s Rules, allowing the mover of a motion to speak first, so that the group understands the basic premise of the motion. The mover is also the last to speak, so that the group has an opportunity to consider rebuttals to any arguments opposing the motion.
- ***All members have equal rights.*** Each speaker must be recognized by the moderator prior to speaking. Each speaker should make clear his or her intent by stating, “I wish to speak for/against the motion” prior to stating arguments.
- ***Each item presented for consideration is entitled to a full and free debate.*** Each person speaks once, until everyone else has had an opportunity to speak.
- ***The rights of the minority must be protected, but the will of the majority must prevail.*** Persons who don’t share the point of view of the majority have a right to have their ideas presented for consideration, but ultimately the majority will determine what the council will or will not do. Use parliamentary procedure as a tool, not a bludgeon.



## MOTIONS

Business is brought before the council by motions, a formal procedure for taking actions. To make a motion, a councilmember must first be recognized by the mayor. After the councilmember has made a motion (and after the motion is seconded if required), the chair must then restate it or rule it out of order, then call for discussion. Most motions require a second, although there are a few exceptions.

Exact wording of motions and amendments is important for clarity and recording in the minutes. If it's a complex motion, the motion should be written down for the chair to read.

Robert's Rules of Order provides for four general types of motions: main motions, subsidiary motions, incidental motions, and renewal motions.

### *Main Motions*

The most important are main motions, which bring before the council, for its action, any particular subject. Main motions cannot be made when any other motions are before the group.

### *Subsidiary Motions*

Subsidiary motions are motions which direct or change how a main motion is handled. These motions include:

- **Tabling.** Used to postpone discussion until the group decides by majority vote to resume discussion. By adopting the motion to “lay on the table”, a majority has the power to halt consideration of the question immediately without debate. Requires a second, non-debatable, not amendable.
- **Previous question or close debate.** Used to bring the body to an immediate vote. It closes debate and stops further amendment. Contrary to some misconceptions, the majority decides when enough discussion has occurred, not the moderator. The formal motion is to “call for the question” or “call for the previous question,” or simply, “I move to close debate.” The motion requires a second, is not debatable and requires a two-thirds majority.
- **Limit/extend debate.** May be desired if the group has adopted a rule limiting the amount of time that will be spent on a topic, or if the group desires to impose a time limitation.
- **Postpone to a definite time.** Similar to tabling, except that the motion directs that the matter will be taken up again at some specific date and time.
- **Refer to committee.** Directs that some other body will study the matter and report back.
- **Amendment.** Used to “fine tune” a motion to make it more acceptable to the group. The amendment must be related to the main motion's intent and cannot be phrased in a way that would defeat the main motion. Two amendments may be on the floor at one time: the first amendment modifies the main motion, and the second amendment must relate to the first amendment. When an amendment is on the floor, only the

amendment may be debated. The amendments are voted on in the reverse order in which they were made, as each amendment changes to some degree the intent of the main motion. As each amendment is voted on, an additional primary or secondary amendment may be introduced. Requires a second, debatable, majority vote.

- Postpone indefinitely. This motion effectively kills a motion, because, if adopted, a two-thirds vote is subsequently required to take the matter up again.

### ***Incidental Motions***

Incidental motions are housekeeping motions which are in order at any time, taking precedence over main motions and subsidiary motions. These motions include:

- Point of order. To bring to the group's attention that the rules are being violated. You don't need to be recognized prior to making a point of order. This is not really a motion, but requires the moderator to make a ruling as to whether or not immediate consideration is proper.
- Appeal from the decision of the chair. The group can overrule the chair on any decision. While the motion must be seconded, it cannot be amended. When this motion is moved and seconded, the moderator immediately states the question, "Shall the decision of the chair stand as the judgment of the council?" If there is a tie vote, the chair's decision is upheld. The motion is not debatable when it applies to a matter of improper use of authority or when it is made while there is a pending motion to close debate. However, the motion can be debated at other times. Each person may speak once, and the moderator may also state the basis for the decision.
- Parliamentary inquiry. Not a motion, but a question as to whether an action would be in order.
- Point of information. A person may rise to offer information that is considered necessary for the group. This provision is not used to offer debate.
- Division of assembly. To require a more precise method of counting votes than by a voice vote, such as having persons raise hands, or stand. No second, not debatable, and no vote required.
- Request to withdraw a motion. Contrary to popular misconception, a motion cannot be withdrawn by its mover. This request requires majority approval.
- Suspension of the rules. When matters are to be taken out of order, or a particular task can be better handled without formal rules in place, this motion can be approved by a two-thirds vote of the group. However, until the rules are restored, only discussion can occur; no decisions can be made. Second required, not debatable, and not amendable.
- Object to consideration of a question. When a motion is so outrageous, intended to distract the group from resolving legitimate business. The motion can be objected to and ruled out of order without debate. However, if the chair does not rule the motion out of order, a two-thirds vote of the group can block further consideration.



### ***Renewal Motions***

Once the group has taken action, renewal motions require the group to further discuss or dispose of a motion.

The motions include:

- **Reconsider.** When the group needs to discuss further a motion that has already been defeated at the same meeting. A majority of the council must approve taking additional time to debate the motion again. The motion can be made only by a person who voted on the prevailing side earlier on the question. Contrary to another popular misconception, the motion may be brought up again at a subsequent meeting. If the moderator believes that there is no indication that the group's wishes have changed, however, the motion can be ruled out of order, subject to an appeal from the decision of the chair.
- **Take from the table.** Unless the original motion to table directed that the motion be brought back at a specific date and time, a majority of the group must pass a motion to take from the table. Such a motion is non-debatable.
- **Rescind.** When the group wishes to annul some action, a motion to rescind is in order at any time. If prior notice has been given to the group that this action will be considered, the motion to rescind can pass with a simple majority vote; however, if no prior notice has been given, the vote requires a two-thirds majority.

### *Questions of Privilege*

Finally, there are a few questions of privilege that are in order at any time and must be disposed of prior to resuming discussion on the matter at hand:

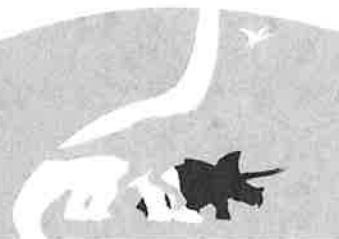
- Fix the time for next meeting. This is in order at any time, including when a motion to adjourn is pending. Second required, not debatable, and is amendable.
- Adjourn. To bring the meeting to a halt. Second required, not debatable, and not amendable. Alternatively, instead of a motion, the chair can ask if there is any further business. If there is no response, the chair can say, “since there is no further business, the meeting is adjourned.”
- Recess. A temporary break in the meeting; should state a time at which the meeting will resume. Second required, not debatable, and not amendable.
- Point of privilege. A matter that concerns the welfare of the group. Can be raised even when another person is speaking. No second, not debatable, and no vote required.
- Call for the orders of the day. A demand that the group return to the agenda. Can be taken when another person is speaking, no second required, not debatable, and no vote required.

# CHEAT SHEET

## LANGUAGE TIPS FOR MEETING MANAGEMENT

SITUATION	CHAIR CAN SAY
Call to order	<i>This meeting of the [name of organization] is called to order.</i>
Unanimous consent	<i>Without objection... If there is no objection...</i>
To begin discussion	<i>It has been moved and seconded that... Is there any discussion?</i>
If there is no second	<i>Since there is no second, the motion will not be considered.</i>
To end discussion	<i>Is there any further discussion? or Are you ready to vote?</i>
Process Point of Order	<ol style="list-style-type: none"> <li>1. Member says, "Point of Order."</li> <li>2. Chair says, "State your point."</li> <li>3. Member explains issue.</li> <li>4. Chair says, "The point is well taken," or "The point is not well taken."</li> </ol>
When someone says "Point of Order" but can't explain what they mean	<i>What rule has been broken?</i>
Process Point of Information	<ol style="list-style-type: none"> <li>1. Member says, "Point of Information."</li> <li>2. Chair replies, "State your question."</li> <li>3. Member states question.</li> <li>4. Chair can respond three ways: <ul style="list-style-type: none"> <li>▶ Respond yourself.</li> <li>▶ Ask someone else to respond.</li> <li>▶ Say, "We'll get back to you later."</li> </ul> </li> </ol>
When "Point of Information" is misused to give information	<i>What information does the member need in order to decide how to vote?</i>
If someone is dominating the meeting	<i>No one may speak a second time until everyone who wishes to do so has spoken once. Does anyone else wish to speak on this topic?</i>
When comments are not germane (relevant)	<i>Members will kindly keep their remarks strictly to the topic under discussion.</i>
If people are whispering	<i>Members will kindly refrain from sidebar conversations.</i>
Adjourning the meeting	<i>There being no further business, this meeting is adjourned.</i>

- Strive to be firm, fair and friendly.
- Use the "third person" to keep things neutral and lessen conflict.
- Give up on the word *but*. Always say *and*.
- Say *kindly*, not *please*, which sounds like pleading.
- Say *very well* and move on.
- Beware of "negativity bias." No frowning, no sarcasm, no eye-rolling.
- Keep an emotional connection with the members by emphasizing what we have in common.



# Make Better Decisions Using the Exploratory Round Robin



You can use the Exploratory Round Robin to discuss complex issues and make better decisions. This method combines the best of Robert's Rules and the best of consensus methods. Jurassic Parliament developed the Exploratory Round Robin for the Seattle Children's Research Institute. They found that this way of discussing things cut committee meeting time in half. The method works well for local governments, particularly in study or work sessions, and for nonprofit boards.

## HOW TO USE THE EXPLORATORY ROUND ROBIN

1. When you have a complex issue to discuss, it is helpful if members review it in advance to think about the issue and mentally prepare.
2. At the meeting, staff presents the issue and their recommendation.
3. The chair then goes around the room, asking each person in turn to make their comments. Members describe what they see as positive, what they see as negative, and their questions. We recommend that everyone have a pencil in hand, to be ready with questions or points when their turn comes.
4. Staff note the comments on a whiteboard, computer or flipchart, using this diagram, so everyone can see them. If someone repeats an earlier comment, a hashmark is added to that comment.

+ (positives)	Δ (negatives)	? (questions)

5. Members may pass, and speak at the end of the round if desired.
6. No one may speak a second time until everyone who wishes to do so has spoken once.
7. No one makes any motions during this round. It is purely to gather information.
8. The chair does not answer questions or make comments during the round, but waits until the end to provide comments. This can be a challenge for the chair, but it is necessary!
9. After the first round, the staff answer questions that were raised.
10. The group can then hold another round, or engage in open discussion, as the group chooses.
11. The chair then summarizes comments and observations and may suggest the next step.  
Alternatively, if the group is ready, a member may propose a motion, which may be
  - To approve the proposal.
  - To amend the proposal.
  - To refer the item back to a committee or staff for further study, to report back on a given day.
  - To postpone a decision on the item until the next meeting.
12. Any such motion is processed using the normal decision-making methods of your organization.

### ADVANTAGES OF THE EXPLORATORY ROUND ROBIN

This method of discussion enables the group to collect everyone's views BEFORE moving into the action phase of the meeting. It also allows the staff to answer questions and concerns in an efficient way. Often it becomes quite clear that the group is ready, or not ready, to move ahead.

This method also avoids two problems that exist with the Robert's Rules system of motions and amendments, namely:

- Once a member has proposed an amendment, the group must discuss that amendment, which may not be the best topic for the group to address. Sometimes it is better to tackle the larger issue of the main motion before taking on amendments.
- Once a member has proposed an amendment, no one else may speak on the main motion until the amendment is processed. This can deprive some of the members of their opportunity to speak on the main motion.

A group that is willing to use the Exploratory Round Robin will find that its meetings are much more effective than the usual "back-and-forth" of meeting discussion.

*Thank you for your interest in running effective meetings using Robert's Rules of Order.*

*Visit our website, [www.jurassicparliament.com](http://www.jurassicparliament.com), for much more information on how to do this.*

*Or contact us at [info@jurassicparliament.com](mailto:info@jurassicparliament.com) or 206-542-8422. We look forward to hearing from you!*

### Make Better Decisions Using the Exploratory Round Robin

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# Guidelines for Planning Commissions



Follow these essential guidelines of parliamentary procedure to take the pain out of your meetings, hold productive discussions, and serve your community better.

## ➤ BASICS

A quorum must be present for business to be done. Usually a quorum means a majority (more than half) of the voting members in office.

The chair runs the meeting in the service of the commission. He is not the “boss” but serves as a facilitator, helping the commission to hold free and fair discussion and make good decisions.

Ordinarily a member must make a motion before any discussion begins. If there is no second, the motion is not taken up.

If a member makes a motion to amend the main motion, it is discussed and voted on before the main motion. After amending a motion, a vote must be taken on the main motion as amended.

After discussion, the chair calls for the vote and announces the result. The motion passes when a majority of those voting vote in favor. This is different from the requirement for a quorum.

If someone “calls the question,” the chair must take a vote on whether to vote now or continue discussion. It takes a 2/3 vote to cut off discussion.

➡ over

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## DISCUSSION

All members have equal rights, privileges and obligations. This means that discussion is not a conversation, but follows some important rules:

- The chair recognizes speakers in turn.
- No one may speak a second time until everyone who wishes to do so has spoken once.
- Interrupting is not allowed.

Commission members must be courteous and respectful. They may not make inappropriate remarks such as personal remarks, insulting language, or comments that are irrelevant.

If a commissioner breaks the rules, the chair may correct him, or another commissioner may raise a point of order. The chair rules as to whether the point is correct, or not. A commissioner who disagrees with a ruling of the chair may appeal it. If another member seconds the appeal, the commission decides.

The minority must be provided equal opportunity to debate, even if their views are unpopular. However, the decision of the majority voting at a meeting is the decision of the commission as a whole.

## PUBLIC INPUT

Public hearings and other quasi-judicial proceedings must be run according to the requirements of state law.

Public comment sessions offer an opportunity for members of the public to inform the commission of their views. We recommend not entering into back-and-forth exchanges. Community forums, one-on-one discussion, feedback forms on the website, surveys etc. are better channels for an exchange of views.

Under the First Amendment to the U.S. Constitution, the public is not bound by the same rules of decorum and courtesy as the commission members.

The public should not engage in clapping, booing, hissing or other disruptive actions, since they intimidate speakers, may suppress free speech, and impede the work of the commission.

## Guidelines for Planning Commissions

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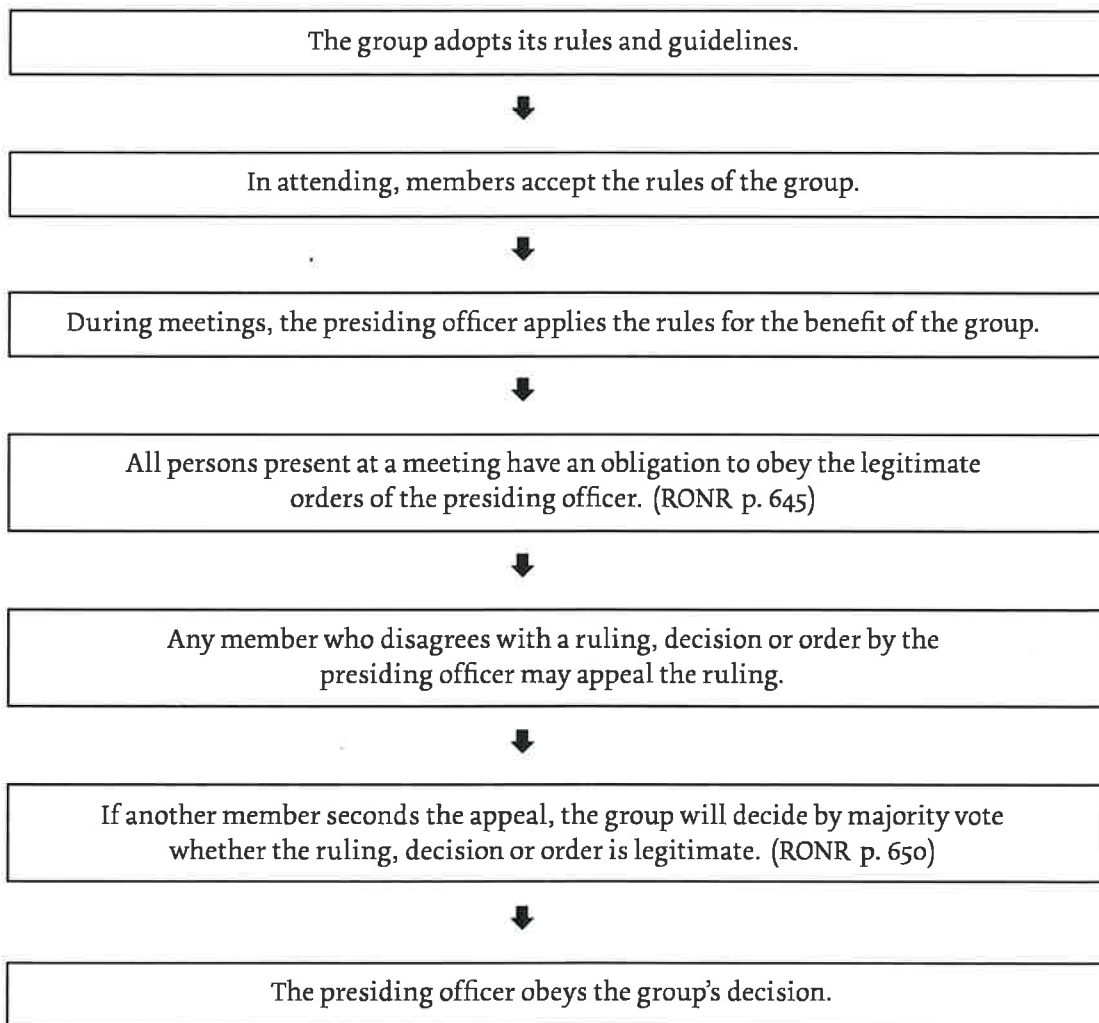
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## Flow of authority

The principles produce this flow of authority at a meeting:



RONR = *Robert's Rules of Order Newly Revised*, 11th edition



# CHAIRING A PLANNING COMMISSION MEETING

## On Being An Effective Commission Chair\*

The critically important role of the chair of a planning board cannot be overemphasized. The planning process suffers if the chair is either weak and unfocused or too strong and intimidating.

These are some principles of effective leadership planning commission chairs should follow.

*Be conversant with all the issues under discussion, but do not feel the need to be an expert on any.* In fact, knowing too many technicalities may get in the way of encouraging and accepting the opinions of laypeople, a key role you should play.

*Always show fairness and do not express your personal opinions, except when it is time to vote.* If you must speak out, turn over the gavel to your vice chair. However, exercise that prerogative sparingly. If you do it too often, your ability to be an unbiased presiding officer will be questioned. Fairness also means you give everyone a chance to speak and deal quickly and decisively with those – either commission members or the public – who try to dominate the discussion.

*Disdain the trappings of power.* The gavel is all you should need to keep order, but it should seldom be used. Neither request, require, nor countenance special consideration from staff or from anyone else.

*Display energy and enthusiasm, even at a hearing that has dragged on into the early morning hours.*



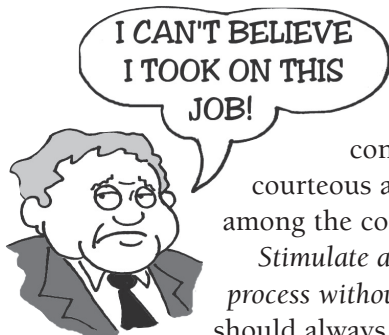
***Most of us know good leadership when we see it, though we may not be able to define its exact qualities. One easy clue is attendance. If the commission has an effective chair, members will not be absent very often because too many productive and important decisions will be made without them.***

Of course, an effective chair will not have allowed the meeting to go on that long, but in any event, you must always strive to be alert and positive, fair and courteous.

*Use praise unsparingly.* A good leader does not need praise; a good leader dispenses it when merited, but always sincerely. There should be much to laud: staff work

on a particularly difficult or onerous issue; public testimony that is fair and non-belligerent on a contentious subject; and courteous and intelligent discussion among the commissioners.

*Stimulate and synthesize the group process without overwhelming it.* You should always, figuratively at least, be



### Who Should Chair?

“Don’t select chairmen on a seniority basis alone and don’t pass the office along from member to member as a reward and honor. The nicest guy in the world, the hardest working, the most interested, and your most valuable member can be indescribably horrible in the Chair. This is just one of those facts of life which is hard to explain, but, unfortunately, all too true. As occasion presents itself, give prospective chairmen a chance to preside, head up a sub-committee, report on special projects, and otherwise prepare themselves and demonstrate their abilities and leadership under pressure.”

*From “The Riggins Rules,” in PCJ #13*

looking to the right and the left and keeping your antennae out for verbal and nonverbal signals from the commission, staff, and the public. You do the best job as chair if you move the group to consensus more often than to a win/lose posture.

Most of all, a good planning commission chair enjoys the role and looks forward to tomorrow as another opportunity to exert enlightened and informed leadership.

\*About the designation “chair” rather than chairman, chairwoman, or chairperson; all are in common use, and all are correct. However, the neutral term “chair” is more in keeping with similar terms for other leadership positions such as administrator, president, and chief executive officer.

## Commission Members Also Can Be Leaders

In the previous Tip, I wrote about leadership and the importance of strong chairs. Their keen facilitation skills are vital to the success of each planning board meeting, and to the planning process itself.

But there is only one chair – there are many members – and most of us probably never will be (or even aspire to be) in that role. Moreover, even the best chair cannot do it alone. Everyone is important to the success and smooth functioning of the planning board. Members do themselves and their community a disservice if they just sit back, speak only when spoken to, or are otherwise passive.

In many ways, the roles of planning

board members are more subtle and not as easily defined as that of the chair. You do not have the title nor, for that matter, the gavel to give you authority. However, if you are willing to be thoughtful and reasoned participants, you will make important contributions to the proceedings. How, then, can planning board members be most effective?

*Prepare yourself.* Read all the pertinent written material, beforehand, review anything you do not understand with the planning director, and be ready with constructive questions or comments at the meeting.

*Arrive on time* so you can get your papers and thoughts in order.

*Participate actively.* Listen carefully to the presentations and comments of others and join in with remarks of substance that advance the discussion.

*Help out the chair but don't take over.* You need



*Everyone is important to the smooth functioning of the planning board; members do themselves and their community a disservice if they just sit back, speak when spoken to, or are otherwise passive observers.*

not suffer silently if a weak or indecisive chair impedes discussion or the ability of the board to make decisions. There are several actions you can take that do not usurp the chair's authority but help keep things moving. Remind everyone of the time constraints ("according to our agenda, we have just five more minutes before the next item"), or sum up what has been said, followed by a recommendation or a motion. Finally, at the first opportunity, choose a more capable chair.

*Be an expert – but not a know-it-all.* Effective commissioners wisely take time to become more informed than the other members on a select number of subjects. However, even then, do not assume you know everything. Be open, and willing to consider the opinions of others. If you have to disagree with staff, commission members, or the public, be sure you have the correct information.

*Watch your body language.* Bored by the proceedings? Angry at the chair for cutting you off? Upset with the public for haranguing the commission unfairly? Resorting

### Personal Relationships

"No commission or board can be effective or taken seriously if its members are constantly bickering. At all public meetings, you should respect each other regardless of your differences. If you absolutely cannot get along, you should seriously consider seeking intervention by a neutral, third party or asking for resignations from the warring parties."

*From Elaine Cogan's "How Effective is Your Planning Board?," in PCJ #55*

### Developing a "Farm Team"

"Just as major league ball clubs develop future prospects through their 'farm teams,' your planning commission might want to consider ways of educating planning commissioners of tomorrow in the ways of planning. One approach is to hold workshops, perhaps annually, on planning and zoning basics open to all members of the community. This can have the fringe benefit of generating a constituency of community members who understand the benefits sound planning can bring to the community – and will support local planning efforts."

*From Mike Chandler's "Citizen Planning Academies," in PCJ #29*

to facial expressions that show displeasure, drumming your fingers on the table, crossing your arms – all are strong signals you should avoid.

Above all enjoy yourself and show it with humor and goodwill. As a planning commissioner, you are performing a task very important to the well-being of your community. The occasional slings and arrows should be worth your



# Control the Meeting by Controlling the Agenda

Is this a description of your typical planning commission meeting? You start ten or more minutes late; go through the items prepared by staff; they are in no priority order, with the most important ones taken up several hours later; leave the public comment to the end when most everyone is tired and grumpy; and adjourn much later than anyone wants, with some important business held over to next time when you follow the same bad habits. There are many ways to rein in runaway meetings. A good place to start is with the agenda.

Consider the items in order of their importance, not in the tiresome and non-productive usual sequence of “minutes, old business, new business.” It makes better

sense to tackle items that require your full attention when you are all at your freshest, and that is usually at the beginning of the meeting.

Allow ample and early time for issues that most concern the public. Too often, planners still put them last or next to last on the agenda even though they are well aware that these are just the matters certain to attract a large, opinionated crowd. It should be no surprise when people get restless and angry if they have to sit through several hours of deliberations that do not concern them. Put the contentious or controversial issues on the agenda early, and give them the time they deserve. Do not be offended if most of the crowd leaves as soon as you turn to other matters.

Place together routine items that require little or no discussion and consider them in a group. Some bodies call this the “consent agenda” and require one motion and one vote to approve them all.



***Put the contentious or controversial issues on the agenda early, and give them the time they deserve. Do not be offended if most of the crowd leaves as soon as you turn to other matters.***

But be careful that they are, indeed, routine items and not anything controversial you can be accused of “sneaking through.”

Do everything possible to help the public follow along with what may appear to be technical or difficult procedures. Print sufficient agendas for all to pick up as they arrive. Also, make sure there are sufficient copies of any graphics or explanatory material. Provide another handout with a simple explanation of the board’s processes ... What general rules of procedure do you follow? What is the purpose of a first reading? Second? On what issues do you require simple majorities and/or unanimous votes? What is your appeals process? What are the names of all the planning commissioners? Contact information about key staff?

All planning boards and commissions have some form of agenda. Examine yours closely to see if it is the best you can have as a way of contributing to orderly and productive meetings.

### **Organize for Business**

- Set aside time on your agenda for dealing with vital, if not necessarily urgent, planning concerns.
- Distribute the agenda and background materials well in advance of the meeting.
- Have sufficient copies of these materials for the public.
- Start and end on time.
- Allow ample and early time for issues on which the public wants to participate.
- Be polite to each other and the public at all times.
- Discuss only one issue at a time.
- Know the rules of order but use them wisely.

*From Elaine Cogan’s “Meeting Formats Should Follow their Functions,” in PCJ #35*

### **First Impressions Matter**

“Do create a good impression of city government. Remember that this is the first important contact that many of the people in the audience have had with the administration of their city and for some this is the most important matter in which they have ever been involved. Many will never be back again and many will never have another such contact and experience. Your performance will create in their minds the picture which they will always carry with them of ‘the way the city is run.’ Make it as pleasant and comforting a picture as possible.”

*From “The Riggins Rules,” in PCJ #13*

## CODE OF ETHICS: BCC 3.92

The following pages include the Code of Ethics outlined in Bellevue City Code 3.92, which applies to Planning Commissioners.

### CHAPTER 3.92

### CODE OF ETHICS – CITY COUNCIL AND CITY BOARDS, COMMISSIONS AND COMMITTEES

#### ***Sections:***

3.92.010 Policy.

3.92.020 Definitions.

3.92.030 Prohibited conduct.

3.92.040 Ethical standards.

3.92.050 No right of action created – Effective date.

3.92.060 Ethics officer.

3.92.070 Advisory opinions.

3.92.080 Complaint procedure.

#### ***3.92.010***

#### ***Policy.***

A. Purpose. The Bellevue city council has adopted a code of ethics for members of the city council and council-appointed public bodies to promote public confidence in the integrity of local government and its fair operation. This code of ethics will provide the basis for education and training for city officials, both elected and appointed, to ensure that the highest standards and best practices with regard to ethics will be followed.

B. Intent. The citizens and businesses of Bellevue are entitled to have fair, ethical and accountable local government that has earned the public's full confidence. It is further the intent that city officials be permitted to fulfill their duties to represent the public to the greatest extent possible unless circumstances exist where such engagement is impermissible. Nothing in this chapter is intended to reduce, limit, or restrict the pool of available candidates for service on the council or service on council-appointed public bodies, all of which are either part-

time or volunteer positions. It is in the public interest to ensure that barriers to citizen public service are not created by the provisions of this chapter. In keeping with the city of Bellevue's commitment to excellence, the effective functioning of democratic government therefore requires that:

1. Public officials, both elected and appointed, comply with the laws and policies affecting the operations of government;
2. Public officials be independent, impartial and fair in their actions;
3. Public office be used for the public good, not for personal gain; and
4. Public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility. (Ord. 6110 § 2, 2013.)

### 3.92.020

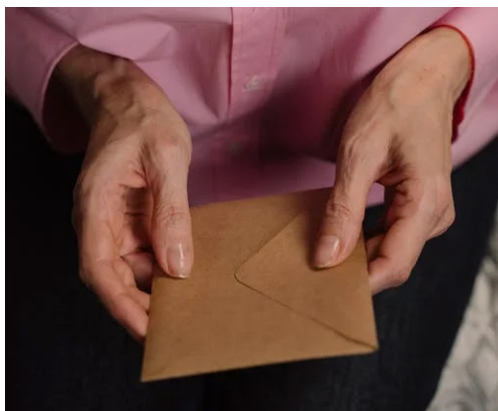
#### *Definitions.*

A. "Official" means a member of the city council or a member of council-appointed city boards and commissions and other council-appointed task groups or committees.

B. "Relative" means spouse, domestic partner, child, step-child, parent, step-parent, parent-in-law and sibling. (Ord. 6110 § 2, 2013.)



Source: Bellevue City Code 3.92



### 3.92.030

#### *Prohibited conduct.*

A. Conflicts of Interest. Officials shall not participate in quasi-judicial or site-specific land use city decisions, the purchase or condemnation of property, or city decisions involving the awarding of a grant or contract in which any of the following has an interest:

1. The official;
2. A relative;
3. An individual with whom the official resides; or
4. An entity that the official serves as an officer, director, trustee, partner or employee. Officials shall abstain from participating in deliberations and decision-making where conflicts exist. RCW 42.23.040 shall apply to conflicts or potential conflicts with respect to remote interests in city decisions involving the awarding of a contract.

B. Misuse of Public Position or Resources. Except for infrequent use at little or no cost to the city, officials shall not use public resources that are not available to the public in general, such as city staff time, equipment, supplies or facilities, for other than a city purpose.

C. Representation of Third Parties. Except in the course of official duties, officials shall not appear on behalf of the financial interests of third parties before the bodies on which the officials serve or in interaction with the body's assigned staff. Further, the members of the city council shall not appear on behalf of the financial interest of third parties before the council or any board, commission or proceeding of the city, or in interaction with staff.

D. Solicitation of Charitable Contributions. No official may make direct personal solicitations for charitable contributions from city employees.



E. Gifts and Favors. Officials shall not take any special advantage of services or opportunities for personal gain, by virtue of their public office, which are not available to the public in general. They may not solicit or receive any thing of monetary value from any person or entity where the thing of monetary value has been solicited or received or given, or to a reasonable person would appear to have been solicited or received or given, with intent to give or obtain special consideration or influence as to any action by the official in his or her official capacity; provided, that nothing shall prohibit campaign contributions which are solicited or received and reported in accordance with applicable law. They shall not accept or solicit any gifts, favors or promises of future benefits except as follows:

1. No official may accept gifts, other than those specified in subsection (E)(2) of this section, with an aggregate value in excess of \$50.00 from a single source in a calendar year or a single gift from multiple sources with a value in excess of \$50.00 in accordance with RCW 42.52.150(1); provided, that if the \$50.00 limit in RCW 42.52.150(1) is amended, this section shall be deemed to reflect the amended amount. For purposes of this section, “single source” means any person, corporation, or entity, whether acting directly or through any agent or other intermediary, and “single gift” includes any event, item, or group of items used in conjunction with each other or any trip including transportation, lodging, and attendant costs. The value of gifts given to an official’s family member or guest shall be attributed to the official for the purpose of determining whether the limit has been exceeded, unless an independent business, family, or social relationship exists between the donor and the official, family member or guest.
2. The following items are presumed not to influence the vote, action, or judgment of the official, or be considered as part of a reward for action or inaction, and may be accepted without regard to the limit established by subsection (E)(1) of this section:
  - a. Unsolicited flowers, plants and floral arrangements;
  - b. Unsolicited advertising or promotional items of nominal value, such as pens and note pads;
  - c. Unsolicited tokens or awards of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item;
  - d. Unsolicited items received by an official for the purpose of evaluation or review, if the official has no personal beneficial interest in the eventual use or acquisition of the item;
  - e. Informational materials, publications or subscriptions related to the recipient’s performance of official duties;
  - f. Food and beverages consumed at hosted receptions where attendance is related to the official’s duties for the city;

- g. Admission to, and the cost of food and beverages consumed at, events sponsored by or in conjunction with a civic, charitable, governmental or community organization;
- h. Unsolicited gifts from dignitaries from another state or a foreign country which are intended to be personal in nature;
- i. Food and beverages on infrequent occasions in the ordinary course of meals where attendance by the official is related to the performance of official duties; and
- j. Any gift which would have been offered or given to the official if he or she were not an official.

3. The presumption in subsection (E)(2) of this section is rebuttable and may be overcome based on the circumstances surrounding the giving and acceptance of the item.

F. Confidential Information. Officials shall not knowingly disclose or use any confidential information gained by reason of their official position for other than a city purpose nor may the officer use such information for his or her personal benefit, nor may the officer engage in business or professional activity that the officer might reasonably expect would induce him or her by reason of his or her official position to disclose such confidential information. “Confidential information” means:

- 1. Specific information, rather than generalized knowledge, that is not available to a person who files a public records request; and
- 2. Information made confidential by law. (Ord. 6110 § 2, 2013.)



### 3.92.040

#### *Ethical standards.*

A. In addition to BCC 3.92.030, which shall be administered by the ethics officer, officials shall comply with the following standards:

1. Compliance with Other Laws. Officials shall comply with federal, state and city laws in the performance of their public duties. These laws include, but are not limited to: the United States and Washington Constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures and open processes of government; and city ordinances and policies. See Appendix A of this section. Officials shall comply with the requirements of RCW 42.17.020 through 42.17.060 regarding contract interests. As required by RCW 42.17.750, no official shall knowingly solicit or encourage, directly or indirectly, any political contribution from any city employee. Except under limited circumstances described in RCW 42.17.130, no official may use or authorize the use of the facilities of the city for the purpose of assisting a campaign for the election of any person to office, or form the promotion of or opposition to any ballot proposition in a manner not available to the general public on the same terms.

B. Officials are also encouraged to comply with the following standards:

1. Personal Integrity. The professional and personal conduct of officials must be above reproach and avoid even the appearance of impropriety. Officials shall refrain from abusive conduct, threats of official action, personal accusations or verbal attacks upon the character or motives of other members of council, boards and commissions, the staff or public. Officials shall maintain truthfulness and honesty and not compromise themselves for advancement, honor, or personal gain. Additionally, officials shall not directly or indirectly induce, encourage or aid anyone to violate this code of ethics and it is incumbent upon officials to make a good faith effort to address apparent violations of this code of ethics.
2. Working for the Common Good. Recognizing that stewardship of the public interest must be their primary concern, officials will work for the common good of the people of Bellevue and not for any private or personal interest, and they will ensure fair and equal treatment of all persons, claims and transactions coming before the city council, boards and commissions.
3. Respect for Process. Officials shall perform their duties in accordance with the processes and rules of order established by the city council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the city council by city staff.



4. Commitment to Transparency. Transparency, openness and accountability are fundamental values of the city and are also required by the laws of the state of Washington. The public has a right to inspect and copy public records unless exempt by law from disclosure. All materials relating to the conduct of city government that are prepared, possessed, used or retained by any official, including email and other electronic records, are subject to requirements for retention, protection and disclosure. Officials may assume that all copies of materials received from city staff have already been archived and do not need to be retained. Officials shall not discard, damage or destroy the original copy of any public record unless the city complies with the record retention schedules established under Chapter 40.14 RCW. In accordance with the requirements of state law officials shall promptly provide any records requested by the public records officer in response to a disclosure request under the Public Records Act, Chapter 42.56 RCW. It is the responsibility for the public records officer together with the city attorney to decide which records meet the definition of “public record” and whether or not such records are exempt from disclosure; officials must not take it upon themselves to decide whether a record meets the definition of a public record, that a record is exempt from disclosure, or to otherwise conceal a record.

5. Conduct of Public Meetings. Officials shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit. Officials shall base their decisions on the merits and substance of the matter at hand and on greater public policy considerations, rather than on unrelated considerations.

7. **Ex Parte Communications.** In quasi-judicial matters, officials shall publicly disclose substantive information that is relevant to a matter under consideration by the council or boards and commissions, which they may have received from sources outside of the public decision-making process.

8. **Attendance.** As provided in RCW 35A.12.060, a council member shall forfeit his or her office by failing to attend three consecutive regular meetings of the council without being excused by the council. Unless excused, members of boards and commissions are expected to attend all meetings.

9. **Nepotism.** The city council will not appoint relatives of city council members to boards or commissions or other appointed positions.

10. **Advocacy.** When acting in an official capacity as a city official representing the city, officials shall represent the official policies or positions of the city council, board or commission to the best of their ability when the city council, board or commission has taken a position or given an instruction. When a city official is appointed to fill an official role on a governing body in a capacity that is not dependent upon their status as a city of Bellevue official, but, for example, as a representative of a geographic area, the official shall endeavor to represent the policies or positions consistent with those of the constituency he or she has been appointed to represent. When presenting their individual opinions and positions, members shall explicitly state they do not represent their body or the city of Bellevue, nor will they allow the inference that they do. Officials have the right to endorse candidates for all council seats or other elected offices. It is inappropriate to make or display endorsements during council meetings, board/ commission meetings, or other official city meetings. However, this does not preclude officials from participating in ceremonial occasions, community events or other events sponsored by civic groups.

11. **Role of Legislative Officials.** The council shall have all the powers and authority granted to legislative bodies, except insofar as such power and authority is vested in the city manager in accordance with Chapter 35A.13 RCW.



## ***Appendix A***

Chapter 9A.72 RCW

Perjury and interference with official proceedings

RCW 35A.12.060

Vacancy for nonattendance

Chapter 35A.13 RCW

Council-manager plan of government

RCW 35A.13.020

Incompatible offices

Chapter 40.13 RCW

Preservation and destruction of public records

RCW 42.17.130

Use of public office or agency facilities in campaigns – Prohibition –  
Exceptions

RCW 42.17.750

Solicitation of contributions by public officials or employees

Chapter 42.23 RCW

Code of ethics for municipal officers – Contract interests

Chapter 42.36 RCW

Appearance of fairness doctrine – Limitations

Chapter 42.56 RCW

Public Records Act

(Ord. 6110 § 2, 2013.)

**3.92.050*****No right of action created – Effective date.***

A. Nothing in this chapter shall be construed as creating or providing a basis for a private cause of action against the city or against any official by third parties.

B. No retroactive application is intended by the adoption of this chapter which shall only apply to acts that occur after the effective date thereof. (Ord. 6110 § 2, 2013.)

**3.92.060*****Ethics officer.***

A. The city council creates the position of ethics officer. The city council will interview and choose the ethics officer(s) who shall operate under contract with the city of Bellevue. Such selection shall be by unanimous vote, and the ethics officer shall be admitted to the practice of law and shall have sufficient experience and training. The services of the ethics officer may be terminated only by a supermajority vote of the council.

B. The ethics officer will provide for annual review of this code of ethics, review of training materials provided for education regarding the code of ethics, and advisory opinions concerning the code of ethics. The ethics officer shall also be responsible for the prompt and fair enforcement of its provisions when necessary, and shall at all times maintain the impartiality of the office by revealing information provided to the officer only in the context of rendering opinions to the city and its officials and staff as necessary or in response to legal process.

C. The ethics officer, in addition to other duties, shall conduct a review of this ethics code in 2015 and again in 2017 and may recommend changes or additions to this code of ethics to the city council designed to improve the effectiveness and efficiency of processing ethics questions.

D. In rendering opinions under BCC 3.92.070 or 3.92.080, the ethics officer shall consider the Intent section contained in BCC 3.92.010 and in RCW 42.23.010. (Ord. 6110 § 2, 2013.)

**3.92.070*****Advisory opinions.***

A. Upon request of any official, the ethics officer shall render written advisory opinions concerning the applicability of BCC 3.92.030 and 3.92.040 to hypothetical circumstances and/or situations solely related to the persons making the request. The ethics officer will not render opinions on matters that are the purview of other government agencies such as the public disclosure commission or the King County prosecutor.

B. Upon request of any official, the ethics officer may also render written advisory opinions concerning the applicability of the code of ethics to hypothetical circumstances and/or situations related to a matter of city-wide interest or policy.

C. The ethics officer will endeavor to respond to requests for advisory opinions within 14 days of submission of the request, or more rapidly if the requester expresses urgency in the request.

D. An official's conduct based in reasonable reliance on an advisory opinion rendered by the ethics officer shall not be found to violate this code of ethics, as long as all material facts have been fully, completely, and accurately presented in a written request for an advisory opinion, the ethics officer issues an advisory opinion that the described conduct would not violate the code of ethics, and the official's conduct is consistent with the advisory opinion. The ethics officer reserves the right to reconsider the questions and issues raised in an advisory opinion and, where the public interest requires, rescind, modify, or terminate the opinion, but a modified or terminated advisory opinion will not form the basis of a retroactive enforcement action against the original requestor. Advisory opinions will contain severability clauses indicating that, should portions of the opinion be found to be unenforceable or not within the ethics officer's authority, the remainder of the opinion shall remain intact.

E. All officials subject to this chapter are strongly encouraged to seek advisory opinions from the ethics officer at the earliest possible opportunity whenever an official has reason to believe that his or her circumstances could

F. Advisory opinions are subject to the attorney-client privilege. (Ord. 6110 § 2, 2013.)



**3.92.080*****Complaint procedure.*****A. Complaint Procedures.**

1. Any natural person who believes an official has committed a violation of the code may file a complaint with the city clerk. Complaints shall be subject to the following requirements:

- a. The complaint must be based upon facts within the personal knowledge of the complainant;
- b. The complaint must be submitted in writing and signed under oath by the complainant;
- c. The complaint must include a detailed factual description of the alleged violation including the date, time and place of each occurrence and the name of the person or persons who are alleged to have committed a violation. The complaint must also refer to the specific provisions of the code of ethics which are alleged to have been violated;
- d. The complaint must be accompanied by all available documentation or other evidence known to the complainant to support the allegations of the complaint;
- e. The complaint must be filed within two years of the date of the occurrence or occurrences alleged to constitute a violation of the code of ethics.

2. Complaints shall be filed with the city clerk who shall forward the complaint and any accompanying documentation and evidence to the ethics officer and the respondent official within two business days. The ethics officer shall review the complaint for compliance with the requirements of subsection (A)(1) of this section. Should the ethics officer find that:

- a. The complaint is untimely; or
- b. The complaint has not been signed under oath; or
- c. The complaint does not, on its face, state facts which, if proven to be true, constitute a violation of the provision of this code of ethics referred to in the complaint; or
- d. The complaint fails to refer to a specific provision of the code of ethics which is alleged to have been violated, the ethics officer shall, within 10 working days of the filing of the complaint, enter a written order stating the ethics officer's findings and, except as hereinafter provided, dismissing the complaint. The written order shall be transmitted to the complainant, the official that is the subject of the complaint, and the city council. If the ethics officer finds that

the complaint is deficient pursuant to the findings in subsection (A)(1)(b) or (A)(1)(d) of this section, the ethics officer shall issue an order notifying the complainant that unless a corrected complaint is filed within five days of the issuance of such order, the complaint shall be dismissed. The complainant may appeal the dismissal of a complaint under this subsection by filing an action in the King County superior court for a writ of certiorari pursuant to Chapter 7.16 RCW within 10 days of the date of issuance of the order dismissing the complaint.

3. The respondent official shall, within 20 days of the date of mailing or personal service of the complaint by the clerk, file with the clerk any response to the complaint the respondent official wishes to make. A response to a complaint shall be made in writing signed under oath by the respondent. A response may include a detailed statement of facts pertaining to the complaint made on personal knowledge of the respondent and may include any matter constituting a defense to the complaint. A response should be accompanied by all available documentation or other evidence known to the respondent official which the respondent wishes the ethics officer to consider. The respondent official may stipulate to some or all of the facts alleged in the complaint and shall either admit or deny the alleged violation. If the violation is admitted, the respondent may also submit an explanatory statement and may request a particular disposition.

4. Upon receipt of a response to a complaint, the ethics officer shall review the complaint and response, together with all supporting documentation and evidence submitted by the complainant and the respondent official. Within 10 days of receipt of the response (or, if no timely response is submitted, within 30 days of the date of mailing the complaint to the respondent official by the city clerk), the ethics officer shall issue a decision in writing, including findings of fact, conclusions of law and a determination of whether any violation of the code of ethics has been established. The final written decision shall be signed and dated by the ethics officer. The city clerk shall deliver a copy of the final written decision to the complainant, the respondent official, the city council and to any other person who has submitted a written request therefor.

5. A complaint for ethical violations filed under this chapter shall be considered a claim filed against an official pursuant to Chapter 3.81 BCC.



6. Either the complainant or respondent official may, within 30 days of the date of the written decision, appeal to the King County superior court by writ of certiorari pursuant to Chapter 7.16 RCW.

7. If the final decision of the ethics officer contains a determination that one or more violations of this code of ethics have occurred, the decision shall also contain any recommendations of the ethics officer to the city council for any remedial action or sanction that the council may find appropriate and lawful under the council's rules. If no appeal is filed in superior court, the council in consultation with the city attorney shall, within 45 days of the date of the decision, determine what, if any, of the recommendations of the ethics officers to adopt. Such determination shall be adopted at an open public meeting by a majority vote of those officials who are not respondents to the complaint or complaints. (Ord. 6110 § 2, 2013.)

## ETHICAL PRINCIPLES

The following excerpt is taken from the American Planning Association (APA) description at <https://www.planning.org/ethics/ethicalprinciples/>, as adopted in 1992 by the APA Board.

### THE PLANNING PROCESS MUST CONTINUOUSLY PURSUE AND FAITHFULLY SERVE THE PUBLIC INTEREST.

#### ***Planning Process Participants should:***

Recognize the rights of citizens to participate in planning decisions;

Strive to give citizens (including those who lack formal organization or influence) full, clear and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs;

Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons;

Assist in the clarification of community goals, objectives and policies in plan-making;

Ensure that reports, records and any other non-confidential information which is, or will be, available to decision makers is made available to the public in a convenient format and sufficiently in advance of any decision;

Strive to protect the integrity of the natural environment and the heritage of the built environment;

Pay special attention to the interrelatedness of decisions and the long range consequences of present actions.

### PLANNING PROCESS PARTICIPANTS CONTINUOUSLY STRIVE TO ACHIEVE HIGH STANDARDS OF INTEGRITY AND PROFICIENCY SO THAT PUBLIC RESPECT FOR THE PLANNING PROCESS WILL BE MAINTAINED.

#### ***Planning Process Participants should:***

Exercise fair, honest and independent judgment in their roles as decision makers and advisors;

Make public disclosure of all “personal interests” they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision maker.

Define “personal interest” broadly to include any actual or potential benefits or advantages that they, a spouse, family member or person living in their household might directly or indirectly obtain from a planning decision;

Abstain completely from direct or indirect participation as an advisor or decision maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency or court with jurisdiction to rule on ethics matters has expressly authorized their participation;

Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant’s objectivity as an advisor or decision maker in the planning process;

Not participate as an advisor or decision maker on any plan or project in which they have previously participated as an advocate;

Serve as advocates only when the client’s objectives are legal and consistent with the public interest.

Not participate as an advocate on any aspect of a plan or program on which they have previously served as advisor or decision maker unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency; such participation as an advocate should be allowed only after prior disclosure to, and approval by, their affected client or employer; under no circumstance should such participation commence earlier than one year following termination of the role as advisor or decision maker;

Not use confidential information acquired in the course of their duties to further a personal interest;

Not disclose confidential information acquired in the course of their duties except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons; provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions;

Not misrepresent facts or distort information for the purpose of achieving a desired outcome;

Not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service;

Respect the rights of all persons and not improperly discriminate against or harass others based on characteristics which are protected under civil rights laws and regulations.

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# 4 COMPREHENSIVE PLANNING

This chapter includes an overview of Comprehensive Planning and related or resulting efforts like Land Use Code. It includes the following topics:

- An overview of the State requirements for Comprehensive Planning
- How Bellevue's Comprehensive Plan and Land Use Code fit into the planning framework
- An introduction to regional planning

## STATE COMPREHENSIVE PLANNING

### *Comprehensive Plan*

The Comprehensive Plan is the plan for the growth and development of [Bellevue] over a twenty-year period. It is adopted in accordance with the requirements of the state Growth Management Act. The plan is a policy document which provides a vision for the future, sets forth a variety of goals for managing growth, and lists numerous policies describing ways to achieve the goals. Also included is a list of specific measures needed to implement the plan.

The Comprehensive Plan is composed of two parts. The first part contains a series of "elements," each of which addresses a specific topic, for example, land use, housing and transportation. The goals and policies in each element are applicable city-wide. The second part is composed of thirteen neighborhood plans, each of which discusses in detail the unique features and desired development characteristics of smaller geographic sections of the City.

### BELLEVUE'S COMPREHENSIVE PLAN

- ▶ Bellevue's Comprehensive Plan is posted online at <https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan>
- ▶ It includes two volumes aligned with the descriptions at left.



By law, amendments to the plan may occur no more frequently than once a year. Consequently, all amendments proposed each year are considered together. The Planning Commission plays a central role in the annual review of Comprehensive Plan amendments. All proposed plan amendments are reviewed by the Commission, the Commission ensures public involvement and conducts public hearings, and the Commission presents recommendations to the City Council.

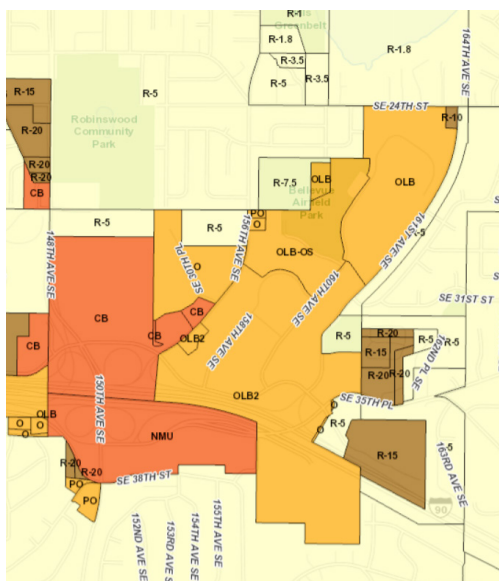
## BELLEVUE'S LAND USE CODE

- The Zoning Code for Bellevue is called the Land Use Code and makes up Chapter 20 of the Bellevue City Code.

### *Bellevue's Land Use Code*

The Land Use Code (LUC) is Title 20 of the Bellevue City Code. The LUC regulates the use and development of land in Bellevue. The Development Services Department reviews permit applications to make sure they comply with the LUC.

The LUC contains nine chapters. Chapter 20.10 generally describes each of the land use districts in the City and contains a set of use charts (LUC 20.10.440), which lists permitted uses by district and delineates special conditions under which certain uses are permitted. Chapter 20.20 sets forth general development requirements. The balance of the chapter is made up of development requirements listed alphabetically (for example, affordable housing is listed before child care). Chapter 20.25 includes the regulations for defined special and overlay districts of the City, such as Downtown, BelRed, Shorelines and Critical Areas. Chapter 20.30 contains the City's requirements for various permits and decisions. Chapter 20.35 contains the City's review procedures. Chapter 20.40 describes the administration and enforcement of the LUC. Chapter 20.45A contains the City's requirements for platting



## COMPREHENSIVE PLAN OVERVIEW

The City of Bellevue's Comprehensive Plan is a foundational policy document and is an expression of the community's vision for the future and a strategic map to reach that vision. Comprehensive planning is an important tool for Bellevue to guide future development of land to ensure a safe, pleasant, and economical environment for residential, commercial, industrial, and public activities.

Under the Growth Management Act, a local agency's development regulations (such as the land use code) and capital budget decisions must be made in conformity with its comprehensive plan (RCW 36.70A.120).

The City's Comprehensive Plan is comprised of two volumes. Volume 1 includes the vision and elements and volume II includes 14 subarea and neighborhood plans. The goals and policies in each element are applicable city-wide. The second part is composed of thirteen neighborhood plans, each of which discusses in detail the unique features and desired development characteristics of smaller geographic sections of the City.

The City's first Comprehensive Plan under the state's Growth Management Act was adopted in 1993, and last underwent a major review in 2015. An eight year update is scheduled for adoption in 2024. Over time, the Bellevue Comprehensive Plan has successfully guided growth and development, resulting in the City's vibrant residential neighborhoods and commercial areas, and a Downtown that is one of the two metropolitan job centers and also a major regional urban center.

The Comprehensive Plan provides the framework for how we seek to grow. The Comprehensive Plan sets policy that directs City actions and decisions, and guides City investments in infrastructure.

The plan consists of four key components:

1. The Community Vision statement describes the City that we hope to become.
2. General Elements of the plan include goals and policies that guide City actions.
3. Subarea Plans address each of fourteen geographic areas in the City.
4. Transportation Facility Plans that set forth potential transportation projects to meet mobility needs in different areas of the City.

The Comprehensive Plan provides the overall policy structure that helps ensure consistency between the City's various plans and regulations as well as coordinating them with the City's plan for growth.

*Updating the Comprehensive Plan*

Each city and county planning under GMA must conduct a thorough review of its comprehensive plan every ten years (recently updated by the legislature from an eight-year cycle), according to the schedule provided in RCW 36.70A.130, and revise its plan if necessary. The City is working towards updating the Comprehensive Plan in 2022 – 2024.

In addition, smaller comprehensive plan amendments may be considered no more than once per year, with some exceptions (RCW 36.70A.130(2)) which are called annual amendments. Amendments to the Comprehensive Plan modify the City’s long-term land use, development or growth policies. The Planning Commission takes a lead role in amendments to the Comprehensive Plan.



*Comprehensive Plan Amendments*

A common privately initiated Comprehensive Plan amendment (or “CPA”) is to change the Comprehensive Plan Land Use Map to allow for a subsequent property or project rezone. Consistent with the state Growth Management Act, the City limits requests to amend the Comprehensive Plan to an annual process. The once-per-year CPA process allows the consideration of all proposed amendments concurrently so that the City can weigh the cumulative effect of the various proposals. Periodic major updates to the Comprehensive Plan, e.g. eight-year updates, are also reviewed and enacted as a single work program for this reason. The Planning Commission takes a lead role in amendments to the Comprehensive Plan.

## REGIONAL PLANNING

Just as Bellevue’s planning efforts are centered on statewide requirements, they are also shaped around the framework set forth regionally. PSRC is the Metropolitan Planning Organization (MPO) for the region.

“PSRC develops policies and coordinates decisions about regional growth, transportation and economic development planning within King, Pierce, Snohomish and Kitsap counties. PSRC is composed of nearly 100 members, including the four counties, cities and towns, ports, state and local transportation agencies and Tribal governments within the region” (sourced directly from PSRC website).

The following pages highlight the work that PSRC does.

### ***PSRC Centers***

Centers are the hallmark of VISION 2050 and the Regional Growth Strategy. They guide regional growth allocations, advance local planning, inform transit service planning, and represent priority areas for PSRC’s federal transportation funding.

The region has designated 29 regional growth centers. These are locations of the region’s most significant business, governmental, and cultural facilities and are planning for growth.

Ten regional manufacturing/industrial centers are also designated, which are locations for more intensive industrial activity. Both regional growth centers and regional manufacturing/industrial centers are focal points for planned growth, economic development and transportation infrastructure investments. Bellevue is designated a Metropolitan growth center and serves a primary regional role – with dense existing jobs and housing, high quality transit service, and is also planning for significant growth. Metropolitan growth centers also continue to serve as major transit hubs for the region, provide regional services, and serve as major civic and cultural centers.

### REGIONAL ACRONYMS

- ▶ MPO: Metropolitan Planning Organization
- ▶ PSRC: Puget Sound Regional Council.
- ▶ MRSC: Municipal Research Services Center of Washington
- ▶ ARCH: A Regional Coalition for Housing
- ▶ GMPC: Growth Management Planning Council (King County)
- ▶ CPP: Countywide Planning Policy





# GETTING READY FOR THE FUTURE



Puget Sound Regional Council

**30<sup>th</sup>**  
YEAR  
ANNIVERSARY

**PSRC works to ensure a thriving central Puget Sound region through planning for growth, transportation and economic development.**

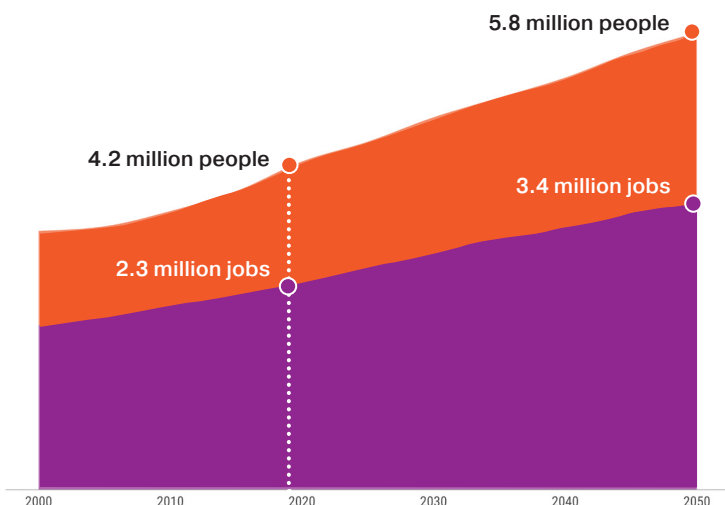
## Planning for a Growing Region

More than 4 million people live in the central Puget Sound region now. Forecasts show the region will grow to 5.8 million people by 2050. PSRC has adopted the VISION 2050 plan to guide growth in ways that support thriving communities, a healthy environment and a strong economy. Learn more: [psrc.org/vision](https://psrc.org/vision)

## Keeping the Region Moving

PSRC helps communities secure federal funding for transportation projects. The agency decides on the projects that will receive about \$270 million in federal transportation funding annually. PSRC also develops and maintains the Regional Transportation Plan, a blueprint for improving mobility, providing transportation choices, moving the region's freight, and supporting the region's economy and environment. Learn more: [psrc.org/rtp](https://psrc.org/rtp)

## The region will be home to 5.8 million people by 2050



Source: PSRC Website

## Leadership and Organization

The region comes together at PSRC to make decisions about transportation, growth management and economic development. PSRC members include King, Pierce, Snohomish and Kitsap counties, the region's cities and towns, port districts, transit agencies, and tribes.

Each local elected leader is a voting member of the General Assembly, which meets once a year to vote on major decisions, establish the budget and elect new officers. The Executive Board is chaired by the PSRC president, meets monthly, and serves as the governing board.

The Transportation Policy Board and Growth Management Policy Board include representatives of PSRC's member jurisdictions, tribes, regional business, labor, civic, and environmental groups, as well as voting members representing each caucus of the state Legislature. These boards make recommendations on key transportation and growth management issues to the Executive Board.

PSRC also supports the work of the Central Puget Sound Economic Development District, governed by a board composed of public and private members that meets quarterly to coordinate regional economic development planning.

## Budget and Funding Sources

The Puget Sound Regional Council operates under a two-year (biennial) budget and work program. The agency receives about 70% of its revenue from federal grants, 6% from state grants, and 25% from dues paid by PSRC members and other local sources.

## Stay Connected

Find out what's happening at PSRC and sign up for updates at [psrc.org](https://psrc.org). Or contact us at **206.464.7532**, [info@psrc.org](mailto:info@psrc.org).



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King County Countywide Planning Policies

The Countywide Planning Policies (CPPs) create a shared and consistent framework for growth management planning for all jurisdictions in King County in accordance with RCW 36.70A.210, which requires the legislative authority of a county to adopt a countywide planning policy in cooperation with cities located in the county.

The CPPs implement VISION 2050, which is the region’s plan for growth. VISION 2050 is the product of a regional planning process led by the Puget Sound Regional Council (PSRC), an association of cities, towns, four counties (King, Kitsap, Pierce, and Snohomish), ports, tribes, and state agencies. VISION 2050 is the region’s plan for growth. By 2050, the region’s population is projected to reach 5.8 million people. The region’s vision for 2050 is to provide exceptional quality of life, opportunity for all, connected communities, a spectacular natural environment, and an innovative, thriving economy. King County is home to 39 cities, all of which have a role in accommodating the approximately 660,000 people and 490,000 jobs projected to come to King County by 2044.

The comprehensive plan for King County and the comprehensive plans for cities and towns in King County are developed from the framework that the CPPs establish. The 2021 CPP’s were designed to provide guidance in advance of the 2024 statutory update of comprehensive plans to reflect a number of changes to the regional policy framework and to reflect new priorities addressing equity and social justice within our communities. The 2021 CPP’s also include establishment of housing and employment growth targets for the jurisdictions in the County. The targets will identify the amount of housing and jobs King County jurisdictions are planning for in their comprehensive plans. This means that when the City of Bellevue adopts its Comprehensive Plan, the City will need to show that the plan has sufficient capacity to accommodate the number of housing units and jobs established in the growth target.

# Planning in King County

Prompted by residents' concerns about sprawl, King County adopted its first **comprehensive land use plan** in 1964 and, in 1985, established an urban growth area to focus growth and investments. The 1985 plan also established policies to preserve the rural area, conserve the natural environment and designate resource lands for long-term agriculture and forest production.

These strategies continue to guide the comprehensive plan, which now responds to requirements in the **Growth Management Act (GMA)**. The Plan has been updated multiple times since to address issues such as climate change, social equity and public health, as well as expectations in countywide and multicounty policies.



## What does the Plan Do?

Counties play multiple roles – they are a local government in unincorporated urban, rural and natural resource areas as well as a regional service provider for the entire county geography. In this context, the Comprehensive Plan guides local land use decisions such as subdivision, permitting and zoning, and land use designation. It also guides the provision of regional services such as transit, parks, solid waste and the establishment of the urban growth area boundary.

The GMA encourages annexation and incorporation so that, long-term, cities provide urban services and counties provide rural and regional services. For regional services, the Plan seeks efficiencies by concentrating investments and services to support focusing growth in and near cities where local services are located or can more efficiently be made available.

# APPENDIX

This chapter includes the following sections to add additional content

- A: Additional Resources
- B: City Council Vision 2021-2023
- C: Parliamentary Procedure
- D: Tips and Tricks

## A: ADDITIONAL RESOURCES

### How to Attend a Short Course on Local Planning

Short Courses typically are three hours long and are held in the evening. Speakers usually include a land use attorney and two planning directors or senior planners. All are volunteers dedicated to improving the quality of local land use planning in Washington State.

Topics covered during the Short Course generally include the legal basis of planning in Washington State, comprehensive planning and citizen participation, and plan implementation and the role of the planning commission. Additional topics can be covered in response to your community needs. There is no charge for the course or the handout materials.

To attend please visit the Short Course on Local Planning web page to find out about courses already scheduled or contact work with your local planner to arrange one in your community.

### Short Course on Local Planning web page

[www.commerce.wa.gov/serving-communities/growth-management/short-course/](http://www.commerce.wa.gov/serving-communities/growth-management/short-course/)

# Bellevue welcomes the world. Our diversity is our strength. We embrace the future while respecting our past.



## **Bellevue is a city of diverse and connected neighborhoods.**

Our inclusive residential communities are safe, friendly and welcoming, with gathering places that connect neighbors to each other. Housing options abound, with many choices in a range of affordability levels.



## **Bellevue is a great place for business.**

Businesses choose Bellevue. We compete with the world, and collaborate with local and global business partners to help them achieve success. We value our talented workforce. Entrepreneurs turn their vision into reality through access to human, intellectual and monetary capital. We welcome and support our businesses, from small mom-and-pop shops to world headquarters.



## **Education is a core value.**

We are well-educated, well-trained and prepared for life in the 21st century, where we create the future. Students of all abilities are prepared and supported for success in their future, and we continuously strive for improvement.



## **We celebrate all aspects of our culture.**

We embrace our many diverse cultures through arts, history, business, entertainment, food, community gatherings and nightlife. Cross-cultural connections enrich our community and sense of belonging.



## **We are a “City in a Park.”**

We value our abundant open space – whether it be the tranquility of a wooded trail or a paddle through the Mercer Slough. Everyone has access to activities and amenities, be they people-watching in an urban plaza, enjoying our trails, playing a favorite sport or gazing at the shimmering sun on a bright blue lake.



## **Bellevue is an equitable community.**

Bellevue is diverse and welcoming, and everyone, from newborn babies to people with decades of life experience, feels a sense of belonging, with opportunities to engage and thrive. Equity is a core value, and we actively work to build an inclusive community, free from racism, hate or bias.



## **Innovation is an integral part of our community.**

We embrace and support innovation in all aspects of our community – systems, institutions, businesses, schools and government. This innovative spirit is crucial to Bellevue’s success.



## **Environmental sustainability drives our long- and short-term actions.**

Our natural environment is an integral part of our sense of place, and its preservation is paramount. We focus on reducing our environmental impacts in order to support the health, wellbeing, and resilience of individuals, our community and the region.



## **Our elected leaders share these goals and this vision.**

Bellevue cares for all people by listening, being accountable to and engaging with residents and stakeholders. We provide the vision and strategy needed to fulfill our ambition for excellence and be leaders and collaborators throughout the region. Bellevue is respectful of and respected by our neighbors.

The future of Bellevue is multidimensional, and city government will keep the trust of its residents by focusing on:

- Economic development
- Transportation and mobility
- High quality built and natural environment
- Bellevue: great places where you want to be
- Regional leadership and influence
- Achieving human potential
- High performance government





# Strategic Targets

## Economic Development

Bellevue is known as a hub for local and global business. We attract the best – a highly educated, entrepreneurial and talented workforce – and the best choose Bellevue. We are home to headquarters for global businesses and innovative start-ups moving beyond the garage. Innovation is key to our future.

The city provides an attractive business environment. Infrastructure is ample and in excellent condition, including roads, rails, high-speed data, reliable electricity and clean water. Business regulation is fair, and the tax structure is attractive. The city, region and state offer appropriate incentives to locate businesses in Bellevue. Affordable and flexible workspaces nurture start-ups and entrepreneurial businesses.

We provide the lifestyles, amenities and institutions that attract the next generation of business leaders and innovators: high-end entertainment, outdoor recreation, exceptional K-12 and higher education, high-capacity transit, and a green and sustainable environment. Our educational institutions inspire innovation and train the talent needed to support our diverse industry sectors.

We foster a diversified suite of business activities. We support our existing and traditional sectors, including retail, neighborhood centers, auto sales, financial services, aerospace and light industrial businesses. We are a growing center for a broad range of technologies – including software, mobile



communications, 5G, cloud computing, artificial intelligence, eco-districts, interactive media and entertainment, and medical devices and services. Our arts and cultural opportunities, shopping and proximity to major recreational activities make us a premier destination for tourism and conventions.

Bellevue College, the Global Innovation Exchange (GIX), and our other institutes of higher learning are connected physically and digitally from Eastgate to BelRed, downtown and the University of Washington in Seattle. We’ve leveraged our commitment to higher education into some of the most successful new companies of the future.





## Transportation and Mobility

We are a multimodal and Vision Zero city with reliable and predictable transportation choices.

Bellevue is well connected to the rest of the region and its activities via roads and transit. Bellevue's entertainment, shopping and commercial centers are bustling and convenient to get around.

Adequate regional road capacity handles a high demand. Regional roads limit the impact to neighborhoods from cut-through traffic. A state-of-the-art intelligent transportation system minimizes traveler wait times and frustration, as people are safely moved through the city. Public transportation is ample, with seamless, reliable connections and a wide variety of services, including local transit, circulator buses, taxis and ride-sharing services. Walking and biking are safe and enjoyable ways to get around.

## High Quality Built and Natural Environment

Bellevue's built environment has it all, and people find exactly where they want to live and work. The diverse and well-balanced mix of business and commercial properties and the wide variety of housing types and affordability attract people who desire a safe, sustainable, inclusive, and accessible community.

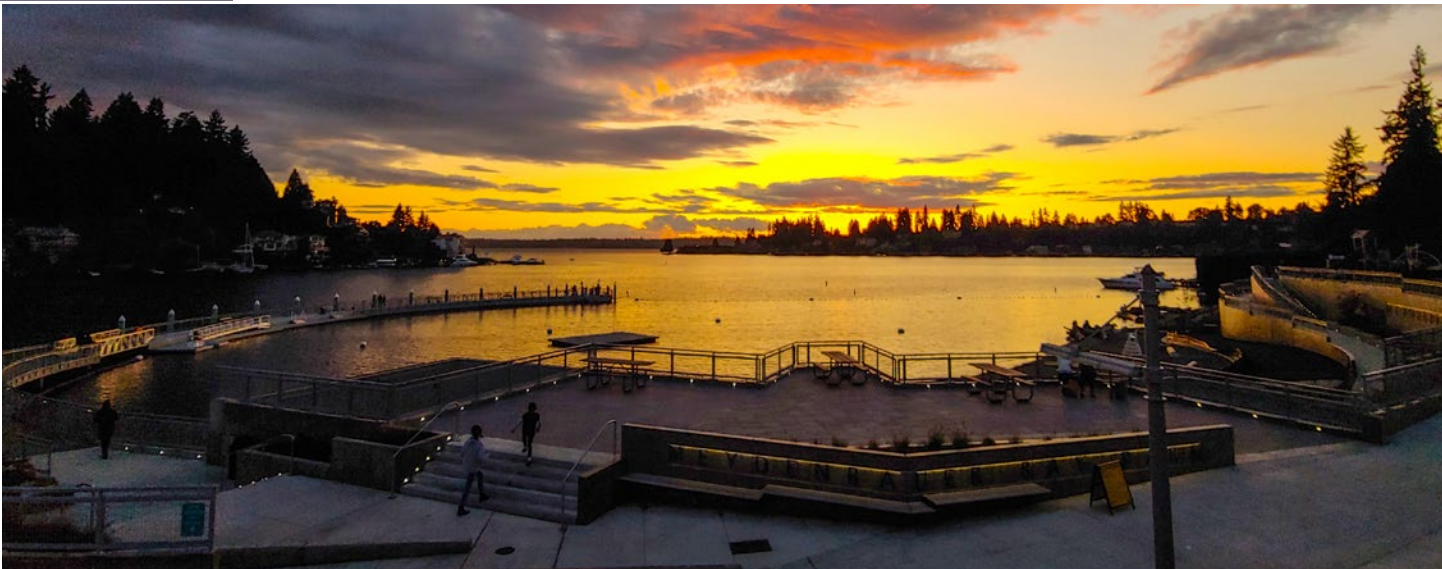
Bellevue has an abundance of parks and natural open space. Known as a City in a Park, our park system is one of the best in the nation. Bellevue parks provide ample opportunities for all, including forested trails, neighborhood and regional parks, a regional aquatics center, and community gathering places. We enjoy a variety of recreational and sporting opportunities within walking distance of our homes and businesses.

Bellevue is a "Smart City" with a clean, high-quality environment and excellent and reliable infrastructure that supports our vibrant and growing city, including high-tech connectivity. The city has a connected, multi-modal transportation system, which blends seamlessly with buildings, plazas, and parks.

Whether it's an urban high rise, a classic Bellevue Rambler, or a historic resource, the constant is our people. Our neighborhoods and businesses transcend age, ethnicity and culture to create safe, welcoming places to live and work.







**Bellevue: Great Places Where You Want to Be**

For many of us, Bellevue is home. For the rest of the region and the world, Bellevue is a destination. Learn, relax, shop, eat, cook, read, play or marvel at our natural environment. Whatever your mood, there is a place for you in Bellevue.

From the sparkling waters of Meydenbauer Bay Park, we can walk or bike east along the Grand Connection through downtown, east to Wilburton for business and entertainment, or continue to the Eastrail. Throughout the journey, nature, culture, street entertainment, an international fusion of food and people from all over the world can be enjoyed by all.

Bellevue celebrates and honors an abundant arts scene. Artists, creative workers and artisan groups are supported through a multitude of private philanthropy and arts funds, as well as direct investments by the city. Our residents have access to excellent and varied performance, visual and literary arts in multiple venues within our city.

Cultural opportunities connect and attract many. Through art, history, food, celebrations, community gatherings and nightlife, culture is shared, appreciated and enjoyed. There are opportunities and spaces for residents to gather, engage and learn about the many cultures that call Bellevue home.

The past is honored. Residents work together, share our stories and experience a sense of place through an understanding of our experiences.

Our community buildings and centers, libraries, City Hall and museums provide places where neighbors gather, connect with each other and support our civic and business institutions.

From the constant beat of an urban center, we can quickly escape into nature in our parks, streams, trails and lakes. We can kayak the Slough, hike the Lake-to-Lake Trail, bike the Mountains to Sound Greenway or have the opportunity to enjoy the latest thrill sport.

**Regional Leadership and Influence**

Bellevue leads, catalyzes and partners with our neighbors throughout the region to advance common goals. We are at the center of the lakeside crescent formed by the cities of Redmond, Kirkland, Bellevue, Issaquah and Renton.

Public safety, transportation, land use and a common agenda are at the heart of our success. The Eastside represents a major political, economic, cultural and educational force in the region. Bellevue, Seattle and other King County cities collaborate, partner and celebrate the benefits of working together as one region.

**Achieving Human Potential**

Bellevue is a caring community where all residents enjoy a high quality of life. People from around the world are welcomed by people from around the corner. Bellevue listens, engages and values the many voices within our community, and residents know they are an essential part of their community and have many opportunities to engage with the city

and each other. The city's outreach is inclusive and culturally sensitive.

Our residents are invested in their community and connected to each other through a variety of organizations.

Bellevue is an intellectual community that values education. We have an array of excellent educational opportunities for life-long learning and workforce development, from one of the nation's best K-12 school districts to a variety of secondary and higher educational opportunities, including technical and trades education, college and graduate programs at a top international research university.

Bellevue enjoys high community population health and attracts top health providers from around the region. Our entire community experiences equitable access to services.

## High Performance Government

Bellevue is characterized by high performance government. Our residents live in a safe, clean city that promotes healthy living and well-being. The perception of safety contributes to the success of individuals, businesses and neighborhoods. Police, fire, public health professionals and emergency personnel are seen by our community every day, and we ensure that services reflect high standards and pride.

People choose Bellevue because we are a well-managed city. Residents realize a direct link between their local tax dollars and the services they receive.

We make public investments wisely – assuring taxpayers that we are living within our means while also ensuring superb infrastructure to support growing businesses and desirable residential opportunities. We have beautiful public buildings that residents point to with pride. Government plays its role in supporting the careful balance of neighborhoods, commercial and retail growth, diverse residential living opportunities and amenities that characterize Bellevue. City leadership fosters careful long-term planning, responsible financial policy and thoughtful partnerships with businesses, the non-profit sector and the region.

We support public engagement, innovation, and connectivity. Boards, Commissions, and other advisory groups assist the City Council in providing superior leadership by representing the diverse interests of the City and providing thoughtful and creative ideas that ensure sound policy direction and decisions. Bellevue does its business, using data and cutting-edge technology. City government uses all forms of outreach, including technology, to connect with its residents, giving them a voice and visibility.

We seek input from our residents and businesses, and this input informs city decision-making. We make decisions in a transparent manner and support public engagement and connectivity.

Our residents are invested in Bellevue. They speak up and collectively work to address mutual needs. In Bellevue, our residents know their local government listens, cares about and responds to them.







# Bellevue City Council 3-year Priorities 2021-2023



## Economic Development

- 1** Implement the direct strategies of the Economic Development Plan, addressing:
  - Capacity building and partnerships
  - Small business and entrepreneurship
  - Workforce
  - Retail
  - Creative Economy
  - Tourism



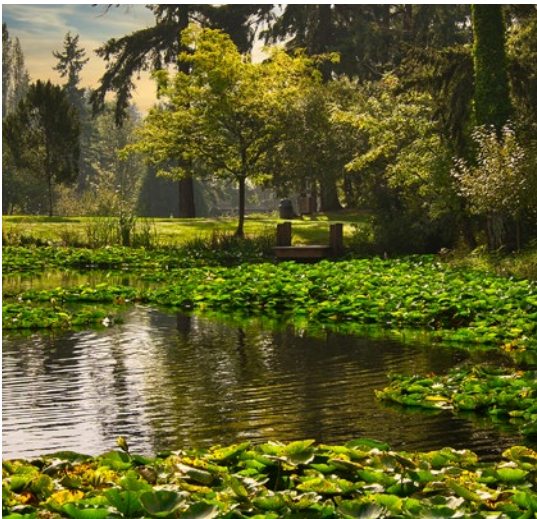
## Transportation and Mobility

- 2** Continue to execute our transportation capital plans for future growth and mobility of the city. Use the funding provided by the Neighborhood Safety, Connectivity and Congestion Levy to improve safety, transportation, and quality of life in neighborhoods.
- 3** Advocate with the state Department of Transportation and regional agencies for acceleration of the I-405 Corridor Program and completion of SR 520 improvements, including Bellevue projects (i.e. NE Sixth St., 124th Ave. NE Interchange, braided ramps, Coal Creek Parkway).
- 4** Continue oversight of light rail construction and ensure that we implement an effective strategy for construction mitigation for neighborhoods, traffic and business.



## High Quality Built and Natural Environment

<b>5</b>	<p>Execute Affordable Housing strategy, including:</p> <ol style="list-style-type: none"> <li>1. Look at code amendments instead of comprehensive plan amendments for projects with exceptional amounts of low-and middle-income housing; and</li> <li>2. Strengthen housing bonus program.</li> </ol>
<b>6</b>	<p>Complete construction of Phase One of Meydenbauer Bay Park by 2018 and the Downtown Park Gateway by the end of 2019 and synchronize with the Grand Connection as possible. Include celebration of the connection of downtown to the waterfront.</p>
<b>7</b>	<p>Advance implementation of the Smart City Strategy, including advanced transportation technology and autonomous, connected, electric and shared vehicle technologies.</p>
<b>8</b>	<p>Implement the Environmental Stewardship Plan, which identifies actions in five focus areas:</p> <ul style="list-style-type: none"> <li>■ Climate change</li> <li>■ Energy</li> <li>■ Materials management and waste</li> <li>■ Mobility and land use</li> <li>■ Natural systems</li> </ul>
<b>9</b>	<p>Advance a park funding strategy, including consideration of new funding sources for operations, maintenance and construction.</p>
<b>10</b>	<p>Proceed with site selection and feasibility analysis for a major aquatic center in Bellevue.</p>





## Bellevue: Great Places Where You Want to Be

- 11** Continue to advance the Grand Connection as the city's signature gathering place. Establish the preferred crossing of I-405 and begin design discussions with WSDOT; build public support by completing city projects in the early implementation plan; educate key public and private funders on the unique opportunities available; and integrate the vision of the Grand Connection into the Wilburton plan.
- 12** Work with King County and Sound Transit to ensure that Eastrail from Renton to the Wilburton Trestle is completed; complete the section of the trail from Kirkland to the Light Rail Maintenance Facility East; complete the interim connection through the Spring District; and begin to establish community connection points to Eastrail.



## Regional Leadership and Influence

- 13** Be an active regional partner, whether it is with cities east of the lake, Seattle and King County, schools and special purpose districts, or the state and federal government. Strategically pursue public and/or private funding and partnerships where beneficial to Bellevue and the region. Establish a partnership with the Port of Seattle on our mutual areas of interest, including attraction of international business and tourism.



## Achieving Human Potential

- 14** Leverage the higher education institutions in Bellevue to benefit our residents and businesses.
  - The Global Innovation Exchange and its partners present an opportunity to dramatically grow human potential in the field of technology innovation. The city should support GIX and take advantage of the financial and human benefits that will come from it.
  - Bellevue College is an important partner in providing workforce development. The city should support the college, the faculty and students in the city's transportation and affordable housing plans.

The city should implement the TechHire initiative to benefit the region's technology companies.
- 15** Continue to implement the Diversity Plan, including determining the availability of and need for multicultural programming in the city and completing the cross-cultural study already underway.
- 16** Work toward an Eastside solution for a permanent location for a men's homeless shelter.
- 17** Explore a safe parking program for homelessness response.






## High Performance Government

- |           |   |
|-----------|---|
| <b>18</b> | Build trust in government by developing and implementing a comprehensive communication plan with proactive strategies and systems, and robust, transparent, open public engagement processes. Characteristics that were discussed include: <ul style="list-style-type: none"> <li>■ Share clear and timely information.</li> <li>■ Engagement – getting input.</li> <li>■ The more we listen, the more responsive we are.</li> </ul>                      |
| <b>19</b> | Identify and implement technologies that improve customer service by the City of Bellevue.  |
| <b>20</b> | Establish a long-range financial strategy that includes options that respond to the future operating and capital needs of the city.   |
| <b>21</b> | Develop and establish a new brand identity for the City of Bellevue that reflects both our past and our future; an identity that is iconic and leaves a lasting impression that Bellevue is a place that people want to live, work, learn and play.   |
| <b>22</b> | Leverage data and technology to enhance community engagement, equity, and accountability. <ol style="list-style-type: none"> <li>1. Measure and share interactive reports of key performance indicators across city services.</li> <li>2. Increase the reporting of correlated and aggregated community inputs to inform future policies.</li> <li>3. Set up a dashboard to continuously report on progress against council priorities/vision.</li> </ol> |

From left: Councilmember Janice Zahn, Councilmember John Stokes, Councilmember Conrad Lee, Mayor Lynne Robinson, Deputy Mayor Jared Nieuwenhuis, Councilmember Jennifer Robertson and Councilmember Jeremy Barksdale.



 For alternate formats, interpreters or reasonable accommodation requests please phone at least 48 hours in advance 425-452-6837 (voice) or email [bharwood@bellevuewa.gov](mailto:bharwood@bellevuewa.gov). For complaints regarding accommodations, contact City of Bellevue ADA/Title VI Administrator at 425-452-6168 (voice) or email [ADATitleVI@bellevuewa.gov](mailto:ADATitleVI@bellevuewa.gov). If you are deaf or hard of hearing dial 711. All meetings are wheelchair accessible.

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## C: PARLIAMENTARY PROCEDURE

# CITIZEN'S GUIDE TO EFFECTIVE CONDUCT OF PUBLIC MEETINGS USING PARLIAMENTARY PROCEDURE AND ROBERT'S RULES OF ORDER IN WASHINGTON STATE



© City of Mountlake Terrace, Washington. Used by permission.

This guide has been prepared to assist citizens and residents who want to know the expectations for public meetings under parliamentary procedure and Robert's Rules of Order in Washington State. We use the example of a city council; these questions are also relevant to other local government bodies such as county commissions, school boards, special districts, etc. We are parliamentarians and nothing in this guide constitutes legal advice.

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## INTRODUCTION

This material is general and educational in nature. The answers are based on *Robert's Rules of Order Newly Revised, 11th edition* (abbreviated RONR) and our own experience. The National Association of Parliamentarians ([parliamentarians.org](http://parliamentarians.org)) and the American Institute of Parliamentarians ([aipparl.org](http://aipparl.org)) provide extensive information on parliamentary procedure. For additional information on many of these questions, MRSC (Municipal Research and Services Center) has valuable reference materials available for free download ([mrsc.org](http://mrsc.org)).

In this guide we talk about “mayor-council” cities, in which the mayor is elected by the people, and “council-manager” cities, in which the city council elects the mayor from among its own members. Charter cities are governed by the contents of their charter and state law. Throughout this guide, the term “mayor” means “presiding officer” (the person in charge of running the meeting).

In every state, state law governs the actions of local government. Many states give access to their relevant statutes online. The Revised Code of Washington (RCW) is mentioned for reference purposes only. Nothing in this guide constitutes legal advice. Consult your attorney or another qualified authority if you have questions about how these general principles apply in a specific situation.

PRP	Professional Registered Parliamentarian (NAP)
CP	Certified Parliamentarian (AIP)
CPP	Certified Professional Parliamentarian (AIP)
CP-T	Certified Parliamentarian-Teacher (AIP)
CPP-T	Certified Professional Parliamentarian-Teacher (AIP)

### Excerpts from the Revised Code of Washington (RCW):

RCW 35A.12.100 (Mayor-council) The mayor shall preside over all meetings of the city council, when present, but shall have a vote only in the case of a tie in the votes of the councilmembers with respect to matters other than the passage of any ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.

RCW 35A.13.030 (Council-manager) The chair of the council shall have the title of mayor and shall preside at meetings of the council.

RCW 35A.12.120 The council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and maintenance of order. (Note: This applies to both mayor-council and council-manager cities.)

## I. PARLIAMENTARY PROCEDURE

### **I thought state law governed the conduct of city council meetings. Why do mayors and members of city councils have to follow parliamentary procedure?**

Under Washington State law, councils determine their own rules:

RCW 35A.12.120 “The council shall determine its own rules and order of business, and may establish rules for the conduct of council meetings and the maintenance of order.”

The set of ordinary and customary rules that councils usually choose for their meetings is “parliamentary procedure.” These customs, rules and guidelines have evolved over the last 500 years to govern the conduct of public meetings. They form part of the common law. The courts have found that public bodies must follow parliamentary principles. In some states, the requirement to follow parliamentary principles is specifically included in state law.

### **If a council hasn’t adopted Robert’s Rules of Order, can it run its meetings the way it likes?**

No. Robert’s Rules of Order is one widely-used authority summing up the general understanding of parliamentary procedure. There are other authorities as well. Even if a council has not adopted any authority, it is still bound by parliamentary principles as part of the common law.

### **What does the principle of majority rule mean?**

The principle of majority rule means that the decision of a majority of the members of the body (more than half of those present and voting) is the decision of the entire council. The minority must make it their own, or at a minimum, may not take actions to prevent the council from carrying out its decision.

### **What is a quorum?**

A quorum is the minimum number of voting members who must be present for business to be done. Unless otherwise specified, it is a majority of the members then in office. In a mayor-council city, the mayor is not counted towards the quorum. RONR pp. 345-351

### **Can a council suspend all of Robert’s Rules?**

No. RONR p. 263-265

### **How can a rule be suspended?**

If a member wishes to suspend a rule, for instance, to allow a member of the public to speak longer than the allotted time, he says, “I move to suspend the rules in order to allow the citizen to complete his remarks.” This motion needs a second and cannot be debated. It usually takes a two-thirds vote to pass. The specific rule being suspended is not mentioned, only the purpose. Some rules cannot be suspended. RONR pp. 260-267

## II. PRESIDING

### **Who is in charge of running a public meeting, such as a city council, school board or special district meeting?**

For each body, there is a specific individual who has authority to run the meeting, either by election or appointment. This person’s personal authority is subject to state law and regulations, any bylaws or guidelines adopted by the body, and the will of the body itself. Depending on the body, this individual will have the title of mayor, president, chair, etc. In a city council, the mayor has the duty of running the meeting.

**Under the Revised Code of Washington, a mayor elected by the people is supposed to run the meeting. Doesn't he have the right to run it the way he likes?**

No. The mayor in a mayor-council must follow the principles outlined in parliamentary procedure. During the meeting, he is the servant of the group, and the group is the final authority. The group's final authority is exercised by using the motion to appeal.

### III. MAYOR

**What are the obligations of the mayor during a meeting?**

The mayor has the following duties. RONR pp. 449-450

Open meeting	To open the meeting at the appointed time by taking the chair (sitting in the seat reserved for the presiding officer), after finding that a quorum is present, and calling the meeting to order.
Announce next activity	To announce in proper sequence the next activity before the council in accordance with the prescribed order of business.
Recognize members	To recognize council members who are entitled to the floor (who have the exclusive right to be heard at that time).
State questions and put to vote	To state and put to vote all questions that legitimately come before the council as motions or that otherwise arise in the course of proceedings, and to announce the result of each vote; or, if a motion that is not in order is made, to rule it out of order.
Refuse to recognize dilatory motions	To protect the council from obviously dilatory (recurrent time-wasting or obstructive) motions by refusing to recognize them.
Enforce order and decorum	To enforce the rules relating to debate and those relating to order and decorum within the council.
Expedite business	To expedite business in every way compatible with the rights of council members and the council rules.
Decide all questions of order	To decide all questions of order subject to appeal — unless, when in doubt, the mayor prefers initially to submit such a question to the council for decision.
Respond to inquiries	To respond to inquiries of council members relating to parliamentary procedure or factual information bearing on the business of the council.
Authenticate documents	To authenticate by his signature, when necessary, all acts, orders and proceedings of the council.
Close meeting	To declare the meeting adjourned when the council so votes or — where applicable — at the time prescribed in the agenda, or at any time in the event of a sudden emergency affecting the safety of those present.

**Is the mayor a member of the city council?**

In Washington State, the mayor of a council-manager city is a member of the city council, but the mayor of a mayor-council city is not.

**What right does the mayor have to speak at a city council meeting?**

- The mayor must, of course, speak about procedural matters in order to carry out the duties outlined

*Source: MRSC.com "Citizen's Guide to Effective Conduct of Public Meetings Using Parliamentary Procedure and Robert's Rules of Order in Washington State"*



- The mayor in a council-manager city has the same right to speak about issues facing the council as any other council member.
- RONR has special rules for small boards (up to about 12 members). In a mayor-council city with a small council, the elected mayor customarily has a right to speak on matters pending before the council, even though technically not a member. In a larger council, if the elected mayor wishes to speak on substance, he should step down from the chair in order to participate in debate, while another who has not and will not speak on the matter presides, resuming it only when the item has been dealt with. RONR pp. 394-395.

**Can the council remove the mayor as presiding officer during a city council meeting and appoint someone else in his place?**

This is primarily a legal and not a parliamentary question.

**IV. MEETING NOTICES AND AGENDA**

**Who authorizes the notice of a special meeting?**

Issuing notices of a meeting is part of the administrative duties of the mayor. The mayor is bound to issue notices of special meetings that are called according to state law and council rules.

**Who decides what goes on the agenda of a public meeting?**

The mayor prepares the draft agenda of a public meeting, but the final content of the agenda is subject to the vote of the council. RONR p. 372-373

**V. DEBATING**

**Who decides who may speak in debate and in what order?**

The mayor recognizes council members (gives them permission to debate) in accord with the rules of parliamentary procedure. For example:

- The person who makes a motion has the right to debate first if he wishes to. RONR p. 379
- No one may debate a second time until everyone who wishes to do so has spoken once. RONR pp. 379, 388-389
- The mayor may not refuse to recognize council members based on personal preference. RONR pp. 376-377

**May council members interrupt each other or the mayor?**

No. Interrupting is forbidden under RONR. An exception is that a council member may interrupt to raise a “point of order” if a procedural rule is being broken that needs immediate attention. RONR pp. 383-385

**May the mayor interrupt a debater?**

No. RONR says specifically that the chair may not interrupt a debater except for a point of order, so long as no council rules are broken. The mayor may not interrupt even if he knows more about a given subject than the debater. RONR pp. 43-44

**May the council members debate directly to each other?**

It depends. In a large council, council members must address all remarks to the chair. In a small council (up to about 12 members) council members may speak directly to each other. However, the rule that no one may

Source: MRSC.com “Citizen’s Guide to Effective Conduct of Public Meetings Using Parliamentary Procedure and Robert’s Rules of Order in Washington State”

debate a second time until everyone who wishes to do so has spoken once still applies. Allowing members to debate to each other often leads to one-on-one conversations that violate this rule. RONR p. 392; pp. 487-488

### **What kinds of remarks are forbidden at city council meetings?**

There are certain types of unacceptable remark under RONR. Council members may not make such remarks, which are considered to be irrelevant (not germane) to debate. (Members of the public are not bound by these restrictions.) RONR pp. 392-393

- Personal remarks (remarks about a person's individual qualities, rather than his views)
- Insulting language, personal attacks, profanity and vulgarity
- Inflammatory remarks
- Criticizing a past action of the group, unless the topic is under discussion by the group as a whole, or the member plans to introduce a motion to amend or rescind the action at the end of his speech.
- Remarks that are not germane (relevant) to the topic under discussion.

### **Who decides whether a remark is forbidden under these rules?**

The mayor issues a ruling about improper remarks, subject to appeal. A council member may also object to an improper remark.

### **May the council invite a member of the public to speak at a public meeting?**

Yes. The council may invite anyone it chooses to address it.

## **VI. VOTING**

### **How many votes does it take to pass a motion or resolution?**

In most cases it takes a majority vote to pass a motion or resolution. RONR pp. 400-429

### **What is a majority vote?**

This is a vote in which more than half of the members who cast a vote vote in favor of the motion:

2 or 3 members vote	2 in favor
4 or 5 members vote	3 in favor
6 or 7 members vote	4 in favor
8 or 9 members vote	5 in favor

### **What is a two-thirds vote?**

This is a vote in which at least two-thirds of the members who cast a vote vote in favor of the motion:

2 or 3 members vote	2 in favor
4 members	3 in favor
5 or 6 members vote	4 in favor
7 members vote	5 in favor
8 or 9 members vote	6 in favor

**Who decides what the outcome of a vote is?**

The mayor announces the result of a vote and has a special obligation to verify it beyond reasonable doubt. RONR p. 48

**If the mayor announces the result of a vote, and it seems to a council member that he made an error, what should the council member do?**

If the vote was taken by voice, the council member should call out “division.” The mayor must then retake the vote by raising hands or asking council members to stand. At the request of any council member, the vote must be taken by roll call. RONR p. 52

**Can the mayor vote at council meetings?**

In a council-manager city, the mayor may vote.

In a mayor-council city, the mayor ordinarily has no vote. However, the mayor may vote in one instance: to break a tie in a matter that is NOT the passage of an ordinance, grant, or revocation of franchise or license, or any resolution for the payment of money.

**If the council passes a resolution or motion, can the mayor veto it?**

Mayors in mayor-council code and second class cities can veto ordinances passed by the council, but such a veto may be overridden by the vote of a majority of all council members plus one more vote. The mayor does not have the power to veto other actions of the council. Mayors in towns do not have a veto power. In a council-manager city, mayors also do not have a veto power. The veto power of mayors in the ten first class cities are detailed in their city charters.

## VII. POINT OF ORDER AND APPEAL

**What should a council member do when someone breaks one of the rules?**

A council member can make a point of order. This is a motion that requires another council member, or the chair, to abide by the council’s rules or parliamentary rules. If an error isn’t obvious, the council member may have to briefly explain how the rules are being broken.

This motion is made by just one council member and in most circumstances the motion must be made at the time of the rule violation. When this motion is made it immediately and temporarily stops business until the point is ruled on by the chair, who will either agree with the council member and enforce the rule, or may disagree with the council member. Once the chair rules that the point of order was well taken (correct) or not well taken (incorrect), the business that was interrupted then continues (unless the chair’s ruling is immediately appealed). RONR p. 247, 255

**How does a council member raise a point of order?**

The council member who sees a rule violation and wants the rule enforced should stand up, interrupt the chair or a speaker if necessary, and without waiting to be recognized, call out, “Point of order!” or “I rise to a point of order.” RONR p. 253

**Can a council member raise a point of order about the chair’s actions?**

Yes. Everyone in the meeting must follow the rules. If this happens, the chair issues a ruling on his own action.

**Can a member of the public raise a point of order?**

No. Only a council member can raise a point of order.

Source: MRSC.com “Citizen’s Guide to Effective Conduct of Public Meetings Using Parliamentary Procedure and Robert’s Rules of Order in Washington State”

### **What should council members do when they disagree with a ruling by the mayor?**

A council member can appeal the chair's ruling, which then tells the chair that the council member is in disagreement with the chair's interpretation and that he wants the council to decide it for themselves. The appeal must be made immediately. If other business intervenes, then it is too late to appeal the chair's decision or ruling.

When the motion is made, it immediately and temporarily stops the pending business until a decision is reached on the appeal. After a vote is taken on the appeal by the council members, the business that was interrupted then continues. RONR pp. 255-56

### **How is an appeal conducted?**

A council member stands and without waiting to be recognized says: "I disagree with the ruling by the chair." The chair should recognize an appeal, even if worded simply as, "I don't think that's right – I disagree with you." The formal wording is, "I appeal from the decision of the chair." The chair then processes the motion. RONR p. 259

### **Can appeals be debated?**

Appeals pertaining to language and decorum may not be debated. In general, other appeals can be debated. There is a special process for debating an appeal. RONR p. 257

### **Are there rulings that cannot be appealed?**

Yes. A point of order that was raised while an appeal is pending cannot be appealed, nor can a ruling by the chair for which there cannot possibly be two reasonable opinions. RONR p. 256

### **What should the council members do if the mayor ignores an appeal?**

This is a highly significant violation of parliamentary procedure which should never happen. The council member may stand and take the vote himself. Education is critical so that all involved understand how this process works. Consult an attorney if legal action is needed. RONR p. 651

## **VIII. ADJOURNMENT AND ORDERING A MEMBER TO LEAVE THE MEETING**

### **May the mayor adjourn the meeting when he chooses?**

No. The mayor may adjourn the meeting on his own initiative only in two instances:

- If the council has come to the end of its agenda and there is no further business.
- If a riot or other dangerous situation has arisen. RONR p. 233-242

### **May the members adjourn the meeting when they choose?**

Yes. When the council votes in favor of adjournment, the meeting ends, even if there is unfinished business. This motion cannot be debated and requires a majority vote.

### **May the mayor order a member of a city council to leave the meeting?**

No.

### **May the council members order one of their own members to leave the meeting?**

Yes. In situations where disruption or disorderly conduct by a council member warrants it, the other members may direct that he leave the meeting. Usually warnings are given first. The removal can be ordered only for a single meeting, not for future meetings. It is best to have adopted policies in place that state when and how such an event might occur. RONR pp. 643-653

## IX. PUBLIC COMMENT PERIOD

**What is the purpose of the public comment period at public meetings?**

The purpose of the public comment period at public meetings is for the public to inform the council about their views on matters before the council. It is not intended for debate and discussion with the public. When back-and-forth exchanges occur, it can become a challenge to describe the council’s position correctly and accurately, and substantial confusion may result.

Councils should have other channels in place to answer questions, address concerns, and dialogue with the public—community forums, surveys, personal discussions, a form on the website to contact council members or staff, etc.

**May the council place limits on the public comment period?**

Yes. The council may place reasonable limits on when public comment is taken, how long people may speak, and how long the public comment period will be; the council may also require that the subject matter pertain to the council’s work. All such rules must be “viewpoint-neutral,” that is, they may not favor one opinion over another.

**Should the public in attendance clap, boo, hiss or speak over other people during the meeting?**

No. This should never happen. Expressions of opinion of this type, whether positive or negative, are intimidating to others and may lead to the suppression of free speech. They also impede the council from doing its business.

**May the mayor or members encourage the crowd to clap, boo, hiss or speak over other people during the meeting?**

No.

**What should the mayor and council do if the public becomes rowdy and unruly during a meeting?**

The mayor should explain firmly to the public that they have an obligation to allow the council to do its business. In cases of severe disruption, the council may order the room cleared, or may move to another location (see RCW 42.30.050). Advice from the attorney is helpful in such cases.

**Can the mayor order a member of the public to leave the meeting?**

State and Federal law and court cases pertaining to open meetings and free speech govern this question.

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Source: MRSC.com “Citizen’s Guide to Effective Conduct of Public Meetings Using Parliamentary Procedure and Robert’s Rules of Order in Washington State”



The following includes a series of tips and tricks for Planning Commissioners, including the following:

- How to work with the Public
- How to work with Staff and Council
- General tips for Commissioners



# WORKING WITH THE PUBLIC

## Controversial Issues: A Natural Part of Planning

There probably is not a community in this land that has ever thought of erecting a statue in honor of a planning commissioner!

As unrecognized men and women, you should be proud of your contributions to some of the most important decisions a community can make that broaden its horizons and aspirations. Unfortunately, controversy is an inevitable part of the planning process. How you deal with it is an important measure of your effectiveness.

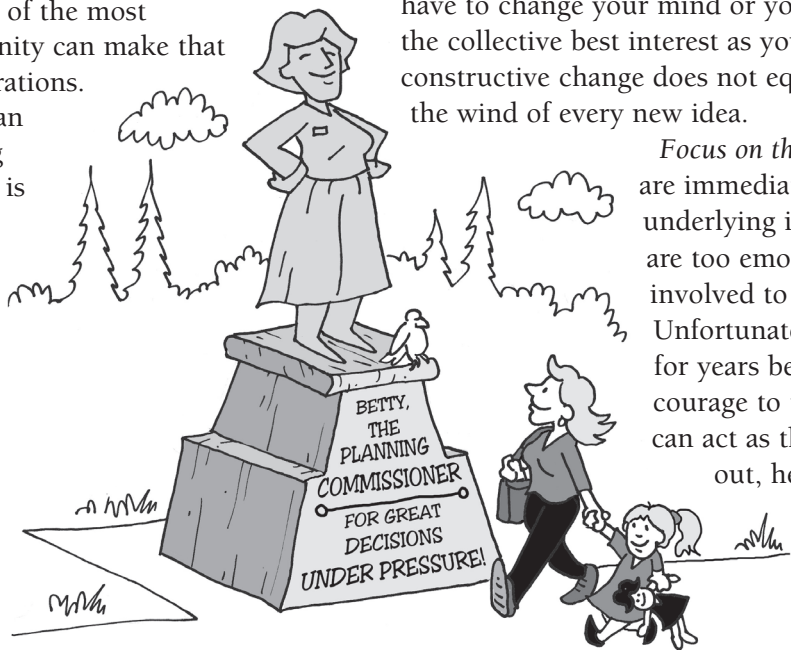
If you do not lose sight of the fact that you are a member of the community and keep tuned in to its priorities, you should not be surprised when an action or potential one becomes controversial.

*Deal with likely contentious issues early.* Meet with

citizens informally in their neighborhoods or service clubs, city hall, or town library, and bring along staff to explain any technical aspects. Listen actively to what people tell you, giving them many opportunities to air their views in non-confrontational situations.

*Do not make any promises you cannot deliver.* Consider citizen comments carefully, but do not necessarily feel you have to change your mind or your vote if it is based on the collective best interest as you see it. Being open to constructive change does not equate with bending with the wind of every new idea.

*Focus on the real issues.* There often are immediate concerns and underlying issues – and some citizens are too emotional or personally involved to see the difference. Unfortunately, some problems fester for years because no one has the courage to tackle them directly. You can act as the catalyst to sorting them out, helping make needed short-range decisions, and agreeing on a process for dealing with the others.



The most effective commissioners are comfortable with their roles as laypeople who make planning decisions. They understand the technical aspects of what they are required to do while still bringing “real world” experiences and concerns to the table. After listening to all sides, your ultimate challenge when dealing with controversy is to feel comfortable with your decision,

even if it is unpopular, and then to do all you can to ensure that animosities and disagreements do not linger once the decision is made.

It should not require accolades to give you satisfaction that you are an effective and important bridge between the public and the sometimes esoteric, puzzling, and even controversial world of planning.

### A Nose for NIMBYs

“Don’t worry if you are missing your favorite science-fiction show to conduct a public hearing at the Planning Commission. You may be lucky enough to see shape-shifters in real life. If you are considering a land use change that will affect a residential neighborhood, perfectly normal, rational people will grow fangs and acquire the ability to spit fire.

Changes in the neighborhood spark a primitive reaction in defense of home and family. As a planning commissioner, you need to keep your cool when confronted by angry neighbors, and recognize the difference between legitimate concerns and irrational fears. You need a nose for NIMBYs.

Your job is to look out for the whole community: townhouse dwellers as well as single family residents, and people living on through streets as well as those who want to live on dead-ends and put the traffic on other streets.

Ask questions or have staff find the information you need to evaluate the concerns. Is the traffic going to be greater than the standards for the street? Is the proposed land use so noxious that it would reduce property values, or is it simply something different from what’s there? Were the ‘promises’ made

by a city representative or by a realtor? If the concerns don’t hold up, don’t feel guilty about voting in favor of the project.

NIMBYs can have their positive side. No one else is so highly motivated to do research into the issues and the history of the area. Sometimes in their quest to stop a project, people will uncover information that does help your decision-making. Sometimes there’s an alternative that makes more sense. If these concerns have substance, respond to them; don’t treat a project as a ‘done deal.’

It’s easy to feel sorry for the beleaguered neighbors and do something that’s not in the interest of the community as a whole. It’s also easy to react the other way and dig in your heels in response to annoying and pushy people, just to show them you can’t be bullied. Try to separate the personalities from the substance of what they’re saying.

With a good nose, you will be able to tell when people cease making legitimate points and slide into NIMBYism. Make a note of the good points, and ignore the rest.”

*From Chris Robbins’ “A Nose for NIMBYs,” in PCJ #51*

## Show Respect to All

As a planning commissioner, you have the obligation to be polite and fair to all the citizens in your community: newcomers and oldtimers, people you agree with as well as those you would never invite to dinner.

Though the worst personal traits often come out at public hearings, people are not necessarily wrong just because they are angry, obstreperous and noisy, do not speak English well, or are confused about bureaucratic procedures. As annoying as they may be, try to overlook these so that you can understand and respond to the substance of their comments.

It is important that you show respect to the questioner even when you doubt the question. People ask stupid questions ... hostile ones ... tough ones ... all of which you and your colleagues should answer as well

as you can, but always respectfully. Sometimes, you and a citizen will have to “agree to disagree,” but you should never show anger or lose your temper.

Whenever you are holding a public hearing or meeting, it is important to be aware of the nonverbal clues, behavior, or habits that may seem to indicate your inattentiveness or rudeness. You send a negative message to the public when you slouch in your chair or lean back so far you appear to be bored or dozing.



Likewise, they may be suspicious about what you are going to do with all your notes if you scribble constantly. Sit up straight, look at the person speaking, nod affirmatively, and otherwise show your interest. This becomes more difficult the later the hour, just the incentive you may need to call a halt to the proceedings and start fresh another day.

Do not chat with other commissioners or staff when a member of the public addresses the commission. While you may be discussing the subject at hand or have another legitimate purpose, you appear to be dismissing what the public has to say without really hearing it. Another habit to avoid is drumming your fingers or a pencil on the table



“Please add the annoyance of commissioners (or applicants or staff) who do not turn off their cell phones. There is nothing more disruptive than to have a commissioner conduct a telephone conversation, or walk out of the room to take a call, when an applicant or the public is trying to present their points. It falls under the category of side conversations. It is disrespectful.

A less frequent annoyance is the rolling break. When the hearings get long and go into late hours, take a break and let the public know it. Commissioners have sometimes stepped out individually to get food or go to the restroom. That is not fair to the public. They want your undivided attention.”

—Michael Dove, St. Petersburg, Florida

### When They Speak Do You Listen?

“A clear clue that their minds are made up and the so-called ‘discussion’ is a farce is when planning commissioners read remarks obviously written beforehand.”

From Elaine Cogan’s “There’s Help for Dysfunctional Meetings,” in PCJ #17

“Don’t indicate by word or action how you intend to vote during the portion of the hearing devoted to presentations by the applicant, presentations by any persons appearing in objection, and comments by members of the staff. During this period your body is the judge and the jury and it is no more appropriate for you to express an opinion as to the proper decision, prior to hearing all of the testimony, than it would be for a judge or jury member to announce his firm conviction in the middle of a court trial regarding the guilt or innocence of the defendant. This is not clearly understood by a majority of persons sitting on hearing bodies.

It is not too difficult to phrase one’s questions or comments in a manner that implies that you are seeking information rather than stating an irrefutable fact and that your mind is closed to further argument.”

From “The Riggins Rules,” in PCJ #13

as if you are impatient to get this all over with.

These are some of the most common forms of annoying or distracting behavior. You may know others. The important point to remember is just as you want to be treated with respect, the public deserves no less when dealing with you and the other board members.



WORKING WITH THE COUNCIL

How to Work Effectively With Elected Officials

When was the last time the planning board spent weeks or months on an important issue, only to have your decision overturned by your elected city council or commission?

If this happens often, you should ask yourselves what steps you can take to make sure this is a rarity and that planning commission policies and decisions usually are supported by your elected body. It may be very interesting to sit in on your governing body's meeting when an appeal of one of your decisions is being considered. You may not enjoy hearing people disagree with your well-reasoned approach, but the experience should reveal other points of view you may need to consider in the future.

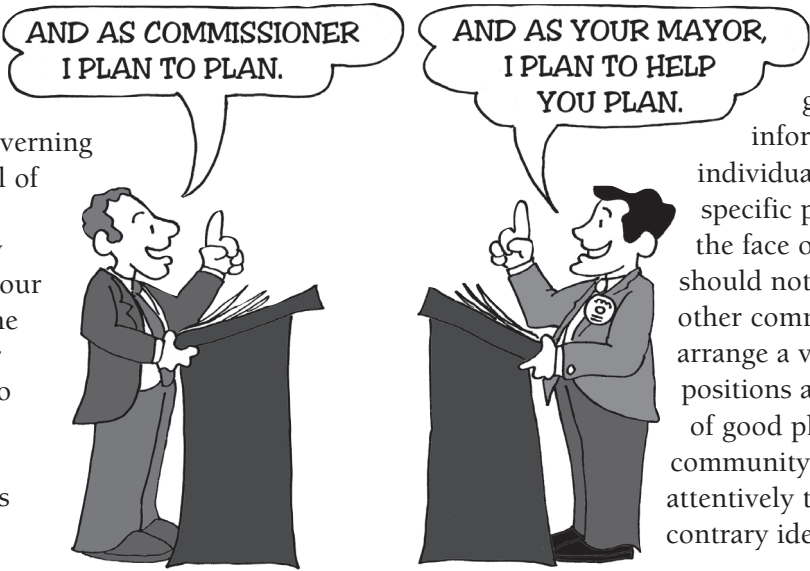
If the content or form of the planning commission's findings often are set aside or ignored,

you may be able to find simple changes that will make them more acceptable; if the findings are okay but the governing body disagrees with your conclusions, revisit the issue with one or more officials or staff to find out why you are out of step. This knowledge may help you craft a winning strategy the next time.

Be acquainted with the political platforms of the members of the governing body. Did someone campaign for office and win by promising to end all planning in your community?

Are some members strongly pro or anti-growth? That type of information is a clue to how

individuals may respond to specific planning issues. Even in the face of tacit opposition, you should not give up. You and the other commissioners should arrange a visit to explain your positions and the positive results of good planning on your community – and also listen attentively to the elected official's contrary ideas.



***While planning boards should not expect their decisions to be rubber-stamped, neither should they be regularly overturned.***

In such relationships, do not ask planning department staff to carry your message. It is most effectively conveyed, and received, if you do it yourselves. Politely but firmly insist that you speak to the appropriate elected official, not to staff.

Another relationship-building activity is to invite elected officials to a retreat or informal workshop where you try to reach consensus on a common vision, goals, objectives, and planning agenda. Even if the best you can do is agree to disagree, you will have heard each other and begun to form relationships that will be useful in the future.

Most importantly, strive to be open and cordial in all your relationships. Your community deserves no less.

### **The “P” Word**

“Whether or not you accept the title, ‘politician,’ as a member of the planning board, you are certainly an important actor in the political processes of your community.”

*From Elaine Cogan’s “It’s Time to Discuss the “P” Word,” in PCJ #16*

### **More Engagement Strategies**

“Although not mandated by code, most planning commissions would do themselves a huge favor if they invested the time to engage their local officials in planning. There are a variety of strategies a commission can use to enhance its working relationship with the governing body. Some of the more successful approaches include:

- **Planning Commission Annual Report.** A report documenting planning commission activities, and providing an overview of local planning issues and challenges, should be prepared annually and shared with the governing body. In some localities the report also contains the commission’s work plan for the coming year. If possible, have the report hand delivered by the commission chair at a regular meeting of the governing body, perhaps with a short accompanying oral presentation.
- **Joint Work Sessions.** It makes sense for the planning commission and the local governing body to meet at least once a year to discuss matters involving planning, land use, and community change management issues. A working dinner is a common approach. To avoid being haphazard and disjointed, an agenda should be developed and followed.
- **Joint Visioning Exercise.** Another useful engagement strategy, especially if your locality is preparing or updating its comprehensive plan, is a joint visioning exercise. By including the governing body in the actual planning process, especially at an early stage, the commission can incorporate the governing body’s perspective and concerns. This will reduce the chances of being ‘blind-sided’ by critical comments at the end of the process.”

*From Michael Chandler’s “Linking Elected Officials with Planning,” in PCJ #48*