AGENDA
Lynnwood Planning Commission
Thursday, February 10, 2011 — 7:00 pm
City Council Chambers, 19100 – 44th Ave. W., Lynnwood WA

A. CALL TO ORDER – ROLL CALL

B. ELECTION OF OFFICERS

C. APPROVAL OF MINUTES:
   Meeting of November 18, 2010

D. CITIZEN COMMENTS – on matters not on tonight’s agenda for a public hearing.

E. PUBLIC HEARINGS
   None

F. OTHER BUSINESS
   1. Resolution of Appreciation for Jeff Davies.
   3. Changes to Planning Commission Rules. Revisions to the Rules and Scope of the Planning Commission regarding conduct of Commission meetings (Work Sessions and Public Comment) and the Order of Business for a regular meeting.

G. WORK SESSIONS
   2. Planning Commission Rules – Identify and Discuss Potential Revisions

H. COUNCIL LIAISON REPORT

I. DIRECTOR’S REPORT

J. COMMISSIONERS’ COMMENTS

K. ADJOURNMENT

The public is invited to attend and participate in this public meeting. Parking and meeting rooms are accessible to persons with disabilities. Upon reasonable notice to the City Clerk’s office (425) 670-5161, the City will make reasonable effort to accommodate those who need special assistance to attend this meeting.
Memorandum

DATE: February 3, 2011

TO: Members of the Planning Commission

FROM: Kevin Garrett, Planning Manager

SUBJECT: Agenda Items for Meeting of February 10, 2011

B. Election of Officers

Article IV, Section 4 of the Planning Commission Rules provides that the Commission shall elect officers for the coming year at the first regular meeting of the year. Attached is a one-page summary of the process for electing officers.

F.1. Resolution of Appreciation for Jeff Davies

Jeff resigned from his seat on the Planning Commission on December 9, 2010, after serving since June 19, 2006. A draft Resolution expressing appreciation for Jeff’s service is attached.

F.2. Annual Report

Section 2.24.020 of the Municipal Code provides that City boards and commissions shall prepare an Annual Report. Attached is a draft of the Annual Report for 2010, for review and approval by the Commission.

F.3. Changes to Planning Commission Rules

Review of the Rules of the Planning Commission has identified three potential changes, as follows:

- A new Rule regarding Conduct of Work Sessions;
- A new Rule regarding the Public Comment section of the regular meeting agenda; and
- Change to the order of items on the regular meeting Agenda (Article V, Section 5).

Drafts of these changes and a copy of the Rules are attached.
G.1. Project Hwy 99

Staff will review the status and schedule of this project and will review the goals and purposes of the project and the project documents. Staff will also review the major changes made to the draft documents following the public review process. Copies of the final-draft project documents (Subarea Plan, Zoning regulations and maps, and Design Guidelines) will be handed out at the meeting.

G.2. Planning Commission Rules

This item provides the opportunity for the Commission to identify/discuss potential changes to the Planning Commission Rules, other than those scheduled for action (Item F.3, above).
ELECTION of OFFICERS
for 2011

Current Officers:
- Chair – Richard Wright
- First Vice-chair – Bob Larsen
- Second Vice-chair – Michael Wojack

Procedure:
- Chair asks for nominations for the position of Chair.
- One or more members may be nominated for each position.
- A “second” is not necessary.
- After all nominations are made, Chair will ask for a vote.
- It’s okay for nominees to vote for themselves.
- The nominee receiving the most votes is elected and assumes the office of Chair of the Planning Commission.
- The new Chair runs the remainder of the meeting.
- Chair asks for nominations for position of First Vice-chair, and repeats the nomination and election process.
- The same process is followed to elect the Second Vice-chair.
IN APPRECIATION OF THE SERVICES OF JEFF DAVIES TO THE
CITY OF LYNNWOOD PLANNING COMMISSION

WHEREAS, Jeff Davies was appointed to the City of Lynnwood Planning Commission on June 19, 2006 and served until December 9, 2010; and

WHEREAS, during his tenure on the Planning Commission, Jeff was involved in many important initiatives to plan for the future of the City of Lynnwood including but not limited to:

- Updated Off-Street Parking Code Requirements,
- Energy and Sustainability Element of the Comprehensive Plan,
- Shoreline Master Program,
- Highway 99 Sub-Area Plan and Implementing Regulations,
- Comprehensive Plan Designations for the Municipal Urban Growth Area, and
- The Mobile Home Park Preservation Program and Mobile Home Park Zone.

WHEREAS, Jeff also participated in the annual work program of the Commission, including review and recommendation of the annual amendments to the Comprehensive Plan ("Docket" process) and a variety of proposed amendments to the City’s Zoning Code that kept the Comprehensive Plan and Development Regulations responsive to the needs of the City; and

WHEREAS, Jeff actively participated in Commission discussions and deliberations, reviewed background materials in advance of meetings, asked questions, expressed his opinions and ensured that the Commission's actions were always in the community’s best interests;

NOW THEREFORE, THE CITY OF LYNNWOOD PLANNING COMMISSION DOES RESOLVE AS FOLLOWS:

Jeff Davies is hereby acknowledged and sincerely thanked for his four-plus years of voluntary service as a member of the Lynnwood Planning Commission and serving the City in that capacity. His positive attitude and constructive leadership, his patience and dedication to “getting the job done,” his in-depth interest in issues, his ability to absorb the pressures of work sessions and late-night meetings, his understanding of conflicting issues, his ability to work cooperatively, and his willingness to listen patiently to those who attended the many meetings and public hearings have contributed significantly to the quality of the Planning Commission's actions in its efforts to create a better Lynnwood.

ADOPTED by the City of Lynnwood Planning Commission this 10th day of February 2011.

Lynnwood Planning Commission

ATTEST:

Chair

Executive Secretary
2010 Annual Report
of the
Lynnwood Planning Commission

Introduction

This Annual Report provides a summary of the Planning Commission’s work during 2010, including significant discussion issues, actions and recommendations. This is a report to the Mayor and City Council, but may also be of interest to other commissions, organizations and individuals and will be made available to them as well. Section 2.24.020 of the Municipal Code provides that City boards and commissions shall prepare an annual report.

The Lynnwood Planning Commission operates under the authority of RCW 35A.63. Lynnwood Municipal Code Chapter 2.29 provides the general organization and procedural provisions for the Commission.

The Commission provides a forum (public meetings, work sessions and hearings) for public comment and discussion of growth, development, land use and urban design matters. Its work also supports implementation of the City’s long-range Comprehensive Plan. Section 3 of the Planning Commission’s Scope & Rules includes the following description of the work of the Commission:

“The Planning Commission shall serve as an ‘advisory body’ to the City of Lynnwood and may act as the research and fact-finding agency for the municipality. To that end it may make such surveys, analyses, research and reports as are generally authorized or requested by its Mayor or City Council, or by the State of Washington with the approval of the City Council.

“The Planning Commission shall undertake the following:

"A. Annually review the Comprehensive Plan of the City as specified by the Growth Management Act of the State of Washington and suggest plan amendments, as appropriate.

"B. Annually, review all applications and suggestions for plan amendments to the Comprehensive Plan and official zoning map.

"C. Annually, review its portion of the City budget and suggest desired amendments, as relates to comprehensive plan, capital facilities plan, and policy matters.

"D. Review and perform extraterritorial planning for Urban Growth Areas as defined by Snohomish County and for annexation areas under consideration by the City.

"E. Conduct neighborhood and community hearings and meetings, both formal and informal in nature, regarding its studies, recommendations and proposals."
"F. Participate in preparing an annual report showing achievement toward fulfilling goals, policies and objectives of the Planning Commission.

"G. Prepare an annual work plan for the ensuing year.

"H. Present major policy advisories to the Mayor and City Council.

"I. Meet with the Mayor, City Council and the Hearing Examiner, on an annual basis and other advisory boards, as required.

"J. Examine and respond to referrals from the City Council, Mayor or staff, including public meetings or formal hearings.

"K. Perform other advisory duties as may be provided by ordinance or as may be assigned to it by the City Council or Mayor."

In performing this work, the Commission works most closely with the Department of Community Development; other City departments provide support to the Commission on an as-needed basis. In most cases, the Commission’s work culminates in findings, conclusions and recommendations for final action by the City Council.

**Regular Commission Meetings:**
- 2nd and 4th Thursdays of each month – January through October.
- Single meetings in November and December (due to holidays).

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**Major Projects of 2010**

The following business items accounted for a significant portion of the Planning Commission’s attention during this year:

1. **2010 Comprehensive Plan and Zoning Amendments**

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<th>Location</th>
<th>Summary Description</th>
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<td>Energy &amp; Sustainability Element</td>
<td>Citywide</td>
<td>Add GHG emissions reduction targets to Element</td>
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<td>Implementation Element</td>
<td>Citywide</td>
<td>Annual update – no policy impact.</td>
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<td>Introduction</td>
<td>Citywide &amp; MUGA</td>
<td>Amend growth allocations – clarifications and corrections; no policy impact</td>
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<td>Land Use Element</td>
<td>Citywide</td>
<td>Review/Update of 60/40 housing retention goal and related goals and policies</td>
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<td>Land Use and Housing Elements</td>
<td>Citywide &amp; MUGA</td>
<td>Adopt mobile home preservation program similar to that recently adopted by Snohomish County</td>
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<td>Name</td>
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<td>Land Use and Transportation</td>
<td>Lynnwood</td>
<td>Show location of future LRT route and</td>
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<td>Transportation Elements</td>
<td>Transit Center</td>
<td>stations</td>
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<td>Parks Element Update</td>
<td>Citywide</td>
<td>Annual update – no policy impact.</td>
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<td>Transportation Element</td>
<td>Citywide</td>
<td>1) Include references to Lynnwood’s vision statement related to transportation</td>
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<td>2) Revise references to the regional plan (i.e. VISION 2040, Transportation 2040)</td>
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<td>3) Include additional detail regarding pedestrian and bicycle skeleton systems</td>
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<td>4) Include reference to the Interurban Regional Trail and its importance as a</td>
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<td>transportation corridor</td>
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<td>5) Revise bicycle skeleton map to include new bicycle facilities completed over the</td>
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<td>past year</td>
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2. **Zoning Code Amendments**

During 2010, the Planning Commission made a recommendation on the following amendments to the Zoning Code:

- **Home Occupations Code Amendment (2010CAM0003).**
- **Permit Processing Procedures Code Amendment.**

Also during this year, the Planning Commission continued review of the following code amendments:

- **Dark Skies Ordinance (2009-CAM-0007)**
- **Electronic Message Signs Code Amendment (2009-CAM-0004).**

3. **Other Matters**

In 2010, the Planning Commission also made recommendations on a new City Six-Year Transportation Improvement Program (TIP), and the City’s first Shoreline Management Program. The City Council approved the TIP in July, and the Shoreline Program is awaiting Council action. The Commission also was briefed on and discussed the proposed Traffic Impact Fee (approved by the City Council in September) and the Transportation Benefit District, created by the City Council in May, 2010. The Commission continued to serve as the project advisory committee for the revisions of the zoning regulations and design guidelines for the Highway 99 corridor. The Commission also received regular updates on major City planning-related projects, including the Annexation Project.
Officers for 2010

The following officers were elected for 2010:

Chair – Richard Wright
1st Vice Chair – Bob Larson
2nd Vice Chair – Michael Wojack

Membership Changes in 2010

Jeff Davies resigned on December 9, 2010. His replacement will be appointed in 2011.

Meeting Summaries

January 14, 2010

- Election of Officers.
- 2010 Work Program. Discussion with staff of the work program for the Planning Commission for 2010.

January 28, 2010

- Permit Processing Procedures Code Amendment. Consideration of amendments to City regulations for processing and acting action on applications for development permits. Referral from City Council.
- Meadowdale Gap MUGA Boundaries. Establishing a common boundary between the Municipal Urban Growth Areas (MUGAs) between the cities of Lynnwood and Mukilteo in the Meadowdale Gap – the area generally located west of 52nd Ave. W, south of 148th St. and Norma Beach Road and north of Lunds Gulch.

February 11, 2010 – Meeting Cancelled

February 25, 2010

- Meadowdale Gap MUGA Boundaries. Establishing a boundary between the Municipal Urban Growth Areas (MUGAs) between the cities of Lynnwood and Mukilteo in the Meadowdale Gap – the area generally located west of 52nd Ave. W, south of 148th St. and Norma Beach Road and north of Lunds Gulch.
- **Permit Processing Procedures Code Amendment.** Consideration of amendments to City regulations for processing and acting action on applications for development permits. Referral from City Council.


- **2009 Annual Report of the Planning Commission.**

**March 3, 2009** – Special Meeting

- Public meeting for Project Highway 99

**March 11, 2010** – Meeting Cancelled

**March 25, 2010**

- **2010 Amendments to the Comprehensive Plan (2010CPL0001).** Introduction to proposed amendments to the City’s Comprehensive Plan for consideration in 2010 (“2010 Docket”).

- **Meadowdale Gap MUGA Boundaries.** Recommendation to City Council regarding a boundary between the Municipal Urban Growth Areas (MUGAs) of the cities of Lynnwood and Mukilteo in the Meadowdale Gap – the area generally located west of 52nd Ave. W, south of 148th St. and Norma Beach Road and north of Lunds Gulch.

- **Hearing Examiner Annual Report for 2009.**

**April 8, 2010** – Meeting Cancelled

**April 22, 2010** – Meeting Cancelled

**April 29, 2010** – Special Meeting

- **2010 Amendments to the Comprehensive Plan (2010CPL0001).** Group 1:
  - Amendments to Transportation Element.
  - Policies and Zoning Regulations for Preserving Mobile Home Parks.
  - Text and Map Amendments Related to Planning for Light Rail Line.
  - Change Future Land Use Designation for portion of Aurora Heights #2 Subdivision (208th St. SW and 62nd Ave W.).

- **Briefing: Six-Year Transportation Improvement Plan**

- **Briefing: Proposed Transportation Benefit District.**

- **Briefing: Proposed Transportation Impact Fee.**

**May 13, 2010**

- **2010 Amendments to the Comprehensive Plan (2010CPL0001).** Group 2:
  - Amendments to Parks Element – Annual Update.
  - Amendments to Implementation Element – Annual Update.
• Amendments to Introduction – Growth Allocations.
• Land Use Element – Review 60:40 Policies.
• Amendments to Implement Hwy 99 Subarea Plan.

- **Physical or Personal Services as Home Occupation Code Amendment (2010CAM0003).** Proposed Amendment to LMC 21.42.300 to allow a physical or personal services business as a home occupation in single family residential zones. Referral from City Council.

**May 27, 2010**
- **2010 Amendments to the Comprehensive Plan (2010CPL0001).** Group 3:
  - Land Use Element: Revision to City’s Municipal Urban Growth Area Boundary in Meadowdale Gap (area north of Lunds Gulch, west of 52nd Ave. W. and south of 148th St. SW and Norma Beach Road).
  - Energy & Sustainability Element – Greenhouse Gas Reduction Targets
  - Policies and Zoning Regulations for Preserving Mobile Home Parks - Continued.

**June 10, 2010**
- **2010 Amendments to the Comprehensive Plan (2010CPL0001).**
- **Home Occupations Code Amendment (2010CAM0003).** Proposed Amendment to LMC 21.42.300 regarding businesses permitted in single family residential zones as a home occupation. Referral from City Council.

**June 24, 2010**
- **2010 Amendments to the Comprehensive Plan (2010CPL0001).**

**July 8, 2010** – Meeting Cancelled

**July 22, 2010**
- **2010 Amendments to the Comprehensive Plan (2010CPL0001).** Policies and Zoning Regulations for Preserving Mobile Home Parks.
- **2010 Amendments to the Comprehensive Plan (2010CPL0001).** Land Use Element – Review 60:40 Sub-goal.
- **Home Occupations Code Amendment (2010CAM0003).** Proposed Amendment to LMC 21.42.300 and 21.43.300 regarding businesses permitted in residential zones as a home occupation. Referral from City Council.

**August 12, 2010** – Meeting Cancelled

**August 26, 2010**
- **Home Occupations Code Amendment (2010CAM0003).** Proposed Amendment to LMC 21.42.300, 21.43.300 and 21.16.290 regarding businesses permitted in residential
zones as a home occupation and signage for home occupations and child day care centers in residential zones. Referral from City Council.

- **Transition Area Zoning Regulations (2008CAM0003).** Proposed zoning regulations (permitted and prohibited land uses, development regulations, etc.) for the Alderwood – City Center Transition Area, generally located east of 36th Ave W., south of 188th St. SW and west of Alderwood Mall Blvd.

- **Shoreline Master Program (2007CPL0007).** Draft plan for management of the shoreline and adjoining areas under City jurisdiction, pursuant to the state Shoreline Management Act.

- **Countywide Planning Policies for Snohomish County.** Presentation regarding draft of an update of the Countywide Planning Policies for Snohomish County. The purpose of the update is to ensure that the county’s policies are consistent with the new Regional Growth Strategy, Vision 2040, adopted by the Puget Sound Regional Council.

**September 9, 2010** – Meeting Cancelled

**September 23, 2010** – Meeting Cancelled

- **Transition Area Zoning Regulations (2008CAM0003).** Proposed zoning regulations (permitted and prohibited land uses, development regulations, etc.) for the Alderwood – City Center Transition Area, generally located east of 36th Ave W., south of 188th St. SW and west of Alderwood Mall Blvd.

- **Project Highway 99 (2009CAM0001).** Draft Subarea Plan, Zoning Regulations and Design Guidelines, together with a Draft Supplemental Environmental Impact Report for the Highway 99 corridor, between 216th St. SW and 148th St. SW.

**October 14, 2010** – Meeting Cancelled

**October 28, 2010** – Special Meeting

- **Shoreline Master Program (2007CPL0007).** Draft plan for management of the shoreline and adjoining areas under City jurisdiction, pursuant to the state Shoreline Management Act.

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**November 11, 2010** – Meeting Cancelled
November 18, 2010 – Special Meeting

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November 25, 2010 – Meeting Cancelled

December 9, 2010

- Review Status and Scheduling of Current Proposals
- Preliminary 2011 Work Program
- Planning Commission Rules – Public Comments at Work Sessions

December 23, 2009 – Meeting Cancelled
## 2010 Attendance Record

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Respectfully submitted,

**Richard Wright**, 2010 Chair
Lynnwood
Planning Commission

SCOPE AND RULES


Adopted by Planning Commission - June 12, 1997
Amended – Jan. 10, 2002
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ARTICLE I: NAME

Section 1. Name
The official name of this organization shall be the Planning Commission of the City of Lynnwood (commonly referred to as the “Lynnwood Planning Commission”).

ARTICLE II: OFFICIAL SEAT

Section 1. Official Seat
The official seat of the Lynnwood Planning Commission shall be the Lynnwood Civic Center Council Chambers, 19100 44th Avenue West, P.O. Box 5008, Lynnwood, Washington 98046-5008.

ARTICLE III: AUTHORITY

Section 1: Historical Background
The Planning Commission was established under the authority of the Revised Code of Washington, RCW 35.63, “Planning Commission”, Laws of 1935. LMC 18.16 established at the municipal level the Commission’s powers, duties and many of its procedures. In 1971, the City changed its type of city classification under state law, becoming an Optional Municipal Code city. This action allowed the City to utilize the state regulations contained in RCW Title 35A. RCW 35A.63 allows a city to be much more flexible with the make-up and duties of a planning commission.

On January 13, 1997, the Lynnwood City Council adopted Ordinance #2121 adding Chapter 2.24 LMC providing general organizational and procedural provisions applying to all City advisory bodies. Ordinance #2121 also amended Title 18, Chapter 18.16 of the Lynnwood Municipal Code pertaining to the Planning Commission and renumbered it to LMC Chapter 2.29.

Section 2: Powers And Duties
The Planning Commission shall have all the powers and perform each and all of the duties specified for a planning agency by RCW 35A.63, together with any other duties of authority which may hereafter be conferred upon them by the laws of the State of Washington. The performance of such duties and the exercise of such authority shall be subject to each and all the limitations expressed in legislative enactment or enactments.
Section 3: Annual Scope of Work

The Planning Commission shall serve as an "advisory body" to the City of Lynnwood and may act as the research and fact finding agency for the municipality. To that end it may make such surveys, analyses, research and reports as are generally authorized or requested by its Mayor or City Council, or by the State of Washington with the approval of the City Council.

The Planning Commission shall undertake the following:

A. Annually review the Comprehensive Plan of the City as specified by the Growth Management Act of the State of Washington and suggest plan amendments, as appropriate.

B. Annually, review all applications and suggestions for plan amendments to the Comprehensive Plan and official zoning map.

C. Annually, review its portion of the City budget and suggest desired amendments, as relates to comprehensive plan, capital facilities plan, and policy matters.

D. Review and perform extraterritorial planning for Urban Growth Areas as defined by Snohomish County and for annexation areas under consideration by the City.

E. Conduct neighborhood and community hearings and meetings, both formal and informal in nature, regarding its studies, recommendations and proposals.

F. Participate in preparing an annual report showing achievement toward fulfilling goals, policies and objectives of the Planning Commission.

G. Prepare an annual work plan for the ensuing year.

H. Present major policy advisories to the Mayor and City Council.

I. Meet with the Mayor, City Council and the Hearing Examiner, on an annual basis and other advisory boards, as required.

J. Examine and respond to referrals from the City Council, Mayor or staff, including public meetings or formal hearings.

K. Perform other advisory duties as may be provided by ordinance or as may be assigned to it by the City Council or Mayor.
ARTICLE IV: MEMBERS AND OFFICERS

Section 1: Members
The Planning Commission for the City of Lynnwood shall consist of seven (7) members who shall be appointed by the Mayor and confirmed by the City Council. Members shall be selected without respect to political affiliations.

Section 2: Residency Requirement
At the time of nomination and continuing uninterrupted thereafter while serving on the Planning Commission, the Planning Commissioner shall be a resident of the City of Lynnwood. A resident means a registered voter of the City of Lynnwood or a registered voter of an area that has successfully petitioned or voted to annex to the city where an annexation ordinance has been adopted by the City Council.

Section 3: Officers
The elected officers of the Planning Commission shall include a Chair, First Vice-Chair and Second Vice-Chair.

Section 4: Nominations And Elections Of Officers
Elections of officers shall take place annually at the first regular meeting of the Planning Commission. Nominations shall be made from the floor. The election shall follow immediately thereafter. Nominee receiving a majority vote of those present shall be declared elected.

Section 5: Term of Office
The elected officers shall immediately assume their positions at the conclusion of the elections and shall serve one (1) year.

Section 6: Vacancies In Offices
Vacancies in elective offices shall be filled immediately by regular election procedure for the unexpired portion of the term.

Section 7: Resignation Or Removal of Planning Commission Member
In the event that a Planning Commissioner can no longer fulfill his or her responsibilities, or is no longer a full-time resident of the City of Lynnwood or misses twenty-five percent (25%) or more of the Commission's regularly scheduled meetings within a twelve (12) month period (unless excused by the Commission), it may be appropriate that the Commissioner resign or be removed from the Commission. The procedures for resignation or removal are outlined as follows:

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

B. Removal

1. The Planning Commission may recommend to the Mayor and City Council the removal of any Planning Commissioner who misses twenty-five percent (25%) or more of the regularly scheduled meetings within any twelve (12) month period without being excused by the Chair, or in the opinion of the Commission, is unable to fulfill the duties of a Commissioner.

2. Recommendations for removal must be recommended by at least four (4) members of the Planning Commission.

3. A Planning Commissioner may be removed, after public hearing, by the Mayor, with the approval of the City Council for inefficiency, neglect of duty or malfeasance in office.

Section 8: Duties of Officers

A. Chair

The Chair shall preside over the Planning Commission and exercise all the powers incidental to the office, retaining however, the full right as a member of the Planning Commission to have a vote recorded in all deliberations of the Planning Commission, to propose motions and to second motions. The Chair may call special meeting of the Planning Commission in accordance with the Scope and Rules, sign documents and see to it that all actions of the Commission are properly taken.

B. First Vice-Chair

During the absence, disability or disqualification of the Chair, the First Vice-Chair shall assume the duties and powers of the Chair during this period. The First Vice-Chair shall retain the full right as a member of the Planning Commission to have a vote recorded in all deliberations of the Planning Commission, to propose motions and to second motions.

C. Second Vice-Chair

During the absence, disability or disqualification of the Chair and the First Vice-Chair, the Second Vice-Chair shall assume the duties and powers of the Chair during this period. The Second Vice-Chair shall retain the full right as a member of the Planning Commission to have a vote recorded in all deliberations of the Planning Commission, to propose motions and to second motions.

D. Chair Pro-Tempore

During the absence, disability or disqualification of the Chair, First Vice-Chair and the Second Vice-Chair, the most senior member of the Planning Commission shall chair the meeting. The Chair Pro-Tempore shall retain the full right as a member of
the Planning Commission to have a vote recorded in all deliberations of the Planning Commission, to propose motions and to second motions.

E. Executive Secretary

The Director of Community Development shall serve as Executive Secretary of the Planning Commission. The Director may designate a staff member to perform any of the duties of the Executive Secretary and shall provide other staff services necessary to carry out the work the Planning Commission.

ARTICLE V: MEETINGS

Section 1: Meetings

The regular meetings of the Commission shall be held on the second and fourth Thursday of every calendar month at a time set in advance by the Planning Commission so as to ensure reasonable public participation, PROVIDED:

A. If the regular meeting falls on a legal holiday, that meeting shall be held on the following Thursday unless the Commission, by formal action, sets a special meeting day.

B. A quorum of the Commission may, at any regular meeting, substitute another day for the regular meeting of the following month and shall cause notice to be given thereof in the manner provided for notice of a special meeting day.

C. If, for any reason, the business to be considered at a regular or special meeting day cannot be then completed, the Commission may at such meeting recess and designate the time to reconvene to consider the uncompleted matter, provided that such action shall be publicly announced at the meeting. Notice thereof shall be posted in a conspicuous place in the Lynnwood City Hall. Provided further that if such reconvened meeting is not held on a regular meeting day, notice thereof shall be given in the manner provided for notice of a special meeting day.

D. Special meetings may be called at any time by the Chair or, in the Chair’s absence, by the Vice-Chair(s), or by at least four (4) members of the Commission, by delivering personally, electronically, or by mail, written notice to each member of the Commission; and to each local newspaper of general circulation, and to each local radio or television station which has on file with the Commission a written request to be notified of such special meeting or of all special meetings. Such notice must be delivered personally, electronically or by mail at least seventy-two (72) hours before the time of such meetings as specified in the notice. The notice shall specify the time and place of the special meeting and the business to be transacted. Final disposition shall not be taken on any other matter at such meetings by the Commission. Such written notice may be dispensed with as to any member who at or prior to the time and meeting convenes files with the Executive Secretary of the Planning Commission a written waiver of notice. Such written notice may also be dispensed with as to any member who is actually present at the meeting at the time.
it convenes. The notices provided in this section may be dispensed with in the event a special meeting is called to deal with an emergency involving injury or damage to persons or property or the likelihood of such injury or damage, when time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage.

E. All regular and special meetings of the Planning Commission shall be open and the public shall be permitted to attend.

Section 2: Agenda and Staff Reports for Regular and Special Meetings

A copy of the agenda for every regular and special meeting of the Lynnwood Planning Commission shall be provided each member not less than six (6) days prior to the date of the meeting at which such agenda is to be considered.

The Executive Secretary of the Lynnwood Planning Commission, in consultation with the Chair, shall set the agenda for any given meeting. No subject matter shall be placed on the agenda for action at any given meeting which was not formally filed with the Lynnwood Department of Community Development, as hereafter provided, or which was not initiated by motion of the Lynnwood Planning Commission or City Council. The Chair may, however, place housekeeping and non-action items on the agenda.

Where any matters filed with the Department of Community Development for consideration and action by the Planning Commission, which matter is deemed by the Director of Community Development to be of concern to other departments of the City and other public agencies, the Department shall notify each such interested department or agency of the impending matter and request a report or recommendation, if any, on the matter. The notification to the other departments or agencies shall include any pertinent information, maps or other material and data as will clearly indicate the type of action under consideration. Information resulting from the departmental or agency reports and recommendations shall be considered by the Planning Commission at the time the matter is before it.

The Lynnwood Community Development staff shall review the items on the agenda and submit the staff's recommendations and findings to the Planning Commission prior to a regular meeting.

Section 3: Minutes And Records

A record of proceedings of all official meetings shall be recorded and the tapes made a part of a permanent public record along with applications made under provisions of law and the complete files of proceedings and actions taken in connection therewith. The agenda, with a record of action taken and attendance, shall constitute the record of proceedings.

A copy of the records of proceedings taken at any meeting shall be provided by the Lynnwood Community Development Dept. staff to anyone on request, at costs as established by the City of Lynnwood.

Formal recommendations considered by the Planning Commission shall constitute a part of the public record of the meeting at which such recommendation was considered,
provided that the text of any such recommendation may be considered as being contained in the record of proceedings when properly identified as to the agenda item and/or case file number.

All actions of the Planning Commission, whether by motion or resolution, shall be considered conclusive as to general import as of the date of such action, provided the Chair has authority to modify non-substantive items.

Section 4: Public Hearings And Meetings

Public Hearings and meetings conducted by the Planning Commission shall conform to the provisions of law in the matter of public notice, time, number and reporting.

In all cases where it shall appear any notice of publication or posting or communication may be defective, any member, after hearing the statement of the defect, can rise to a point of order and request that the issue of notice be tabled and that the matter proceed, reserving to any aggrieved person the right to appeal to the Planning Commission and, upon a vote by the majority, the issue of notice shall become moot as to the Planning Commission. The tabling of an issue of notice shall not prejudice the rights of any aggrieved party to full consideration of the apparent defect at a subsequent review phase.

Section 5: Order of Business

The regular order of business at regular meetings of the Lynnwood Planning Commission shall be:

A. Call to Order / Roll Call
B. Approval or Corrections of previous Meeting Minutes
C. Citizen Comments (on matters not on tonight's agenda)
D. Council Liaison Report
E. Public Hearing(s)
F. Work Session(s)
G. Business
H. Director's Report & Informational Item(s)
I. Adjournment

Section 6: Conduct of Public Hearings

A. The Chair opens the Public Hearing and orally summarizes the application before the Lynnwood Planning Commission.

B. The Community Development Director, or designated staff, provides background information, technical analysis, review planning considerations and policy, and summarizes the Department's findings and recommendation to the Planning Commission. Copies of staff testimony and reports should be submitted in writing to made part of the record.
C. Upon recognition by the Chair, a Planning Commissioner may ask relevant questions on the application to staff.

D. The Chair opens the public hearing portion of the deliberation.

E. The applicant or designated representative is invited to speak on behalf of the application. Upon recognition of the Chair, a Planning Commissioner may ask relevant questions to the applicant, applicant's designated representative or to the planning staff.

F. The public is invited to speak for or against this application. In event that there are large numbers of individuals seeking to speak on the issue, the Chair may limit the time that each individual may speak on the issue. The Chair should alternate between proponents and opponents when possible to provide for a balance discussion of the application. Upon recognition of the Chair, a Planning Commissioner may ask relevant questions of the individual testifying.

G. After the general public have commented on the application, the applicant is invited to speak in rebuttal or to answer questions that may have arisen.

H. The general public is given another opportunity to rebut comments by the applicant.

I. The Chair calls a third time for public testimony, upon hearing none the public testimony portion of the public hearing is officially closed.

J. The Chair now opens the session for Planning Commissioner deliberations and action. Upon recognition by the Chair, a Planning Commissioner may direct specific questions to staff, applicant, applicant's representative, citizen or fellow Planning Commissioner to clarify issues, comments or technical questions that may not have been directly addressed during the public testimony portion of the public hearing.

K. After reasonable time, the Chair closes further discussions and entertains a motion from the Planning Commission. The Planning Commission may approve, modify, reject or continue the item until another Planning Commission meeting date certain.

L. After a motion is made and seconded, the Chair entertains additional discussion on the motion. Upon recognition of the Chair, a Planning Commissioner may exercise further parliamentary actions on the original motion.

M. Upon hearing no further deliberation, the Chair takes a vote on the motion or any subsidiary motions and directs the Executive Secretary to record the formal action as required by these Scope and Rules.

Section 7: Conduct of Public Meetings

Under the Growth Management Act of the State of Washington, a single level of formal legislative review must be adopted by each jurisdiction. The City Council has reserved this legislative review on certain planning issues requiring a quasi-judicial determination. The Planning Commission may conduct public meetings to assist an applicant with the development of his or her application. These public meetings will be conducted on an informal basis to provide guidance to the applicant in advance of formal City Council consideration.

These public meetings shall be generally conducted in the following manner:
A. Open the meeting and review the meeting procedures (Chair).
B. Summarize the application (Staff).
C. Describe the review process and “record-to-date” (Staff).
D. Present proposal (applicant).
E. Receive and discuss public comments (Planning Commission & public).
F. Report and recommendation:
   1. Summarize highlights of the meeting (Chair).
   3. Draft meeting report (Staff).
G. Report to the City Council (Staff).

Section 8: Special Meetings
Special meetings and work sessions may be called:
A. By the request of the Chair, or in the Chair’s absence by the acting Chair as set forth in the provisions under Article IV, Section 8.
B. By the written request of four (4) or more members of the Planning Commission.
C. By sustained motion of the Planning Commission.
Written notice of all study sessions and special meetings shall be provided to all members of the Planning Commission and public in accordance with all applicable rule for public notice.

Section 9: Quorum
Four (4) members of the Lynnwood Planning Commission shall constitute a quorum. All actions of the Lynnwood Planning Commission shall be determined by a minimum of four (4) affirmative votes of the total Commission.

Section 10: Rules of Procedures
All meetings of the Planning Commission shall be conducted in accordance with Robert’s Rules of Orders (Latest Edition), unless specifically provided otherwise by these Scope and Rules, applicable City Ordinance or State Statute.

Section 11: Time and Length of Meetings
Planning Commission meetings shall begin at 7:00 p.m. and continue until 11:00 p.m. unless adjourned. After 11:00 p.m., the Planning Commission shall hear no new subjects, unless a majority of the Planning Commissioners present should decide otherwise. Meetings may begin earlier by prior determination of the Planning Commission. Public notifications of such meetings shall place a special emphasis on the earlier start time.
Section 12: Motions and Voting

Unless waived, motions shall be restated by the Chair before a vote is taken. The names of the maker and second shall be recorded in the minutes of the meeting.

ARTICLE VI: COMMITTEES

Section 1: Establishment of Committees

The Chair may from time to time establish a committee of the Planning Commission to carry out certain specific duties or functions as the Planning Commission deems advisable. The Chair may appoint or recommend Commission members to outside committees.

Section 2: Appointment and Terms of Committee Members

The Chair of the Planning Commission shall appoint the members of each committee, not to exceed three (3) members. The committee shall name the Chair of each committee.

Section 3: Duration of the Committee

The committee shall complete its assigned tasks expeditiously and report its findings, in writing, to the entire Planning Commission.

Section 4: Limited Powers

No standing or special committee shall have the power to commit the Planning Commission to the endorsement of any action, plan or program without its submission to the body of the Planning Commission.

ARTICLE VII: PLANNING COMMISSIONER CONDUCT

Section 1: Public Statements

While any Planning Commissioner has a right to express personal views and opinions pursuant to our Constitutional guarantees of freedom of speech, statements purporting to represent the view or pronouncements of the Lynnwood Planning Commission or committees thereof shall not be made in advance of the Lynnwood Planning Commission’s final determination of the matter, except as directed or authorized by a majority of the entire Lynnwood Planning Commission at any special or regular meeting or public hearing. The Lynnwood Planning Commission shall appoint one of its members to issue such statements as the Lynnwood Planning Commission deems necessary. This shall not prejudice the right of any dissenting members to express their minority position.
Lobbying efforts by any Advisory Bodies on legislative, or political, matters should first be checked for consistency with existing City policy by contacting the Mayor’s office. In the event a position is taken that differs from that of the City’s policy, an Advisory Body cannot represent that position before another body, e.g., the State Legislature of the County Council. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that the member is not speaking as a representative of the City, or as a member of an Advisory Body.

Section 2: Ex-Parte Contacts And Sharing Of Information

It is in the public interest that, to the greatest extent possible, all members of the Planning Commission should have an opportunity to be aware of and act upon the information that is available to other members. Therefore, all members are encouraged to place upon the record of the Planning Commission the substance of all ex-parte contacts that have occurred during the time that either a quasi-judicial or legislative matter has been introduced and is still before the Planning Commission for a decision. Examples of legislative issues on which the Planning Commission deliberates and makes recommendations include comprehensive plan amendments, code amendments, and other policy recommendations.

With respect to matters of a quasi-judicial nature, members shall abide by the provisions of the Appearance of Fairness Doctrine of the State of Washington, as codified at RCW 42.36, as adopted or subsequently amended. Examples of quasi-judicial land use matters are those which determine the legal rights, duties, or privileges of specific parties in a hearing or other contested case proceedings. Ex-parte communications during the pendency of any quasi-judicial proceeding are prohibited unless the member engaged in such communications: 1) places on the record the substance of any written or oral ex-parte communications concerning the decision of action; and 2) provides that a public announcement of the content of the communication and of the parties’ rights to rebut the substance of the communication shall be made at each hearing where action is considered.

Section 3: Conflict Of Interest Or Appearance Of Fairness

If it shall appear to any member at any time that a conflict of interest or an appearance of fairness problem exists with respect to a matter pending before the Lynnwood Planning Commission, it shall be the member’s duty to openly state the nature of such conflict, and shall then refrain from participating in any subsequent deliberation of the Lynnwood Planning Commission and the decision-making process with respect to the matter.

Section 4: Attendance

Regular attendance of Planning Commission at regularly scheduled or special meetings is important and critical to the operation of this advisory body. Each Planning Commissioner is responsible for notifying the Chair and Planning Department when a scheduling conflict arises that prevents a Commissioner from attending of a scheduled meeting.
In the event that a Planning Commissioner cannot actively participate in regularly scheduled or special meetings, the Planning Commissioner should consult with the Chair and the Executive Secretary to determine if his or her absence can be accommodated. If the scheduled absence proves disruptive, the Planning Commissioner should consider resigning his or her Planning Commission position.

Section 5: Conduct Of Business
The Chair shall direct the conduct of meetings. A Planning Commissioner should seek recognition of the Chair before speaking.

Section 6: Decision Of The Commission
The Lynnwood Planning Commission’s goal is to provide a consensus recommendation to the Mayor and City Council on matters referred to the Planning Commission for action after full and complete discussion with all members in attendance. Each Planning Commission member should strive to fulfill this goal by attending as many Commission meetings as possible and by expressing his or her views.

When, despite the best efforts of each member, a consensus cannot be reached, minority reports may be prepared and forwarded to the Mayor and City Council. When a decision is reached, a member not voting with the majority may prepare a minority report. When the minority is comprised of more than one individual, and if requested, the minority report may be prepared by Community Development Department staff.

A minority report, or request for preparation of a minority report, shall be made within seven (7) calendar days of the date of majority action, or the right to transmit such report shall be deemed to have been waived. All minority reports shall be signed by the members who prepare, or request preparation, of the report and shall be forwarded to the Mayor and City Council by the Chair. Minority reports will be transmitted by the Chair at the same time as the majority recommendation is transmitted, with copies distributed to all members.

In every case where the action of the Planning Commission is overruled, reversed or not adopted by the City Council, the Executive Secretary will make available to the Lynnwood Planning Commission, at its next regular meeting, the findings, conclusions and decision of the City Council.

ARTICLE VIII: AMENDMENTS

These Scope and Rules may be amended at any regular meeting by the affirmative vote of four (4) members of the Planning Commission; provided that the proposed amendments together with the precise wording of such changes has been presented at the previous meeting.
Proposed Amendments to the Planning Commission Scope and Rules

Draft Rule – Public Comment at Commission Meetings

Add a new Section 13 to Article V (Meetings), to read as follows:

Section 13. Conduct of Work Sessions

Work Sessions are intended to provide the opportunity for the Commission to discuss matters with staff that are not ready for action. Items to be discussed in the Work Session shall be listed on the meeting Agenda. At the appropriate time, the Chair shall announce the item and ask staff for a report on the matter. Following the staff report, the Commission will discuss the matter with staff and may provide comments or preliminary direction on the matter, as may be appropriate. However, the Commission may not take final action on any work session item. Public comment shall not be taken during a work session item, except at the initiation of the Chair and with the concurrency of the members of the Commission. Public comments on a work session item may be during the Public Comment portion of the Agenda.

Add a new Section 14 to Article V (Meetings), to read as follows:

Section 14. Public Comment

All regular meeting of the Planning Commission shall provide a time on the Agenda for the public to make comments to the Commission. At this part of the Agenda, the Chair shall invite members of the public to make comments to the Planning Commission on any matter, whether on that meeting’s Agenda or not, except items scheduled on that meeting’s Agenda for a Public Hearing. The Chair shall ask a speaker to keep their comments brief; generally, the duration of a speaker’s comments should not exceed 3-5 minutes, and the Chair is authorized to ask a speaker to conclude his/her comments if he/she exceeds this duration. A summary of the comments shall be included in the Minutes of the meeting.

Revision to Current Planning Commission Rules

Revise Section 5, Article V (Meetings), to read as follows:

Section 5: Order of Business
The regular order of business at regular meetings of the Lynnwood Planning Commission shall be:

A. Call to Order / Roll Call

B. Approval or Corrections of previous Meeting Minutes

C. Citizen-Public Comments (on matters not scheduled for a public hearing on tonight’s agenda)

D. Council Liaison Report

E. D. Public Hearing(s)

F. E. Work Session(s)

G. F. Business

G. Council Liaison Report

H. Director’s Report & Informational Item(s)

I. Adjournment