



PLANNING COMMISSION

SPECIAL HYBRID MEETING AGENDA

Wednesday, December 6, 2023 at 6:00 PM

PLANNING COMMISSIONERS

Chair: Michael Murphy

Vice Chair: Adam Ragheb

Commissioners: Kate Akyuz, Angela Battazzo,
Carolyn Boatsman, Chris Goelz, and Victor Raisys

LOCATION

Mercer Island Community & Event Center and Zoom
Luther Burbank Meeting Room 103
8236 SE 24th Street | Mercer Island, WA 98040
(206) 275-7706 | www.mercerisland.gov

We strive to create an inclusive and accessible experience. Those requiring accommodation for Planning Commission meetings should notify the Deputy City Clerk's Office 3 days prior to the meeting at (206) 275-7791 or by emailing deborah.estrada@mercerisland.gov.

Registering to Speak: Individuals wishing to speak live during appearances, must register with the Deputy City Clerk by 4pm on the day of the Planning Commission meeting. Register at (206) 275-7791 or email deborah.estrada@mercerisland.gov. Each speaker will be allowed three (3) minutes to speak.

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Join by Telephone at 6:00 pm: Call **253.215.8782** and enter **Webinar ID 815 8477 9395, Passcode 597183**.

Join by Internet at 6:00 pm:

- 1) Click this [Link](#)
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter **815 8477 9395, Passcode 597183**

Join in person at 6:00 pm: Mercer Island Community & Event Center – 8236 SE 24th Street, Mercer Island, Rm 103

CALL TO ORDER & ROLL CALL, 6 PM

PUBLIC APPEARANCES

This is the opportunity for anyone to speak to the Commission about issues of concern.

REGULAR BUSINESS

1. Planning Commission Meeting Minutes for November 20, 2023
Recommended Action: Approve the minutes.
2. Comprehensive Plan Periodic Review - Housing Element and Recent Statewide Legislation
Recommended Action: Receive presentation by Laura Hodgson, Senior Planner, Washington Department of Commerce.
3. Comprehensive Plan Periodic Review – Upcoming Schedule
Recommended Action: Receive presentation by Adam Zack, Senior Planner.
4. Planning Commission Bylaws (Second Reading)
Recommended Action: Review and adopt bylaws.

OTHER BUSINESS

5. Deputy Director's Report:
 - A. Meeting Schedule
6. Planned Absences for Future Meetings

ADJOURNMENT



PLANNING COMMISSION SPECIAL HYBRID MEETING MINUTES

Monday, November 20, 2023

CALL TO ORDER

At 6 PM, Chair Murphy opened the meeting.

ROLL CALL

Chair Michael Murphy, Vice Chair Adam Ragheb and Commissioners Kate Akyuz (6:09), Angela Battazzo, Carolyn Boatsman, Chris Goelz, and Victor Raisys were present remotely.

Staff Participation:

Alison Van Gorp, Deputy Director, Adam Zack, Senior Planner, and Deborah Estrada, Deputy City Clerk

APPEARANCES

- Dan Nordale, representing the Mercer Island County Club's Proposal 15, thanked the Commissioners.
- Regan McClellan, spoke in favor of Proposal 14, an in opposition to Proposal 6.

REGULAR BUSINESS

1. Planning Commission Meeting Minutes for November 15, 2023:

A motion was made by Boatsman; seconded by Goelz to:

Approve the November 15, 2023, minutes.

Approved 7-0

2. 2024 Annual Docket: Review Proposed Amendments 6-10 and 12-17

A. Presentation from City

Alison Van Gorp, Deputy CPD Director, presented on behalf of the City of Mercer Island, starting with Amendment 6.

B. Planning Commission Deliberations

C. Recommendations:

A motion was made by Battazzo; seconded by Boatsman to

Accept Amendment 8 and 9 for the final 2024 Docket

Approved 7-0

A motion was made by Boatsman; seconded by Battazzo to

Not docket Amendment 12

Approved 5-2

A motion was made by Boatsman; seconded by Battazzo to

Not docket Amendment 13

Approved 6-1

A motion was made by Ragheb; seconded by Boatsman to

Docket Amendment 17

Failed 2-5

A motion was made by Boatsman; seconded by Ragheb to

Docket Amendment 6

Failed 1-6

A motion was made by Goelz; seconded by Raisys to

Docket Amendment 6 and 14 together

Failed 2-5

A motion was made by Akyuz; seconded by Battazzo

Docket Amendment 14

Approved 5-2

A motion was made by Boatsman; seconded by Ragheb to

Recommend for the docket that the determination of a maximum building height on the downhill side of a sloping lot for residential structures be amended for clarity.

Failed 1-6

A motion was made by Battazzo; seconded by Boatsman to

Docket Amendment 10 and 15

Approved 6-0-1 (Goelz)

A motion was made by Ragheb; seconded by Goelz to

Docket Amendment 16

Approved 6-1

A motion was made by Boatsman; seconded by Akyuz

Docket Amendment 7

Approved 7-0

OTHER BUSINESS

1. Deputy Director's Report

Deputy Director Alison Van Gorp reported that the next meeting is December 6.

2. Planned Absences for Future Meetings - None

ADJOURNED

The meeting adjourned at 8:34 pm

Deborah Estrada, MMC, Deputy City Clerk



Washington State
Department of
Commerce

Housing Element Updates and Recent Legislative Changes

Laura Hodgson, Senior Planner

GROWTH MANAGEMENT SERVICES

4 DECEMBER 6, 2023

We strengthen communities



HOUSING AND HOMELESSNESS



INFRASTRUCTURE AND BROADBAND



SMALL BUSINESS ASSISTANCE



ENERGY



PLANNING AND TECH ASSISTANCE



COMMUNITY SERVICES AND FACILITIES



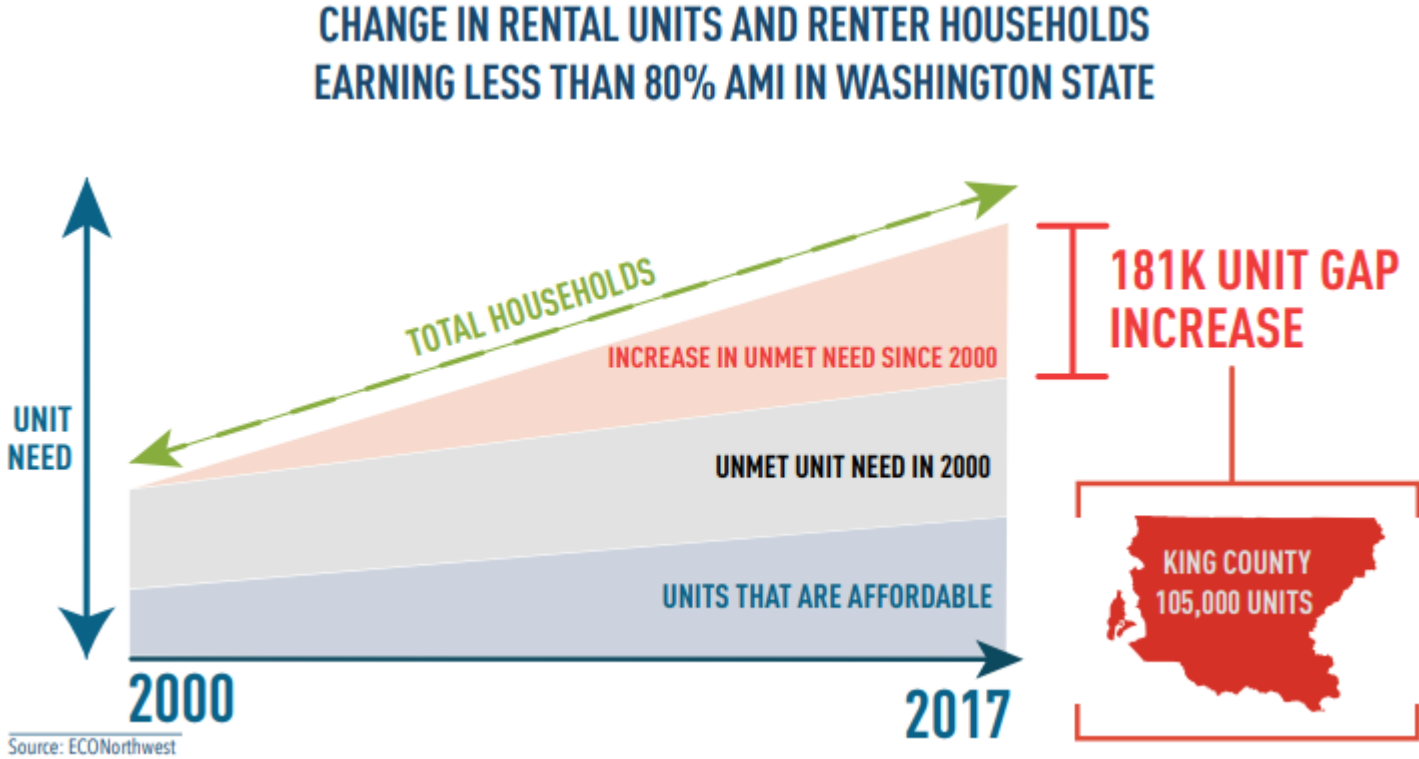
CRIME VICTIMS AND PUBLIC SAFETY



ECONOMIC DEVELOPMENT

Need for More Robust Planning

- Between 2000-2015, new housing production in Washington State fell 225,000 homes short of meeting housing needs (UpForGrowth, 2020)
- The median home price in Washington increased nearly 14% from 2019 to 2022.
- In 2019, 30% of Washington households were cost-burdened, which is a sign of under supply.



Source: Up For Growth, 2020

Housing costs and homelessness are the top two issues throughout Washington state

78% say they want more housing options for seniors, teachers, firefighters, childcare workers, and health care workers

74% prefer most new housing to be in walkable neighborhoods

64% agree that their community needs more diverse and affordable types of housing



Item 2.

77% say rents are too high

75% say it costs too much to buy a home

83% say more reasonably priced housing is needed in their communities



HB 1220 (2021) strengthened housing planning

In 2021, HB 1220 directed Commerce to project future housing needs by income bracket including:

- For moderate, low, very low, and extremely low-income households
- For permanent supportive housing, emergency housing and emergency shelters

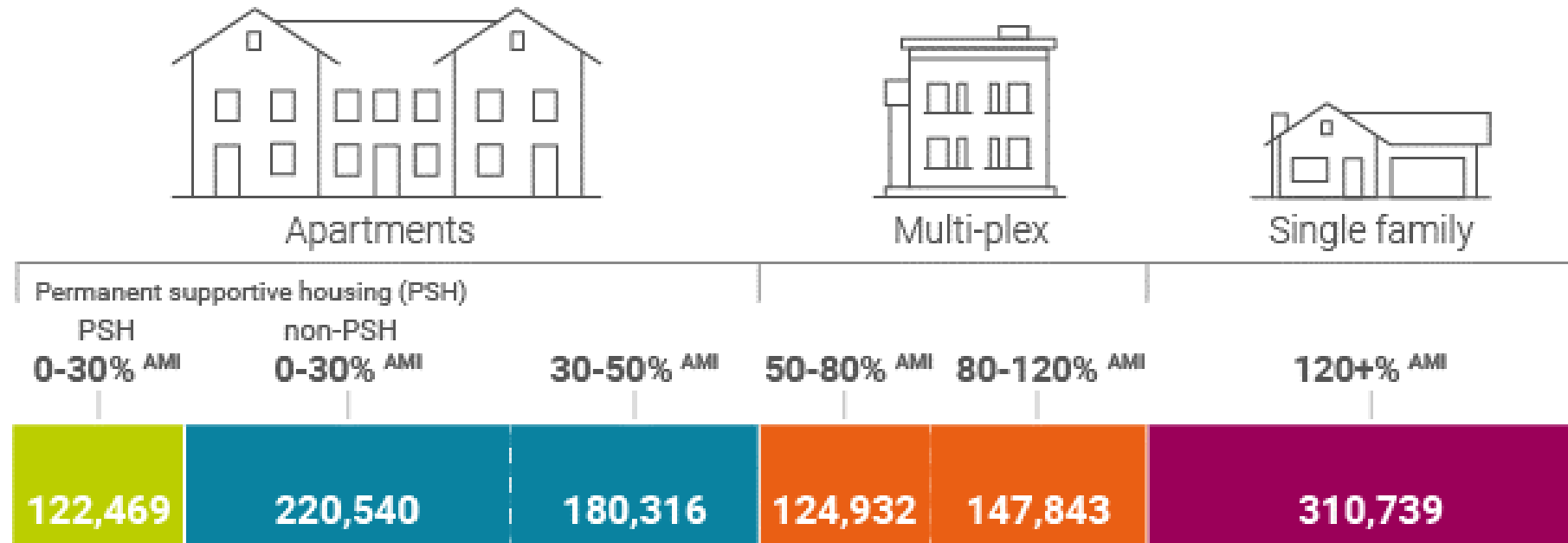
HB 1220 also directed communities to strengthen housing elements and how they accommodate housing, including:

- Identify local housing needs based on Commerce’s countywide numbers*
- Identify sufficient land capacity for all housing needs*
- Make adequate provisions for all economic segments (document barriers and actions needed to achieve housing availability)*
- Identify and begin to undo racially disparate impacts, exclusion and displacement*

* Commerce Guidance documents available

We need 1.1 million new homes over the next 20 years

Future housing needs broken down by area medium income (AMI) groups



We also need 91, 357 emergency housing beds over the next 20 years.

Options for Allocating Jurisdictional Housing Needs

Option 1: Focus on new growth

- Same shares of new housing growth are affordable in every jurisdiction
- “Everyone does the same thing”

Option 2: Focus on planning horizon year

- Same shares of total housing stock in 20XX are affordable in every jurisdiction
- “Everyone tries to reach the same goal”

Option 3: Focus on new growth adjusted for local factors

- Adjust Method A for increased housing choice in places with
 - fewer affordable housing options,
 - fewer income-restricted housing options, and
 - a greater imbalance of low-wage workers to low-wage jobs

Mercer Island Needs

	Jurisdictional Permanent Housing Needs								Jurisdictional Emergency Housing Needs
	Total	0 to ≤30%		>30 to ≤50%	>50 to ≤80%	>80 to ≤100%	>100 to ≤120%	>120%	
		Non-PSH	PSH						
<u>Total Future Need: 2044</u>	11,808	613	178	487	674	1,510	1,239	7,107	237
<u>Baseline Supply: 2019</u>	10,569	274	-	285	186	1,506	1,234	7,084	-
<u>Net New Need: 2019-2044</u>	1,239	339	178	202	488	4	5	23	237

Identify sufficient land capacity

RCW 36.70A.070(2)(c): “Identifies sufficient capacity of land for housing including, but not limited to:

- housing for moderate, low, very low, and extremely low-income households, and
- emergency housing, emergency shelters, and permanent supportive housing...

Minimum requirements

- Present a table of allocated housing needs by income level
- Show that there is enough capacity to meet each type of housing need.
- **If there is insufficient capacity for any type of housing need, the jurisdiction must identify and implement zoning changes that provide enough capacity prior to adoption of the comprehensive plan.**

Possible land capacity findings

- Jurisdictions may find they don't have enough capacity for lower-income housing needs
 - **Result: Need to add land zoned for multifamily housing types**
- Areas that were not planned to be served by infrastructure may need attention in capital facilities plan to support needed capacities

Adequate provisions

(d) Makes adequate provisions for existing and projected needs of all economic segments of the community, including:

- ...
- (ii) Documenting programs and actions needed to achieve housing availability including gaps in local funding, barriers such as development regulations, and other limitations;

Recommended minimum standard:

1. Review housing production trends to determine if a barrier exists (If yes, then proceed to next step)
2. Gather information to determine what kind(s) of barriers exist
3. Identify and document appropriate programs and actions to overcome each barrier identified

“Documenting programs and actions”

Gather information to determine what kinds of barriers exist

Exhibit 7: Moderate Density Housing Barrier Review Checklist

Barrier	Is this barrier likely to affect housing production? (yes or no)	Why or why not? Provide evidence.	Actions needed to address barrier.
Development Regulations			
Unclear development regulations			
Prohibiting some moderate density housing types, such as:			
<ul style="list-style-type: none">• Duplexes• Triplexes• Four/five/six-plexes• Townhomes• Cottage housing• Live-work units• Manufactured home parks			
High minimum lot sizes			
Low maximum densities or low maximum FAR			
Low maximum building heights			

Determine actions to address barriers to housing

Address racially disparate impacts



Step 1 and throughout
Engage the Community



Step 2
Gather and
Analyze
Data



Step 3
Evaluate
Policies



Step 4
Revise Policies



Step 5
Review and
Update
Regulations



Step 3. Evaluate existing policies

- **Evaluate all existing housing policies**
 - Is the policy effective in accommodating needed housing?
 - If not, does it cause disparate impacts, displacement or exclusion in housing?
 - Who benefits and who is burdened by the policy?
 - Does the policy contribute to racially disparate impacts? Displacement? Or exclusion in housing?
 - Does the policy increase displacement risk?
 - If so, can this be mitigated through policies or actions?
 - Does the policy provide protection to communities of interest from displacement?
- **Analysis should consider linkages of policies in other elements.**

Step 5. Review and update regulations

Increase affordable housing production

- Generate revenue for affordable housing
 - Property tax levy
 - Real Estate Excise Tax (REET) 1 or 2
 - Sales and use tax
- Increase affordable housing production
 - Affordable housing incentives
 - Rezoning
 - Multifamily Property Tax Exemption (MFTE)
 - Impact fee waivers

Preserve existing affordable housing

- Mobile home park preservation or conversion to cooperative
- Support community land trusts
- Retain affordability over time
- Notice of intent to sell ordinance
- Regulate short-term rentals

Protect existing households

- Homeownership programs
 - Support financial assistance
 - Support home repair programs
 - Fee waivers for water or sewer connection
- Rental assistance
- Tenant protections
 - Right to return policy
 - Deferral of property tax
 - Relocation assistance


Ensure the benefits of investment and development are equitably distributed

- Community benefit agreements
- Support community led investments
- Monitor for equitable outcomes

Your comprehensive plan

- **Should include:**
 - **Allocation of housing needs from countywide numbers**
 - **Zoning to accommodate the housing affordability needs**
 - **Infrastructure needed to serve needed housing**
 - **Identification of barriers to achieving affordable housing needs and actions needed to address barriers**
 - **Policies to authorize housing and address “exclusionary zoning”**
 - **Policies and regulations to address racially disparate impacts, exclusion and displacement**

HB 1110 (2023) Middle Housing

	Affected cities must allow	If within ¼ mile of major transit stop	Affordability bonus
Cities over 75k population (Tier 1)	4 units/lot on all lots*	6 units/lot *	6 units/lot if 2 are affordable*
Cities of 25k-75k population (Tier 2)	2 units/lot on all lots*	4 units/lot *	4 units/lot if one is affordable*
Cities <25k contiguous UGA with largest city in county > 275,000 (Tier 3)	2 units/lot on all lots*		

- * Unless zoning permits higher densities
- Based on 2020 populations

City of Mercer Island (Tier 2)

Number of Middle Housing Types

- Must allow at least six of the nine middle housing types on all lots predominantly for residential uses to achieve the unit density required.

Off-Street Parking

- No off-street parking required for middle housing within 1/2 mile walking distance of major transit stop
- No more than:
 - One off-street parking space per unit for middle housing on lots smaller than 6,000 SF
 - Two off-street parking spaces per unit for middle housing on lots greater than 6,000 SF
- **Commerce Model Ordinance to be complete in January 2024**
- **Cities must complete updates by 6 months after the periodic update due date (June 30, 2025)**
- **If middle housing capacity is assumed in land capacity analysis, regulations need to be completed with Comp Plan**

HB 1337 (2023) Accessory Dwelling Units



Local governments must, by **6 months after the periodic update due date:**

- **Allow two ADUs per lot in all GMA urban growth areas**
- **May not require the owner to occupy the property**
- **May not prohibit sale as independent units**
- **Must allow an ADU of at least 1,000 square feet and adjust zoning to be consistent with HB 1337**
- **Must set consistent parking requirements based on distance from transit and lot size**
- **May not charge more than 50% of impact fees charged for the principal unit**

How do HB 1337 and 1110 work together?

- **In summary, Mercer Island must amend development regulations to:**
 - Allow two ADUs on all lots in zones that allow single family homes **AND**
 - Allow at least six of nine types of middle housing to achieve unit count
- **A property owner/builder may develop in accordance with: (1) ADU regs (2) 1110 regs, (3) middle housing with ADU's, as allowed by the city. (Property owner may also do nothing)**
- **For #3, a city can determine if ADUs “stack” (can be added to middle housing unit count), or not.**
 - Example: where a city must allow four units per lot for middle housing, it may allow ADU's to count towards the four.
 - Alternatively, a city may allow four middle housing units (e.g., a fourplex) plus two ADU's (for a total of six units)

Other bills to know about

	Housing Bills
SB 5258	Proportional impact fees for new housing units (all) & unit lot subdivisions is required (cities only)
HB 1042	Allow conversion of existing buildings to residential, including density increase in existing multifamily buildings
HB 1293	Clear and objective design standards
HB 1695	Allows surplus property for affordable housing at a discounted price
HB 1377 (2019)	Affordable housing development on religious owned property – bonus density (cities only)
SB 5058	Exempts small scale multifamily buildings from some regulations
	Other Bills
HB 1181	Climate element, encouraging new growth within UGAs (not until 2029)
SB 5290	Changes to procedures for permit processing (into effect Jan 1, 2025)

Commerce resources

www.commerce.wa.gov/planning-for-housing

- [Housing element requirement updates](#)
- [Middle housing resources](#)
 - PPTs, videos, FAQs, design standards, Pro-Forma
- [ADU guidance](#)
- [2019-2023 housing laws](#)
- [Communications tools](#) (scroll down)
 - Videos, PPTs, fact sheets on basic housing topics
- [Public opinion survey on housing](#)

Item 2.

Planning for Housing

The Planning for Housing page contains information on grants, guidance, and links to o



Growth Management Housing Links

- [Updating GMA Housing Elements \(HB 1220\)](#) – projected housing needs and racially disparate impacts
- [Multi-Family Housing Property Tax Exemption program](#)
- [Connecting Housing to Infrastructure Program \(CHIP\)](#)
- [Housing EZView website](#)
- [Housing update: Washington Administrative Code \(WAC\) EZView website](#)
- [Middle Housing](#)

Updating GMA Housing Elements

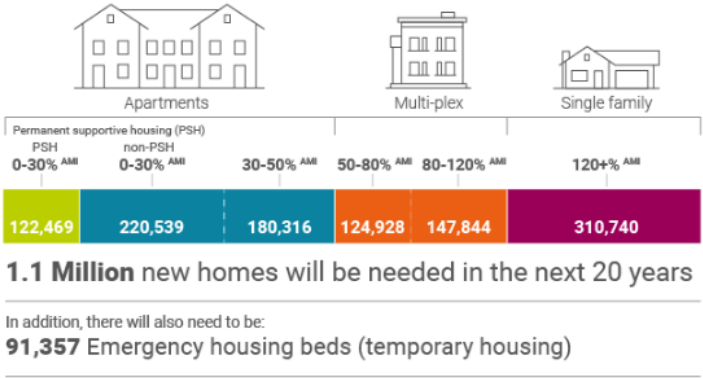
This webpage contains guidance on planning for housing under the Growth Management Act (GMA), including the new requirements established by House Bill 1220 (2021).

Questions?

Laura Hodgson
SENIOR PLANNER

Laura.Hodgson@commerce.wa.gov
360-764-3143

Future housing needs broken down by area median income (AMI) groups



Planning for Housing in Washington State

In 2021, the Washington Legislature changed the way communities are required to plan for housing. [House Bill 1220 \(2021\)](#) amended the Growth Management Act (GMA) to instruct local governments to “plan for and accommodate” housing affordable to all income levels. This significantly strengthened the previous goal, which was to encourage affordable housing.

The amended law also directed the Department of Commerce to project future housing needs for jurisdictions by income bracket and made significant updates to how jurisdictions are to plan for housing in the housing element of their comprehensive plans. These new changes to local housing elements include:

Quick Links

- ⊕ Growth Management
- ⊕ Governor’s Smart Communities Awards
- ⊕ Climate Program
- ⊕ Planning for Housing
- ⊕ Laws and Rules - Growth Management Act
- ⊕ Periodic Updates - Growth Management Act
- ⊕ Growth Management Grants
- ⊕ Growth Management Topics
- ⊕ Guidebooks and Resources
- ⊕ Civilian-Military Compatibility
- ⊕ Defense Community Compatibility
- ⊕ Integrated Stormwater and Watershed Planning
- ⊕ Regional Planners’ Forums
- ⊕ Short Course on Local Planning
- ⊕ Submitting Materials to the State

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www.commerce.wa.gov/planning-for-housing



DATE: November 29, 2023
TO: Planning Commission
FROM: Deborah Estrada, Deputy City Clerk
SUBJECT: Planning Commission Bylaws Review (Second Reading)
December 6, 2023, Meeting

SUMMARY

At the City Manager’s direction, the City Clerk’s office was tasked with updating the advisory board and commission bylaws to meet current needs and address outdated or new practices, while also ensuring consistency with the City Council Rules of Procedure.

BACKGROUND

As discussed last July, the Planning Commission first adopted bylaws in 2016 in accordance with Mercer Island City Code [3.46.040](#), which reads, in part: “The planning commission shall determine the time and place of its meetings and other rules and regulations.” The bylaws were amended each year thereafter. The most recently adopted version of the bylaws were adopted in [November 2022](#).

Since the onset and sunset of the COVID-19 Pandemic, several internal procedures were modified to meet current needs and address outdated or new practices. At the request of the City Clerk’s office, all board and commission bylaws were reviewed and amended to address these changes and to ensure consistency across the City’s boards and commissions as well as the City Council Rules of Procedure.

The proposed bylaws attached as Item 4A were revised by staff and reviewed by the City Attorney’s office last summer. The significant changes from the current bylaws included the following:

1. City Council Rules of Procedure, City Code, and State Law

The Legislature recently amended the Open Public Meetings Act (OPMA), which requires a physical meeting location even if all meeting participants are remote. Additionally, appearances are now a requirement of all public meetings. The bylaws were amended to address the changes in the OPMA and align with City Council Rules of Procedure, City Code, and state law.

2. Training and Elections (Sections 2 and 3)

Training requirements were added to address Code of Ethics and the Open Government Trainings Act. The election process for the Chair and Vice Chair was also revised to align with the City Council election of the Mayor and Deputy Mayor.

3. Meetings and Agenda Preparation (Sections 4 and 5)

Consistent with City Council Rules of Procedure, sections on remote attendance, the “order of meeting agendas,” and printed agenda materials were added.

4. Planning Commission Protocols (Section 6)

Like the City Council, a section on Planning Commission Protocols was added to address appearances, discussion, decisions, no surprise rule, prohibited conduct, and appearance of fairness.

5. Appendices A-D

Consistent with the City Council Rules of Procedure, appendices were added to address the following:

- Parliamentary Rules and Motions
- Planning Commission Meeting Code of Conduct
- Planning Commission-Staff Communication Guidelines
- How does the City use Nextdoor.com?

6. Housekeeping

The Planning Commission Bylaws is on its eighth amendment since it was adopted in July 2016. Staff reviewed the bylaws at length and language was updated throughout the document to correct scrivener errors, formatting, and reflect changes to staff titles, clarify references, and align with City Council Rules of Procedure as appropriate.

DISCUSSION

At the July 26, 2023, meeting, the Planning Commission reviewed the first draft of the bylaws and provided feedback to staff, but no action was taken. Topics included:

- Quasi-judicial matters as addressed in [MICC 19.15.010\(C\)\(2\)](#).
- Section 2.5 of the [current bylaws](#) (adopted November 9, 2022) call for a public hearing before the removal of a commissioner.
- Section 6.5 “No Surprises Rule”

Since the Planning Commission’s first reading of the draft bylaws at its July 26 meeting, each of the City’s boards and commissions have reviewed their corresponding revised bylaws. Small changes were subsequently made to the draft Planning Commission Bylaws to incorporate revisions suggested by other boards and commissions to ensure consistency. Section 4.1(l) was modified for clarity and Appendix D was updated to address Elon Musk’s rebranding of Twitter as “X” in late July.

The City Clerk, City Attorney’s Office, and staff liaisons to each of the City’s boards and commissions worked diligently over the last nine months to develop updated, effective, and consistent bylaws across all City appointed bodies. Staff recommend minimizing further revisions.

NEXT STEPS

The staff recommendation is to adopt the revised Bylaws at the December 6, 2023, meeting, in advance of the 2024 Planning Commission meeting schedule.

MERCER ISLAND PLANNING COMMISSION BYLAWS



ADOPTED
XXXX XX, 2023

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SECTION 1. PURPOSE – FUNCTION AND JURISDICTION

- 1.1** Pursuant to Mercer Island City Code (MICC) [3.46.020](#), the Planning Commission (Commission) shall serve in an advisory capacity to the City Council and have the following duties and responsibilities:
- A.** Review and make recommendations on amendments to the comprehensive plan;
 - B.** Review and make recommendations on amendments to development regulations;
 - C.** Hold public hearings in the exercise of its duties and responsibilities;
 - D.** Such other duties as may be assigned by the City Council or established by local ordinance or state statute.
- 1.2** Pursuant to MICC [19.15.010\(C\)\(2\)](#), the role of the Planning Commission in administering the development code is governed by chapter 3.46 MICC (see Section 1.1). In general, the Planning Commission is the designated planning agency for the City (see RCW Chapter [35A.63](#)).

SECTION 2. MEMBERSHIP AND TRAINING

2.1 Qualifications.

- A. Applicants who have an interest in environmental affairs, planning, land use, property development, and/or economic development as evidenced by training, experience, or actions will be given preference for appointment; however, a broad mix of occupational backgrounds is desired.
- B. An intent of the appointment process shall be to evenly represent the areas of interest as stated above and reflect the City's diverse community. Appointed members shall represent the public interest and not specific interest groups.

2.2 Members.

- A. **Number.** The Planning Commission shall consist of seven members, serving in nonpartisan positions.
- B. **Residency.** City residency is required.
- C. **Terms.** The term of each member is four years and expires on May 31 of the last year of the term or until the member's successor is appointed. The year of expiration of the terms of the positions shall be staggered with the following groups of positions expiring in successive years: positions 1 and 2; positions 3 and 4; position 5; positions 6 and 7.
- D. **Term limits.** No member shall serve more than two consecutive terms. If a member is appointed to a vacancy with two or more years remaining on the term, that term will be deemed a full term. If a member is appointed to a vacancy with less than two years remaining in the term, that term will not count toward the two-consecutive-term limit.
- E. **Staff liaison.** The City Manager shall appoint a staff liaison to assist with support services for the Planning Commission. Such staff support shall include, but not be limited to, the development of work plans and schedules, guidelines and procedures, correspondence, and agenda preparation and distribution.

2.3 Appointment. Appointments to the Planning Commission will be made by a vote of the City Council during a regularly scheduled City Council meeting. Members shall serve without compensation.

2.4 Removal. Members may be removed by the Mayor and Deputy Mayor, with the concurrence of the City Council, for neglect of duty, conflict of interest, malfeasance in office, or other just cause, or for unexcused absences from more than three consecutive regular meetings. The decision of the City Council shall be final and there shall be no appeal therefrom. Members finding themselves unable to regularly attend meetings are expected to resign and notify the chair and staff liaison.

2.5 Training.

- A. **Code of Ethics.** All board and Commission members are required to attend a Code of Ethics training provided by the City Attorney's office, regarding [MICC Chapter 2.60](#) and [Chapter 42.23 RCW](#).
- B. **Open Government Trainings Act.** The Open Government Trainings Act enacted by the 2014 Legislature requires every member of a governing body subject to OPMA to receive in the fundamentals of the Open Public Meetings Act (OPMA), Public Records Act (PRA), and records retention requirements. Training must be completed no later than 90 days after assuming their duties. These trainings may be completed before assuming office, and each member must take a refresher course at least every four years.
- C. **Violation of Open Government Trainings Act.** Those members that fail to complete the required training within 30 days' notice by the City Clerk will be referred to the Mayor and Deputy Mayor. Members found in violation of the OGTA may be removed for neglect of duty/just cause in accordance with Section 2.4 of the Bylaws and MICC 3.46.030(D).

SECTION 3. PLANNING COMMISSION ORGANIZATION

3.1 Election of Chair and Vice Chair. The Planning Commission shall elect a Chair and Vice Chair for a term of one year from among themselves at its June Planning Commission meeting, or as soon as possible thereafter, or upon vacancy or resignation of the Commissioner filling the Chair or Vice Chair position. The Staff Liaison shall conduct the elections for Chair as follows:

- A. Any Commissioner may nominate a candidate for Chair; no second is needed.
- B. Nominees may accept or decline the nomination.
- C. If only one (1) nomination is made, it is appropriate to make a motion and obtain a second to instruct the Staff Liaison to cast a unanimous ballot for that nomination for Chair. Approval is by majority vote of Commissioners present.
- D. If more than one (1) nomination is made, an open election is conducted by roll call vote.
- E. To be elected, the nominee needs a majority vote of the Planning Commission.
- F. Elections will continue until a Chair is elected by a majority vote of the Planning Commission.
- G. The Staff Liaison shall declare the nominee receiving the majority vote as the new Chair.

This process is repeated for the election of the Vice Chair.

3.2 Duties of Officers.

A. Chair. The Chair serves as the Presiding Officer and acts as chair at all meetings of the Planning Commission. The Chair may participate in all deliberations of the Planning Commission in the same manner as any other member and is expected to vote in all proceedings unless recusing themselves. The Chair does not possess any power of veto.

In consultation with the Vice Chair, the Chair appoints Commissioners to serve as liaisons to ad hoc committees.

B. Vice Chair. The Vice Chair serves as the Presiding Officer in the absence of the Chair and assumes the responsibilities of the Chair when needed. If both the Chair and Vice Chair are absent, the Chair will appoint another Commissioner to serve as acting Chair. If the Chair fails to appoint an acting Chair, the Commissioners present shall elect one of its members to serve as Presiding Officer until the return of the Chair or Vice Chair.

C. Presiding Officer. The Presiding Officer shall:

- 1. Preserve order and decorum during Planning Commission meetings;
- 2. Observe and enforce these Rules;

3. Call the meeting to order;
4. Keep the meeting to its order of business; and,
5. Recognize Commissioners in the order in which they request the floor. The Presiding Officer, as a Commissioner, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Commissioners.

3.3 Filling a Planning Commission Vacancy. If a vacancy occurs in the office of Commissioner, the City Council will follow the procedures outlined in Section 8 within the [City Council Rules of Procedure](#).

SECTION 4. MEETINGS

Pursuant to [MICC 3.46.040](#), the Planning Commission shall determine the time and place of its meetings and other rules and regulations, which shall be on file with the City Clerk.

4.1 General Meeting Guidelines.

- A. **Open Public Meeting Act.** All Planning Commission meetings shall comply with the requirements of the Open Meetings Act (chapter [42.30 RCW](#)). All regular meetings and special meetings of the Planning Commission shall be open to the public.
- B. **Meetings.** All meetings as described in Section 4.2 may be held in-person, remotely, or as a hybrid to the extent permitted by law.
- C. **Meeting Cancellation.** Any future Planning Commission meeting may be canceled by a majority vote of the Planning Commission. The Chair or Vice Chair may cancel a Planning Commission meeting for lack of agenda items, adverse weather conditions, or due to an emergency.
- D. **Quorum.** Four members of the Planning Commission shall constitute a quorum and are necessary for the transaction of Commission business. In the absence of a quorum, the members present shall adjourn that meeting to a later date.
- E. **Minutes.** The Staff Liaison (or authorized designee) shall attend all regular and special Planning Commission meetings and keep an account of all proceedings of the Planning Commission (minutes) in accordance with the statutory requirements RCW [42.30.035](#). The minutes from previous meetings will be posted on the City website in draft format prior to Planning Commission meetings as part of the Planning Commission packet. Commissioners are encouraged to inform the Staff Liaison of any errors or proposed changes in advance of the meeting. If a Commissioner wishes to make any corrections (except scrivener) to the minutes, they must make a motion to revise the minutes. Any corrections to the minutes will be so noted and the draft minutes will be revised with the corrections. Once the Planning Commission has approved the minutes (as presented or revised), the final version of the minutes will be posted to the City's website and archived as the City's official record.
- F. **Planning Commission Meetings Code of Conduct.** The Planning Commission Meetings Code of Conduct is attached as [Appendix B](#) to these Rules, which outlines acceptable behavior while in a Planning Commission Meeting.
- G. **Attendance.** Attendance at regular and special meetings is expected of all Commission members.
 - 1. **Absence.** Any member anticipating absence from a meeting should notify the Chair and staff liaison from the Community Planning and Development department.

- 2. Chronic Absences.** Chronic absences of any member may be referred by the Commission to the Mayor for a public hearing pursuant to Section 2.5 of these bylaws. "Chronic," for the purposes of this section, means 6 or more absences within a 12-month period.
- H. Remote Attendance.** Remote attendance by a Commissioner who is not able to physically be present, whether for all or part of a meeting, is allowed as needed subject to the following:
- 1. Notice:** A Commissioner shall contact the Chair and the Staff Liaison at least one day prior to the meeting for which they will attend remotely or as soon as possible due to an emergency. After the Staff Liaison has called the roll at a meeting, the Chair shall indicate any Commissioner attending remotely, which will be noted in the minutes. If joining after roll call, the Staff Liaison shall note the time the Commissioner joined and, if before adjournment, when the Commissioner left in the minutes.
 - 2. Remote Attendance Requirements:**
 - a.** Remote attendance by a Commissioner shall be through the City's preferred teleconferencing platform.
 - b.** A Commissioner's camera should be turned on when participating in the meeting.
 - c.** A Commissioner attending remotely will be marked present, counting towards a quorum and can vote during the meeting as if they were physically present.
 - d.** A Commissioner attending remotely must be able to hear public comment or testimony and staff's presentation in real time.
- I. Roll Call Voting.** All Planning Commission voting will be done by roll call. Once a motion ~~has been is~~ made, ~~and~~ seconded, and discussion concluded, the Chair will ask the Staff Liaison to call the roll. The Staff Liaison calls the roll, and each Commissioner, as their name is called, answers "aye" or "nay," or "abstain" if they do not wish to vote, and the Clerk notes the answers. Commissioners shall refrain from additional comments about the motion or their vote when voting. If the vote count is not clear, the Staff Liaison reads the names of those who answered in the affirmative, ~~and afterwards those in~~ the negative, and then those who answered "abstain." ~~and Afterwards,~~ the Chair announces the result, and the vote is recorded in the minutes of the meeting.

4.2 Types of Meetings

All meetings of the Commission shall be conducted in accordance with these bylaws, Mercer Island City Code, and Washington state law. Where these bylaws fail to provide otherwise, the meetings shall be conducted in accordance with parliamentary rules and procedures in the most current edition of Robert's Rules of Order.

- A. **Regular Meetings.** The Planning Commission's regular meetings will be held on the fourth Wednesday of each month at 6:00 P.M. in the Mercer Island Community & Event Center (8236 SE 24th Street, Mercer Island). Meetings will be held in a hybrid format including both in person and remote attendance using a videoconferencing platform. If any Wednesday on which a meeting is scheduled falls on a legal holiday, the meeting shall be held at 6:00 P.M., on the first business day following the holiday, or on another day designated by a majority vote of the Planning Commission.
- B. **Special Meetings.** A special meeting is any Planning Commission meeting other than a regular Planning Commission meeting. Notice shall be given at least 24 hours in advance specifying the date, time, and place of the meeting and the business to be transacted. A special Commission meeting may be scheduled by the Chair, or in their absence, the Vice Chair, the Community Planning and Development Director, or the City Manager. Final disposition cannot be taken on any matter not included on the special meeting notice.

4.3 Order of Regular Planning Commission Meeting Agenda

- A. **Call Meeting to Order & Roll Call.** The Chair calls the meeting to order. The Staff Liaison will take roll call and record names of those present and absent in the minutes.
- B. **Appearances (Public Comment).** During the Appearances section of the regular meeting agenda, members of the audience are invited to address the Planning Commission regarding any matter, except items before the Planning Commission requiring a public hearing, any quasi-judicial matters, or campaign-related matters. Each person wishing to address the Planning Commission should register with the Staff Liaison by 4 P.M. on the day of the Planning Commission meeting. When the speaker's name is called, the speaker will give their name and City of residence for the record and shall limit their comments to three (3) minutes. No speaker may convey or donate time for speaking to another speaker. The Chair may allow speakers to comment on individual agenda items at times during any regularly scheduled Planning Commission meeting other than the regularly scheduled Appearances period.

All remarks will be addressed to the Planning Commission as a whole, and not to individual Commissioners or staff members. Any person making personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Planning Commission, may be requested by the Chair to leave the meeting. Pursuant to state law, the Planning Commission cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions).

The Staff Liaison will summarize all public comments in the minutes. Traditionally, the Planning Commission does not respond to comments made at a meeting; however, the Staff Liaison may follow up with the speaker as appropriate.

- C. Public Hearings.** The Commission recognizes that public hearings are intended to obtain public input on legislative recommendations. Public hearings are required when the Commission addresses such matters as comprehensive plan amendments and development code amendments.
- D. Special Business.** Special Business may include Chair and Vice Chair Elections, review of bylaws or other presentations to the Commission.
- E. Regular Business.** Regular Business items are all other regular Planning Commission business, including but not limited to staff presentations and reports requiring Planning Commission review including making recommendations to City Council.
- F. Other Business.**

 - 1. Staff Liaison's Report.** The Staff Liaison will discuss the meeting schedule and report on significant activities since the last meeting; provided, however, that Commissioners may not enter into debate or discussion on any item raised during the Staff Liaison's Report.
 - 2. Absences.** The Planning Commission will note upcoming Commissioner absences and make a motion to excuse or not excuse a Commissioner's absence.
- G. Adjournment.** With no further business to come before the Planning Commission, the Chair adjourns the meeting.

SECTION 5. AGENDA PREPARATION

- 5.1 Agenda Setting.** An agenda shall be prepared and distributed by the Community Planning and Development department to each member not less than 5 calendar days prior to the date of the meeting at which such agenda is to be considered. The agenda shall be accompanied with a complete copy of the unapproved minutes of the previous meeting, staff reports, and other materials as may pertain to the agenda.
- 5.2 Agenda Modification.** All meetings shall be conducted in accordance with the agenda. To the extent it does not violate public notice requirements, a Regular Agenda may be modified, supplemented, or revised at the beginning of the meeting by an affirmative vote of the majority of Commission members present. The Commission, by a majority vote, can add matters for discussion to a Special Meeting agenda; however, in accordance with the OPMA, final disposition cannot be taken on any matter not listed in the special meeting notice.
- 5.3 Agenda Materials.** All agenda materials will be posted to the City's website and a link to the online packet will be emailed to an established mailing list by 5:00 P.M. no later than the Friday prior to the meeting, in accordance with section 4.1. If the deadline cannot be met, the Planning Commission and the established mailing list will be notified of when it will be posted. Hard copies of agenda materials will be available for pick up at the Customer Service Counter upon Commissioner request, with 24 hours' notice.

SECTION 6. PLANNING COMMISSION PROTOCOLS

- 6.1 Governance and Procedures.** All Planning Commission discussion shall be governed by *Roberts Rules of Order, Newly Revised* and by these Bylaws. Examples of parliamentary rules and motions are shown in [Appendix A](#) to these Bylaws. In the event of a conflict, these Bylaws shall control. The Staff Liaison shall answer questions of a parliamentary nature that may arise during a Planning Commission meeting. The Staff Liaison shall decide all questions of interpretations of these Bylaws.
- 6.2 Appearances (Public Comment).** The Planning Commission agrees to adhere to the following protocols during Appearances:
- A. The Planning Commission shall listen attentively to the speaker's comments.
 - B. The Planning Commission shall avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal, disparaging actions.
 - C. The Planning Commission shall not engage in debate or discussion with any individual but may be recognized by the Chair to ask the speaker clarifying questions.
- 6.3 Discussion Protocols.** The Planning Commission agrees to adhere to the following protocols for Planning Commission discussion and debate:
- A. Be courteous and professional at all times.
 - B. Avoid discourteous behavior such as lengthy or inappropriate sidebar discussions or nonverbal disparaging actions when colleagues or staff are speaking.
 - C. Be recognized by the Chair before speaking.
 - D. Be respectful of staff.
 - E. Speak in turn after being recognized.
 - F. Do not personally criticize other Commissioners who vote against or disagree with you.
 - G. Do not be repetitive in your arguments or discussion.
 - H. Respect each other's differences, honor disagreements, vote and move on.
- 6.4 Recommendations.** The Planning Commission's goal is to provide a consensus recommendation to the City Council on legislative matters; in all cases, however, a majority vote is taken.
- A. To document the recommendations of the Commission, the Community Planning and Development department staff shall prepare a written statement or memorandum, including the facts and rationale for the final recommendations. This statement shall be approved and signed by the Chair.
 - B. A Commissioner is never required to state reasons for a dissenting vote; provided, however, that any member of the Commission shall have the right to state the reasons for their dissent from, or protest against, any action of the Commission. Such statement shall be noted in the minutes along with the record of the vote in

the following format: “Commissioner XX verbally stated their reasons for voting in the minority on this matter.” No other statement is proper or will be allowed to be recorded in the minutes of the meeting.

- B. The Chair has the responsibility to present the recommendations to the City Council on behalf of the Commission when requested by either the Planning Commission or City staff.
- C. Commissioners recognize that they are part of an advisory body. As such, when the Planning Commission has voted to recommend an agenda item, the members shall not contact staff to encourage actions inconsistent with such Planning Commission recommendation or take other action adversely impacting staff resources.
- D. Commissioners, who voted on the prevailing side, may bring any approved recommendation up for reconsideration, only on the same day that the vote was taken, and immediately following Planning Commission review and approval of such agenda item, before the Planning Commission has moved on to other items. The Planning Commission’s goal is to make final recommendations and not to revisit or reconsider such decisions (see [Appendix A](#) for more details).

6.5 No Surprises Rule. Commissioners should use best efforts to contact the Staff Liaison to advise of emerging issues. Generally, Commissioners agree not to propose substantial amendments and/or revisions to any agenda item unless they provide each other and City staff at least 48-hours advance notice to review any written proposal. To provide staff the necessary preparation time, Commissioners will use best efforts to provide staff advance notice of any questions or concerns they may have regarding an agenda item prior to a public meeting.

6.6 Prohibited Conduct. In addition to the requirements applicable under RCW Chapter 42.23, which establishes the minimum standards for officials, officials shall be subject to the City’s Code of ethics as provided within MICC Ch. 2.60.

6.7 Appearance of Fairness. Commissioners shall comply with all applicable laws including without limitation the appearance of fairness doctrine (chapter [42.36 RCW](#)). The appearance of fairness doctrine prohibits ex parte (outside the hearing) communications with applicants, staff, and other opponents or proponents with respect to the proposal that is the subject of the quasi-judicial proceeding; prohibits a Commissioner from deciding on the matter in advance of the hearing; requires the hearing to be fair and impartial; and prohibits the participation of any Commissioner who has a conflict of interest or financial interest in the outcome of the hearing.

A Commissioner shall consult with the City Attorney to determine whether the Commissioner should recuse themselves from the hearing discussion and decision.

SECTION 7. AMENDMENTS TO BYLAWS

These bylaws may be amended by a majority vote (4 votes) of the entire membership of the Planning Commission.

Date Approved by Planning Commission

Planning Commission Chair

Attest:

Deputy City Clerk

Date filed with City Clerk

APPENDIX A PARLIAMENTARY RULES AND MOTIONS

1. Following the presentation of the item and questions of staff, a motion should be made before the Commission begins discussion to frame and guide the discussion.
2. If a motion does not receive a second, it dies and will not be included in the minutes. Motions that do not need a second, include: nominations, withdrawal of motion, request for a roll call vote, and point of order.
3. When making motions, be clear and concise and do not include arguments for the motion within the motion.
4. No comments may be made or heard until there is a second on the motion.
5. After a motion and second, the Chair will indicate the names of the Commissioners making the motion and second.
6. When the Commission concurs or agrees to an item that does not require a formal motion, the Chair will summarize the agreement at the conclusion of the discussion. Commissioners may object to such summary if any feel the summary does not reflect the Commission's consensus.
7. If the maker of a motion wishes to withdraw their motion, the Chair shall ask the Commission if there is any objection to the maker withdrawing their motion. If none, the motion is withdrawn. If there is objection, the Commission will vote whether the motion can be withdrawn. The text of the withdrawn motion and the fact of its withdrawal will not be included in the minutes.
8. A **motion to table** is undebatable and shall preclude all amendments or debates of the issue under consideration. If the motion to table prevails, the matter may be "taken from the table" only by adding it to the agenda of future regular or special meetings at which time discussion will continue; and if an item is tabled, it cannot be reconsidered at the same meeting.
9. A **motion to postpone to a certain time** is debatable as to the reason for the postponement but not to the subject matter of the motion, is amendable, and may be reconsidered at the same meeting. The question being postponed must be considered at a later time at the same meeting, or to a time certain at a future regular or special Planning Commission meeting.
10. A **motion to postpone indefinitely** is debatable as to the reason for the postponement as well as to the subject matter of the motion; is not amendable and may be reconsidered at the same meeting only if it received an affirmative vote.
11. A **motion to call for the question** shall close debate on the main motion and is undebatable. This motion must receive a second and fails without a two-thirds' (2/3) vote; debate is reopened if the motion fails.
12. A **motion to amend** is defined as amending a motion that is on the floor and has been seconded, by inserting or adding, striking out, striking out and inserting, or substituting.

13. Motions that cannot be amended, include motion to adjourn, agenda order, point of order, reconsideration and take from the table. A motion to amend an amendment is not in order.
14. Amendments are voted on first, then the main motion as amended (if the amendment received an affirmative vote).
15. The motion maker, Chair, or Staff Liaison should repeat the motion prior to voting.
16. All votes of the Planning Commission will be conducted by roll call voting.
17. When voting, Commissioners will reply with “aye,” “nay,” or “abstain” and shall refrain from additional comments about the motion or their vote.
18. At the conclusion of any vote, the Chair will announce the results of the vote.
19. A motion that receives a tie vote is deemed to have failed.
20. When a question has been decided, any Commissioners who voted in the majority may move for reconsideration.
21. A **motion for reconsideration** can only be made by someone who voted on the prevailing side, and it must be made on the same day that the vote to be reconsidered was taken. All action that might come out of the original motion is stopped at the time that reconsider is made and seconded.

APPENDIX B PLANNING COMMISSION MEETING CODE OF CONDUCT

The Mercer Island Planning Commission welcomes the public to the Planning Commission meetings and dedicates time at these meetings to hear from the public on agenda items and other issues of concern.

It is important for all community members to feel welcome and safe during Planning Commission meetings. Audience members will be expected to treat all attendees with respect and civility.

1. **Appearances Ground Rules:**

Appearances is the time set aside for individuals to speak to the Planning Commission about any issue during a Planning Commission meeting. The ground rules are:

- A. Each person wishing to address the Planning Commission should register with the Staff Liaison by 4 P.M. on the day of the Planning Commission meeting.
- B. Please (1) speak audibly, (2) state your name and City of residence for the record, and (3) limit your comments to three minutes.
- C. Traditionally, the Planning Commission does not respond to comments made at the meeting, but may follow up, or have staff follow up, with the speaker if needed.
- D. Comments must be addressed to the entire Planning Commission, not to individual Commissioners, staff members, or the audience.
- E. Audience members shall refrain from applause, comments, or disapproval of individuals' comments.
- F. Any person who makes personal, impertinent, or slanderous remarks, or who becomes boisterous, threatening, or personally abusive while addressing the Planning Commission, may be requested to leave the meeting.
- G. The Planning Commission cannot accept comments on any campaign-related matters (elections for individual offices or ballot propositions).

2. **General Rules:**

- A. Please silence cell phones, computers, tablets, and cameras while in the Planning Commission meetings.
- B. Please limit conversations in the audience seating area. You may be asked to step into the lobby to continue a conversation.

APPENDIX C PLANNING COMMISSION-STAFF COMMUNICATION GUIDELINES

Governance of a City relies on the cooperative efforts of elected officials, who provide oversight and set goals, policy, and priorities, and City staff, which analyze problems and issues, make recommendations, and implement and administer the Planning Commission's policies and priorities consistent with the Planning Commission goals. The following are general guidelines to help facilitate effective communications between the Planning Commission and City staff.

1. **Channel communications through the appropriate City staff.**
While any staff member is available to answer Commissioner questions and requests for information, the Community Planning and Development (CPD) Staff Liaison is the primary information liaison between the Planning Commission and City staff. Questions of CPD staff should be directed to the Staff Liaison. When a Commissioner makes a request to a particular staff member, it is important to inform/copy the Staff Liaison. In addition, staff will inform/copy the Staff Liaison so that the Staff Liaison is aware of the Commissioner's requests and needs. Please be aware that as to matters subject to quasi-judicial actions by the Planning Commission, the Appearance of Fairness Doctrine may prohibit or restrict ex parte communications with Staff outside of Planning Commission meetings.
2. **All Commissioners should have the same information with which to make decisions.**
When one Commissioner has an information request, the response will be shared with all members of the Planning Commission so that each member may be equally informed.
3. **Depend upon the staff to respond to concerns and complaints as fully and as expeditiously as practical.**
A key value in the City's organizational culture is providing quality customer service. Rely on staff to solve customer problems and concerns.
4. **Code Compliance Complaints.**
The Community Planning and Development Code Compliance team answers questions and investigates complaints on a wide variety of issues, including zoning, building, and nuisance violations. If you have a complaint, please complete a Code Compliance Request Form, and fill it out as completely as possible.
Go to <https://www.mercerisland.gov/cpd/webform/code-compliance-request-form> to complete an online form or download or print the form and attach it to an email to codecompliance@mercergov.org. You may also come to City Hall to drop off or complete a paper copy. Using this form will give staff the information needed to review and process the complaint.
5. **Complaints/Concerns Directed to Planning Commission.**
Often the Planning Commission will receive customer letters or emails directly. Due to limited staff resources to handle the amount of correspondence, if a response is

warranted, appropriate or necessary the Staff Liaison or designee will direct the correspondence to the appropriate staff member. Correspondence related to matters outside of the purview of the Planning Commission will be directed to the appropriate staff by the Staff Liaison or designee. Commissioners should not respond to correspondence that is outside of the purview of the Planning Commission. On occasion, a letter or email is directed specifically to a Commissioner. The Commissioner should forward the correspondence to the Staff Liaison or designee to provide a response (if a response is warranted, appropriate, or necessary).

6. The Planning Commission provides recommendations – City staff is responsible for administrative functions and City operations.

The purpose of the Planning Commission is to serve in an advisory capacity to the City Council and have the following duties and responsibilities pursuant to Mercer Island City Code 3.46.020

- A. Review and make recommendations on amendments to the comprehensive plan;
- B. Review and make recommendations on amendments to development regulations;
- C. Hold public hearings in the exercise of its duties and responsibilities;
- D. Such other duties as may be assigned by the Planning Commission or established by local ordinance or state statute.

The primary functions of staff are to forward the Planning Commission recommendations to City Council and keep the Planning Commission informed. Staff is obligated to take guidance and direction only from the Staff Liaison, Department Director, or City Manager.

Individual Commissioners shall not knowingly or willfully interfere with the administration of City business including, but not limited to coercing, or influencing staff in the selection of personnel or consultants, the awarding of contracts, the processing of development applications, licenses, permits, or public records requests, and the interpretation and implementation of the Planning Commission policy.

7. To provide the Planning Commission with timely information, Commissioners should submit questions on agenda items to the Staff Liaison and Chair in advance of the Planning Commission meeting.

Commissioners are encouraged to submit their questions on agenda items to the Staff Liaison and Chair as far in advance of the meeting as possible so that staff can be prepared to respond before or at the Planning Commission meeting. Having a practice of “no surprises” between the Planning Commission and City staff and vice versa fosters a productive working relationship.

8. Respect the will of the “full” Planning Commission.

City staff will make every effort to respond in a timely and professional manner to all requests for information or assistance made by individual Commissioners. However, if a request reaches a certain degree of workload, it will need to come before the “full” Planning Commission. The Staff Liaison will consult with the Director and City Manager with the request to determine when it is appropriate to bring it before the full Planning Commission for discussion and recommendation.

9. Depend upon the staff to make independent and objective recommendations.

Staff is expected to provide its best professional recommendations on issues, provide information about alternatives to staff recommendations, as appropriate, as well as pros and cons for recommendations and alternatives. Sometimes staff may make recommendations that may be unpopular with the public and/or Commissioners. When this occurs, please refrain from attacking the messenger. Staff respects the role of the Planning Commission in its advisory capacity to the City Council.

10. The Staff Liaison and staff will transmit Planning Commission recommendations to the City Council as accurately as possible.

Staff will assist the Chair in preparing the written recommendation. The Chair will be provided the opportunity to address the City Council to verbally transmit the recommendation. Staff seek to accurately describe the Commission’s legislative review process and recommendation.

11. Refrain from publicly criticizing an individual employee. Criticism is differentiated from questioning facts or the opinion of staff.

All critical comments about staff performance should be made only to the Staff Liaison or Director through private correspondence or conversation.

12. Seeking political support from staff is not appropriate.

The City is a non-partisan local government. Neither the staff liaison nor any other person in the employ of the City shall take part in securing or contributing any money toward the nomination or election of any candidate for a municipal office. In addition, some professionals (e.g., Staff Liaison, the Chief of Administration, Chief of Operations, and City Clerk) have professional codes of ethics, which preclude politically partisan activities or activities that give the appearance of political partisanship.

13. Support life-family-work balance.

In a 24-hour, mobile accessible world, expectations for staff to always be available can emerge. However, this expectation is unsustainable. Staff will respond to nonemergency emails or phone messages during business hours only.

APPENDIX D HOW DOES THE CITY USE NEXTDOOR.COM?

NextDoor is a nationwide platform designed to encourage civil neighbor-to-neighbor interaction and discourse online, focused on highly local topics. The City joined NextDoor in October 2014 and uses its account to make general announcements, advertise meetings, solicit public engagement, provide crime and storm updates, highlight achievements, and more. The platform does not function in the same manner as the City's other social media outlets (i.e., Facebook, [TwitterX \(formerly Twitter\)](#), Instagram). NextDoor is not a City-controlled page, but rather a private membership network that functions more like an online community bulletin board. The City merely has an official presence on the platform via its "Agency Account," but by design, NextDoor tightly limits Agency Accounts in important ways.

Most notably, the City can only see its own posts and replies to them, while ALL other neighbor-to-neighbor content is hidden. This is intended to prevent eavesdropping by the City on local discussions. The last name of anyone replying to a City post is just replaced with an initial and is not spelled out.

In addition, because the City is required to maintain public records of social media to comply with the Public Records Act, the City uses ArchiveSocial to backup Facebook, Instagram, [TwitterX](#), YouTube, and other accounts to retrieve records if requested. Unfortunately, NextDoor does NOT allow access by automated archiving services. Instead, the City must execute a complicated manual export process that can be refined only by date range (not topic, or subject line, etc.). This lack of archiving access to NextDoor makes it extremely difficult and potentially risky for Commissioners and staff to post about City business or to reply to other posts, as they are unable to be captured in a manner that is suitable for responding to public records requests or in a manner that it can be deleted after meeting the required retention period.

If Commissioners post on NextDoor about official City business, they **must** capture the text of the original post and all comments. If they comment on a post, they must capture the original post, all comments before AND after their comment. The Staff Liaison can provide additional guidance regarding public records retention requirements for NextDoor posts/comments.