



Clark County Planning Commission Rules of Procedure

Amended and effective as of February 17, 2022

WE, THE MEMBERS of the Planning Commission of Clark County, State of Washington, created by Ordinance, dated November 30, 1959, of the County of Clark, Board of County Councilors, pursuant to Chapter 44, Laws of 1959 (RCW 35.63), do hereby adopt, publish and declare the following rules of procedure.

I. NAME

The official name shall be “The Clark County Planning Commission” (sometimes referred to as the PC).

II. PUBLIC MEETINGS

- a. Public meetings will be held at the Clark County Public Service Center, Vancouver, Washington, unless otherwise directed by the Clark County Community Planning Director in consultation with the Chair of the Planning Commission. Regular meetings shall be held on the first and third Thursday of each month and shall be open to the public.
- b. Special meetings shall be at the discretion and by the call of the Clark County Community Planning Director.
- c. The Planning Commission shall begin consideration of no meeting agenda item after 10 p.m. on any evening, unless the item or items have been properly noticed and a majority of the Planning Commissioners present vote to extend the meeting to consider the item or items.
- d. If no matters over which the Planning Commission has jurisdiction are pending upon its calendar, a meeting may be cancelled by notice of the Clark County Community Planning Director.

III. STAFF REPORT

- a. The chair will introduce the hearing item.
- b. Staff will present their report and recommendation.
- c. Staff will answer questions from the PC before public testimony is taken.
- d. Staff may answer questions from the public and also from the PC during and after public testimony.

IV. APPLICANT PRESENTATION

- a. The Applicant or their representative(s) will have an opportunity to speak in favor of the application.
- b. Information submitted should be factual and relevant to the criteria governing the application. Legal argument should be relevant to the criteria and based upon information in the record, including information presented at the hearing.
- c. The applicant and its representative(s) will have up to 10 minutes for their presentation.
- d. Each person speaking for the applicant shall identify themselves and their relationship to the applicant, and testimony shall be directed to the Planning Commission.
- e. Commissioners may ask questions of the applicant/applicant representative following their presentation. Time spent by the applicant answering questions from the commission will not count against the 10-minute time limit.

V. PUBLIC TESTIMONY

- a. Oral testimony
 - i. The chair shall limit oral public testimony to three (3) minutes for each person or group giving testimony.
 - ii. Commissioners may ask questions of the person or group giving testimony following their presentation. Time spent answering questions from the commission will not count against the 3-minute time limit.
 - iii. At the conclusion of public testimony, the applicant may take up to three minutes to respond.
 - iv. Commissioners may ask questions of the applicant following the response. The time spent answering questions will not count against the 3-minute time limit.
- b. Written Testimony (including graphic material, electronic media, social media posts, maps, photos, academic studies, charts, tables, and other material)
 - i. In order to ensure timely review and consideration by the Planning Commission, and availability to the applicant and the public, written testimony (mailed, emailed, or hand-delivered) should be submitted no later than twenty-four hours prior to the time of the hearing for the subject agenda item.
 - ii. Material submitted after the time frame described in the subsection above or on the day of the hearing might not be reviewed in advance of the hearing by staff or the Planning Commission; however, all such material will be included in the record that is forwarded to County Council.
 - iii. Material submitted during the hearing must be submitted to the Clerk in order to be included in the Planning Commission record. The Clerk shall provide material submitted during the hearing to the Planning Commission. It cannot be guaranteed that the Commissioners will have the opportunity to thoroughly review what is provided to them during the hearing.
 - iv. Material received by staff after the hearing will not be included in the Planning Commission record but will be included in the record forwarded to the County Council.

VI. DELIBERATION & VOTE

- a. After the staff report has been presented, and testimony has been taken, the Chair will close the hearing and the PC will deliberate.
- b. The PC may ask questions of staff during the deliberation.
- c. Once a consensus has been reached that the debate can end, the Chair will call the question and a roll call vote will be taken.
- d. The vote is a recommendation to the County Council and the staff will forward the PC recommendation to the County Council.
- e. At the discretion of the Chair, the volume of material submitted or the amount of time required for adequate public input may prompt a continuation of a particular hearing item.

VII. CONFLICT OF INTEREST

- a. Before any other proceedings at a work session or public hearing, any commissioner who has a direct or indirect substantial financial or familial interest, or for whom other circumstances might result in unfairness if the commissioner participated in a proceeding on the matter, shall disclose the existence and nature of the interest or circumstances. After making this disclosure, the commissioner may opine on whether they believe they can participate in the work session or public hearing on the matter without bias, prejudice or unfairness.
- b. No commissioner shall participate in any work session, hearing, decision, or recommendation, in which the commissioner has a direct or indirect substantial financial or familial interest or whose other circumstances would result in bias, prejudice, or unfairness if the commissioner participated in the proceedings on the matter.
- c. A recused commissioner shall refrain from participating in any aspect of the commission's consideration of the matter, whether by testifying, deliberating, or voting on the matter. If possible, the commissioner shall not be personally present during a work session or hearing on the matter.
- d. A commissioner who is recused from participating in proceedings on a particular matter shall not be counted as present for purposes of establishing a quorum for a public hearing on that matter.
- e. A commissioner who violates the rules in this section may be subject to removal from the Planning Commission by the County Council.

VIII. ELECTION OF OFFICERS

- a. The officers of the Commission shall consist of a Chair and Vice-Chair elected from the appointed members of the Commission and such other officers as the Commission may elect by majority vote.
- b. The election of officers shall take place once each year on the occasion of the first meeting of each calendar year. Any officer may, however, be removed and replaced at any scheduled meeting by a vote of a majority of a quorum of the Commission. The term of office of each officer shall run until the subsequent election.

IX. CHAIR

The Chair shall preside over the meetings of the Commission and may exercise all the powers usually incident to the office retaining, however, as a member of the Commission, the full right to have their own vote recorded in all deliberations of the Commission.

X. VICE CHAIR

The Vice-Chair shall in the absence of the Chair, perform all the duties incumbent upon the Chair. The Chair and Vice-Chair, both being absent, the members present may elect for the meeting a temporary Chair who shall have the full powers of the Chair during the absence of the Chair and Vice- Chair.

XI. QUORUM

A simple majority of the appointed members shall constitute a quorum for the transaction of business at public hearings. At a work session the Commission can receive reports or updates without a quorum. No vote of the Commission, however, may be taken without the affirmative vote of the majority of the quorum present.

XII. ABSENCE OR VACANCY OF MEMBERS

- a. If a member is absent for three (3) consecutive regular meetings, or from 25% of the meetings throughout the year, without prior notification to the Clark County Community Planning Director or a designee, the Chair shall, at the discretion of the Commission, request that the Chair of the County Council ask for his/her resignation.
- b. The vacancy of an office caused by the resignation or removal of any member of the Commission during his/her term of office shall be filled for the remaining term of office by the vote of a majority of the County Council.

XIII. COMMUNITY PLANNING DIRECTOR

Clark County Community Planning Director shall organize and supervise administrative details of the Commission's business and shall be responsible to the Commission for the proper preparation and maintenance of records of meetings, hearings, official actions and public records. The Clark County Community Planning Director shall be responsible for providing such other staff service as may be required by the Commission within the limits of the budget for Clark County as approved by the County Council.

XIV. APPLICATION

Applications will be accepted by the Planning Commission only when properly filed with Community Planning in accordance with the governing ordinance.

XV. AGENDA

An agenda shall be prepared for each meeting, consisting of the following order of business:

- i. CALL TO ORDER
- ii. ROLL CALL & INTRODUCTION OF GUESTS
- iii. COMMENTS FROM THE PUBLIC ON NON-AGENDA ITEMS
- iv. PUBLIC HEARING ITEMS
- v. OLD BUSINESS
- vi. NEW BUSINESS
- vii. COMMENTS FROM PLANNING COMMISSION MEMBERS
- viii. ADJOURNMENT

XVI. AMENDMENT

The rules of procedure may be amended at any regular or special meeting of the Commission by a majority of the entire membership if the proposed amendment is presented in writing at a preceding regular or special meeting.