

1 **YAKIMA COUNTY PLANNING COMMISSION**  
2 **RULES OF PROCEDURE**  
3

4 **Adopted August 12, 2009**  
5 **Amended: October 16, 2013**  
6 **Amended: January 14, 2015**  
7 **Amended: May 9, 2018**  
8 **Amended: January 8, 2019**  
9 **Amended: February 10, 2021**  
10

11  
12 **SECTION I: MISSION, DOMAIN AND GOALS**  
13

- 14 1.1 The mission of the Yakima County Planning Commission is to provide wise and prudent guidance  
15 in the planning and development of land use, infrastructure, and resources to preserve and promote  
16 quality of life, economic prosperity, orderly and sustainable growth, a healthy environment, and  
17 the safety and general welfare for the citizens of Yakima County.  
18
- 19 1.2 The domain of the Planning Commission is very broad, encompassing such matters as land use,  
20 transportation and utility systems, public and private facilities and services, environmental control,  
21 natural resource use and conservation, economic and social conditions, and capital projects.  
22
- 23 1.3 In fulfilling its mission with the scope of its responsibilities, it is expected that the Planning  
24 Commission will work to achieve the following goals:  
25
- 26 a. Utilize well-recognized and innovated planning ideas and methods to identify and analyze  
27 issues, formulate solutions, and establish priorities.
  - 28 b. Provide timely and effective opportunities for public involvement and pursue timely and  
29 effective consensus-building processes in the discussion and resolution of planning issues.
  - 30 c. Work with staff of the Planning Division of the Yakima County Public Services Division in  
31 understanding and appropriately responding to the needs of the Board of County  
32 Commissioners.
  - 33 d. Influence in a positive manner all planning efforts affecting Yakima County.  
34

35 **SECTION II: MEETINGS**  
36

- 37 2.1 All regular meetings shall be open to the public and will be held ~~in the Yakima County Resource~~  
38 ~~Center, 2403 South 18<sup>th</sup> Street, Union Gap, Washington,~~ on the second Wednesday of each month,  
39 beginning at 5:30 p.m., or as soon thereafter as practical, unless otherwise scheduled and noticed  
40 in advance. Meetings will be located in the Yakima County Resource Center, 2403 South 18<sup>th</sup>  
41 Street, Union Gap, Washington in addition to virtual/telephonic options. During a state of  
42 emergency, public health crisis, or when in person meetings are not possible, meetings may be held  
43 exclusively virtual/telephonic.  
44
- 45 2.2 When it appears to the Chair, or the Secretary in consultation with the Chair, that the amount of  
46 business to be transacted at an upcoming regular meeting is in excess of that which could be  
47 completed prior to 8:30 p.m., the Chair may schedule a time, place and date for, and identify the  
48 item(s) of business to be considered at a continuation of the meeting.  
49

- 1 2.3 If circumstances so warrant, a regular meeting may be canceled at the call of the Chair or Secretary  
2 in consultation with the Chair.  
3
- 4 2.4 Special meetings shall be called by the Chair, by the Secretary in consultation with the Chair, or at  
5 the written request of at least four members of the Planning Commission. Special meetings shall  
6 be held at a designated date, time and place, and shall be open to the public.  
7
- 8 2.5 The Planning Commission may continue any regular or special meeting to a specific date, time and  
9 place.  
10
- 11 2.6 Should there not be a quorum of the Planning Commission at any regular or special meeting, the  
12 members present shall adjourn to the next regular meeting, or to the next special meeting if called  
13 as provided for in these rules. In the case that no members are present, the Secretary shall adjourn  
14 to the next regular meeting or to the next special meeting if called as provided for in these rules.  
15
- 16 2.7 The Planning Commission may provide an annual opportunity at a regular or special meeting for  
17 the public to present information and comment on any matter within the scope of the Planning  
18 Commission's responsibilities. Public input may also be allowed during other regular and special  
19 meetings by invitation of the Chair.  
20
- 21 2.8 All meetings of the Planning Commission shall be recorded and shall be held in accordance with  
22 the requirements of the Open Meetings Act, RCW Chapter 42.30.  
23
- 24 2.9 Except as modified by these Rules of Procedure, Robert's Rules of Order Newly Revised shall  
25 govern the conduct of meetings.  
26

### 27 **SECTION III: OFFICERS**

28

- 29 3.1 Officers shall consist of a Chair, Vice-Chair, and such other Officers, who may by majority vote  
30 be elected from members of the Planning Commission. The members may choose to elect Co-  
31 Chairs and/or Co-Vice Chairs following the procedures set forth in 3.2, as needed to conduct the  
32 business of the Planning Commission.  
33
- 34 3.2 Election of Officers shall take place once a year on the occasion of the first regular meeting in each  
35 calendar year, and each elected Officer shall serve until the subsequent election. If for any reason  
36 Planning Commission Officers are not elected at the first regular meeting of the calendar year, the  
37 existing Officers shall continue to serve until an election is held.  
38
- 39 3.3 Any Officer may be removed at any time by vote of the majority of the Planning Commission.  
40 Removal from office does not constitute a removal from the position of Planning Commissioner.  
41
- 42 3.4 The vacancy of an office caused by the resignation or removal of any Officer during the term of  
43 his/her office shall, by majority vote, be filled for the remaining term of office from the remaining  
44 members of the Planning Commission.  
45

### 46 **SECTION IV: CHAIR**

47

- 48 4.1 The Chair shall preside over the meetings of the Planning Commission and may exercise all the  
49 powers usually incident to the office, retaining the full right to have his/her vote recorded in all  
50 deliberations of the Planning Commission.

- 1  
2 4.2 The Vice-Chair shall, in the absence of the Chair, perform all the duties of the Chair.  
3  
4 4.3 In the absence of both the Chair and Vice-Chair, the Planning Commission members present shall  
5 choose a temporary Chair for the meeting, who shall have full powers of the Chair for the duration  
6 of that meeting.  
7  
8

9 **SECTION V: SECRETARY**

- 10  
11 5.1 The ~~Director of the~~ Planning ~~Division~~ Official of the Yakima County Public Services Planning  
12 Division ~~Department~~ or his/her designee, shall serve ex-officio without vote as the Secretary, and  
13 shall perform the duties as set forth in this section and as are normally carried out by a Secretary.  
14  
15 5.2 The Secretary shall keep an audio record of all regular and special meetings of the Planning  
16 Commission, which shall constitute the official record of such meetings.  
17  
18 5.3 The Secretary shall timely prepare and keep minutes of all regular and special meetings of the  
19 Planning Commission and, when requested to do so, of its subcommittees and/or study groups. The  
20 objectives and content of the minutes are as follows:  
21  
22 a. Objectives  
23 (1) Maintain a complete factual record of motions, findings of fact, and actions of the  
24 Planning Commission, as well as usual details of time, place, type of meeting, members  
25 present, speakers and their addresses, roll call votes and other pertinent information  
26 needed to describe what was accomplished.  
27 (2) Provide a summary for Planning Commissioner who miss a meeting and/or to refresh  
28 their memories and for the Board of County Commissioner to follow what is happening.  
29  
30 b. Content  
31 (1) Provide the greatest detail for public hearings and final actions by the Planning  
32 Commission; moderate detail for post-hearing work sessions; and the least detail for  
33 briefings and other work sessions. With this outline as a guide, summarize what was  
34 said and provide a concise record of what was done. If a Planning Commissioner would  
35 like a particular statement to be place in the minutes, he/she should state that for the  
36 record.  
37 (2) For staff presentations, summarize only new information not in the written staff report.  
38 (3) List Planning Commission requests for information and questions of staff that require  
39 follow-up.  
40 (4) Reference documents cited during meetings, rather than including excerpts.  
41 (5) Underline motions so they can be clearly identified.  
42 (6) Planning Commissioners are encouraged to contact Planning Division staff in advance  
43 of a meeting with questions and/or proposed corrections of draft minutes to allow staff  
44 to review the audio recording if necessary.  
45  
46 c. Approval  
47  
48 (1) Meeting minutes may be approved by a majority of the Planning Commission who were  
49 in attendance at the subject meeting

- 1           (2) Under the following conditions, meeting minutes may also be approved without a  
2           quorum of members who were in attendance at the subject meeting:  
3
- 4           (a) At least two members who were in attendance at the subject meeting attest that the  
5           minutes accurately reflect the activities of that meeting, and  
6           (b) A majority of a quorum of the Planning Commission in attendance when the  
7           question of approval of the minutes is addressed vote to approve the minutes.  
8
- 9   5.4    The Secretary shall give Planning Commission members notice of all regular and special meetings,  
10       prepare with the Chair’s assistance the agenda of regular and special meetings, and serve proper  
11       and legal notice of all public hearings.  
12
- 13   5.5    Whenever any Planning Commission agenda item is continued to the next regular meeting or to a  
14       special meeting, on the next business day immediately after the time of continuance the Secretary  
15       shall conspicuously post notice of such continuance on or near the door of the place where the  
16       meeting was held.  
17
- 18   5.6    The Secretary shall cause written notice of special meetings to be delivered personally, by  
19       facsimile, e-mail or by the U.S. Postal Service at least twenty-four hours before the time of such  
20       meeting as specified in the notice to each member and to each local newspaper of general  
21       circulation which has on file with the governing body a written request to be notified of such special  
22       meeting or of all special meetings. Each local radio or television station that has on file with the  
23       governing body a written request to be notified of such special meeting or of any special meetings  
24       shall also be notified. The call and notice shall specify the time and place of the special meeting  
25       and the business to be transacted. Such written notice may be dispensed with to any Planning  
26       Commission member who has on file with the Secretary a written waiver of notice of all special  
27       meetings or who, prior to or at the time of any special meeting, files a written notice may also be  
28       dispensed with as to any member who is actually in attendance at any special meeting.  
29
- 30   5.7    Typically at least one (1) week prior to the date of the next scheduled meeting, the Secretary will  
31       prepare and distribute all agendas, minutes and staff reports, and will forward all other relevant  
32       information, to members of the Planning Commission regarding its business. The Secretary will  
33       also post and/or make agendas, staff reports and other applicable information available to the public  
34       in a timely manner and as provided by law.  
35
- 36   5.8    The Secretary will prepare the Recommendations, Conclusions, and Findings of the Commission  
37       for signature by the Planning Commission, forward the Planning Commission's record and  
38       recommendations, Conclusions and Findings to the Board of County Commissioners, and notify  
39       the Planning Commission of actions by the Board of County Commissioners in response thereto.  
40
- 41   5.9    When the Planning Division is making a recommendation to the Board of County Commissioners  
42       that is different from that of the Planning Commission, the Secretary shall notify the Planning  
43       Commission so the Chair or a designee may represent the Planning Commission when the  
44       recommendation is presented to the Board.  
45
- 46   5.10   The Secretary shall maintain a file of all correspondence, studies, plans, reports, recommendations,  
47       findings, conclusions, recordings, minutes, and other official records of the Planning Commission.  
48       All of these records shall be retained in the Planning Division of the Yakima County Public Services  
49       Department.  
50

1 **SECTION VI: TEMPORARY COMMITTEES**

2  
3 6.1 The Chair shall have full power to create and dissolve temporary subcommittees or study groups  
4 composed of Planning Commission members. Temporary subcommittees and/or study groups may  
5 be charged with such duties, examinations, investigations and inquiries regarding one or more  
6 subjects of interest to the Planning Commission. No subcommittee or study group shall constitute  
7 a quorum of the Planning Commission.  
8

9 6.2 Work scope, schedules, and periodic progress reports of subcommittees and study groups shall be  
10 reported to the full Planning Commission.  
11

12 6.3 Subcommittees and study groups shall avoid the appearance of representing the full Planning  
13 Commission, and no standing or temporary committee shall have the power to commit the Planning  
14 Commission to the endorsement of any plan, program, or recommendation without the approval of  
15 the Planning Commission.  
16

17 **SECTION VII: AGENDA**

18  
19 7.1 An agenda shall be prepared by the Secretary for each meeting, which shall substantially conform  
20 to the following outline of the order of business:  
21

- 22 a. Call to Order
  - 23 (1) Roll call
  - 24 (2) Approval of minutes
- 25 b. Unfinished Business
- 26 c. New Business
- 27 d. Public comment
- 28 e. Communications
  - 29 (1) Reports of subcommittees and study groups
  - 30 (2) Status report of cases before the BOCC
  - 31 (3) Secretary's report
- 32 f. Adjournment or continuance to a date, place and time certain  
33

34 **SECTION VIII: QUORUM**

35  
36 8.1 A simple majority of the currently appointed Planning Commission members present at a meeting  
37 shall constitute a quorum for the transaction of business, except as provided in section 8.2 below.  
38 If a quorum is lost during a meeting, no business may be transacted by the Planning Commission  
39 until a quorum is reestablished. The prohibition against transacting business in the absence of a  
40 quorum cannot be waived, even by a majority vote of the Planning Commission. The Planning  
41 Commission can receive reports or petitions whenever a quorum is not present.  
42

43 8.2 When a Planning Commission member has stepped down because of a possible conflict of interest,  
44 the member shall not be counted as present for the purposes of establishing a quorum during  
45 consideration undertaken while he/she is not sitting with the Planning Commission.  
46

47 **SECTION IX: VOTING**

48  
49 9.1 All Planning Commission members present, including the Chair, shall be entitled to vote when any  
50 action is taken.

- 1  
2 9.2 Except as provided in Section 9.3 herein, all motions, recommendations, and/or other matters  
3 adopted by the Planning Commission shall be decided by a majority vote of a quorum of the  
4 Planning Commissioners.  
5
- 6 9.3 Any recommendation by the Planning Commission to the Board of County Commissioners  
7 regarding an issue involving an official control or Comprehensive Plan or any amendments thereto  
8 shall be made by a vote of not less than a majority of the total members of the Planning  
9 Commission. In the absence of a majority vote of the total members of the Planning Commission  
10 on any such issue, no recommendation will be considered to have been made. See Appendix A,  
11 attached hereto, for examples of issues that may be designated as “official controls.”  
12
- 13 9.4 In the event of a failure to obtain a vote of a majority of the total members of the Planning  
14 Commission with respect to a recommendation to the Board of County Commissions regarding an  
15 issue involving an official control or Comprehensive Plan or amendments thereto, the Secretary  
16 shall nevertheless automatically transmit such issue to the Board of County Commissioners.  
17
- 18 9.5 If there is a desire of any Planning Commission member to abstain from voting because of a  
19 potential conflict of interest, this view should be expressed as soon as the potential conflict becomes  
20 apparent and before any discussion is held on such business before the Planning Commission. The  
21 member shall then step down and leave the room.  
22
- 23 9.6 No Planning Commission member may participate or vote on a matter presented at a public hearing  
24 unless the member has:  
25
- 26 a. been in attendance at all public hearings regarding such matter, or
  - 27 b. listened to the taped recording of the public hearing, reviewed the written record of the matter  
28 in question, and verifies on the record that he/she has taken such actions.  
29
- 30 9.6 Conduct of Voting:  
31
- 32 a. The Chair shall conduct a voice vote on all items unless otherwise requested by any Planning  
33 Commissioner.
  - 34 b. A Planning Commissioner may call for a Roll Call vote on any issue. If the motion for a Roll  
35 Call vote receives a majority of ayes, a Roll Call vote shall be conducted. If a majority vote in  
36 the affirmative is not received, no Roll Call vote will occur.
  - 37 c. Silence by a Planning Commissioner during the vote on any motion shall be recorded as an  
38 affirmative vote except:  
39 (1) When a Planning Commissioner chooses to abstain totally from the debate; or  
40 (2) When a conflict of interest precludes a Planning Commissioner’s participation on an issue  
41 or question.
  - 42 d. In case of a tie vote on any motion, the motion shall be considered not to have passed.
  - 43 e. Planning Commissioners must be present to vote. Voting by proxy is not allowed.  
44
- 45 9.7 A motion to reconsider taken in connection with any decision shall take precedence over all other  
46 motions, except a motion to adjourn. Provided that, if such decision involves a recommendation  
47 to the Board of County Commissioners, it may only be reconsidered if before the Planning  
48 Commission signs the document(s) for transmittal of such recommendation to the Board of County  
49 Commissioners, any member who voted with the majority moves for reconsideration and such  
50 motion is approved by:

- 1  
2 a. a majority vote of a quorum of the Planning Commissioners if the recommendation does not  
3 involve a matter described in Section 9.3; or,  
4 b. a majority vote of all Planning Commissioners if the recommendation involves a matter  
5 described in Section 9.3.  
6

7 No decision on any question shall be reconsidered more than once.  
8

- 9 9.8 Documents which reflect recommendations, findings of fact, and other information to be  
10 transmitted to the Board of County Commissioners arising from actions of the Planning  
11 Commission should be signed by all Planning Commissioners who voted on such matters. These  
12 signatures are an acknowledgement of the accuracy of the document, not necessarily of an  
13 agreement with the items contained therein. Planning Commission members who voted on matters  
14 reflected in such documents should all sign at the same time. However, if time is of the essence  
15 and such signatures can not be obtained simultaneously, the Chair, or Secretary in the absence of  
16 the Chair, shall attest to the accuracy of the document for those members who were unable to sign.  
17 Following the signing and/or attestation of such documents, the Secretary shall timely transmit such  
18 documents to the Board of County Commissioners and provide a copy to all Planning  
19 Commissioners.  
20

## 21 **SECTION X: PUBLIC HEARING RULES**

- 22  
23 10.1 There are two types of public hearings: legislative and quasi-judicial.  
24

- 25 a. The purpose of a legislative public hearing is to obtain public input on matters of policy.  
26 Examples include but are not limited to adoption/amendment of zoning ordinances, the Critical  
27 Area Ordinance/Shoreline Master Plan, the Urban Growth Area, the Comprehensive Plan, and  
28 other regulatory ordinances.  
29 b. Quasi-judicial public hearings, unlike legislative ones, involve the legal rights of specific  
30 parties, and the decision made as a result of such hearings must be based on and supported by  
31 the testimony presented by witnesses at the hearing and the documents or exhibits submitted in  
32 connection with the matter being considered. Examples include but are not limited to permit  
33 applications involving such items as subdivisions, lot line adjustments, Type I, II and III uses,  
34 Shorelines and Critical Area, and to variances and adjustment of standards.  
35

- 36 (1) Testimony at a quasi-judicial hearing will be taken under oath given by the Secretary of  
37 the Planning Commission. It is not necessary that individual oaths be taken. A group oath  
38 is sufficient as long as each witness is present for the group oath. All documents, including  
39 but not limited to maps, drawing and staff reports, will be admitted as numbered exhibits.  
40 (2) The Appearance of Fairness Doctrine applies in quasi-judicial hearings. At the start of  
41 such hearing, the Chair will ask if any Commission member knows of any reason which  
42 would require the member to excuse themselves pursuant to the Appearance of Fairness  
43 Doctrine. Any member of the Planning Commission answering in the affirmative should  
44 state the reason(s) for his/her answer so that a determination can be made whether a  
45 violation of the Appearance of Fairness doctrine exists. The form of the announcement is  
46 as follows:  
47

48 “All Commission members should now give consideration as to whether they have:  
49

- 50 (a) A demonstrated bias or prejudice for or against any party to the proceedings;  
(b) A direct or indirect financial interest in the outcome of the proceeding;

- 1 (c) A prejudgment of the issue prior to hearing the facts on the record; or  
2 (d) Had “ex parte” contact with any individual, excluding administrative staff, with regard  
3 to an issue prior to the hearing. (Where ex parte communication has occurred, please  
4 refer to Section 12.3 herein.)

5 If anyone in the audience wishes to challenge, on Appearance of Fairness grounds, the  
6 participation in the matter by any member of the Planning Commission, please state your  
7 name, address, and reasons for your request.”  
8

9 10.2 Preliminary guidelines

- 10  
11 a. Prior to the start of a public hearing, the Chair may require that all persons wishing to be heard  
12 shall sign in with the Secretary, giving their names and addresses, the agenda item of interest,  
13 and whether they wish to speak as proponent, opponent, or otherwise. Any person who fails  
14 to sign in shall not be permitted to speak until all those who signed in have done so.  
15 b. At any public hearing, persons who have signed in and wish to be heard shall be given an  
16 opportunity to be heard. However, the Chair shall be authorized to establish speaker time limits  
17 and otherwise control presentations, in which case the Secretary or his/her designee shall be  
18 the timekeeper.  
19 c. The Chair may change the order of speakers so that testimony is heard in the most logical  
20 and/or appropriate order.  
21 d. Prior to the close of a public hearing, Planning Commission members may ask questions of  
22 Planning Division staff and/or members of the audience.  
23 e. At no time during a public hearing or the deliberations related thereto may Planning  
24 Commissioners testify, offer evidence, or provide factual information bearing on issues  
25 involved in the hearing.  
26 f. Pre-filing of testimony or evidence is encouraged and may be delivered to the Planning  
27 Division in advance of a hearing.  
28

29 10.3 Rules of Order

- 30  
31 a. All persons speaking to the Planning Commission shall stand, approach the rostrum and  
32 microphone, if provided, and identify themselves by name, address and whom they represent.  
33 b. Testimony shall be kept factual and on the subject. The Chair is charged with the responsibility  
34 of discouraging and stopping irrelevant, unnecessarily long, repetitive, or abusive testimony,  
35 and at the onset may limit the length of testimony. Time permitting, an opportunity will be  
36 provided for additional public comment from previous speakers after everyone who so desires  
37 has had an opportunity to testify.  
38 c. All comments shall be directed to the Chair, and interruptions, demonstrations, applause or  
39 other distractions during or at the conclusion of anyone’s testimony are not permitted. Anyone  
40 making “out of order” comments shall be subject to removal from the meeting, and the Chair  
41 may call a recess in, or adjourn, the meeting in the event of excessive disruption.  
42 d. Speakers shall not question one another. Instead, questions from Speakers shall be addressed  
43 to the Chair. Upon request of a majority of Planning Commission members present, the Chair  
44 may allow direct questioning of an expert witness who has previously testified on behalf of an  
45 opponent or proponent, or on other business before the Commission.  
46 e. If written statements are made, a copy shall be presented to the Planning Commission and to  
47 the Secretary.  
48

49 10.4 Conclusion of Public Hearing  
50



- 1 a. At the conclusion of public testimony, the Chair asks staff if there is any additional information,  
2 testimony, or evidence to be submitted for the record.
- 3 b. The Chair may, with the consensus of the Planning Commission, hold open a public hearing to  
4 allow additional time for the receipt of additional evidence or written testimony.
- 5 c. After the public hearing is closed, additional testimony or evidence may not be requested or  
6 considered; provided that, the Planning Commissioner may obtain “clarification” from the  
7 Planning Division regarding factual information that bear on an issue involved in the hearing.  
8 However, the Planning Division may not provide opinion, testimony, or evidence in response  
9 to a request for clarification.
- 10 d. Motions by the Planning Commission to approve, deny, or modify a proposal must state the  
11 specific reason(s) therefor.

12  
13 **SECTION XI: ABSENCE OF MEMBERS**

- 14  
15 11.1 Attendance at meetings of the Planning Commission is expected of all Planning Commissioners.  
16 Upon request of a member, or of the Secretary on behalf of the member, the Chair may excuse the  
17 absence from any meeting. While no motion to excuse such absence is needed, the Chair is required  
18 to announce all absences for the record.  
19
- 20 11.2 Unexcused absences will occur if prior to a meeting a Planning Commissioner fails to notify the  
21 Chair, or the Secretary, of the Planning Commissioner’s anticipated absence at the meeting. In the  
22 event of an emergency that prevents a Planning Commissioner’s prior notification of an absence,  
23 the Chair may excuse the absence upon notice from the Planning Commissioner at or prior to the  
24 next meeting he/she attends.  
25
- 26 11.3 In the event of a member incurring three unexcused absences in any six-month period, the  
27 member’s record shall be forwarded by the Secretary to the Board of County Commissioners for  
28 consideration.  
29

30 **SECTION XII: CODE OF CONDUCT**

- 31  
32 12.1 Outside of Planning Commission meetings, Planning Commissioners:  
33  
34 a. May represent the full Planning Commission if so authorized by the Planning Commission.  
35 b. May speak as a Planning Commissioner regarding his/her position(s), as long as he/she  
36 makes it clear that such position(s) does not represent the full Planning Commission.  
37 c. May speak as an individual, clearly specifying that he/she is speaking in such capacity and  
38 not as a Planning Commissioner.  
39 d. Should provide full disclosure to the Planning Commission when he/she has any personal  
40 involvement on issues that relate to the Planning Commission.  
41
- 42 12.2 Planning Commissioners are prohibited from:  
43  
44 a. Acting in a manner that intentionally disrupts Planning Commission meetings.  
45 b. Using his or her position to secure special privileges or exemptions for himself, herself, or  
46 others.  
47 c. Directly or indirectly giving or agreeing to receive compensation, gifts, rewards, or gratuities  
48 from any source for a matter connected with or related to the services as a member of the  
49 Planning Commission, unless otherwise provided by law.

- 1 d. Accepting employment or engaging in business or professional activities that he or she might  
2 reasonably expect would require or induce said member to disclose confidential information  
3 acquired by reason of membership on the Commission.  
4 e. Disclosing confidential information gained by reason of his or her membership on the Planning  
5 Commission or using such information for his or her personal gain or benefit.  
6 f. Violating the Open Meetings Act. Examples of such violations include but are not limited to  
7 occasions when:

8  
9 (1) more than three Planning Commissioners meet together or communicate with each other  
10 as a group outside of designated Planning Commission meetings.

11 (2) when more than three Planning Commissioner use an intermediary, whether or not a  
12 member of the Planning Commission, to communicate with each other as a group on  
13 matters within the scope of their responsibilities as Planning Commissioners.  
14

15 Communicating as a group is not limited to simultaneous conversation, but may also include  
16 communication through exchanges of information among more than three Planning  
17 Commissioners by telephone, fax or email.  
18

19 However, nothing herein shall prevent staff members of the Planning Division from  
20 communicating with any number Planning Commissioners for purposes of distributing  
21 agendas, minutes, staff reports, correspondence and other documents relating to the business  
22 of the Planning Commission or from acquiring or distributing information that will facilitate  
23 administrative activities of either the Planning Division or the Planning Commission.  
24

- 25 g. Acting in any other manner that would result in neglect of duty, misfeasance or malfeasance of  
26 office.  
27

### 28 12.3 Conflict of Interest

29

- 30 a. Any Planning Commission member having a direct or indirect interest in, or who would benefit  
31 from, any matter coming before the Planning Commission shall disclose this interest and, if  
32 deemed appropriate by that Planning Commissioner or by a majority of the Planning  
33 Commission, and/or if required by law, shall abstain from voting on, and not participate in any  
34 discussion regarding, the matter. When a member abstains because of a conflict of interest,  
35 he/she shall not be counted as present for purposes of establishing a quorum during  
36 consideration of the matter from which the conflict arose.  
37 b. In accepting appointment as a Planning Commissioner, members are encouraged to attend all  
38 meetings and give their full attention to all matters that come before the Planning Commission.  
39 If a Planning Commission member foresees that business, personal, or family commitments or  
40 other circumstances or conditions may create a conflict that regularly prevents this level of  
41 participation, the member should step down and resign from his/her position on the Planning  
42 Commission.  
43

### 44 12.4 Appearance of Fairness

45

- 46 a. Planning Commissioners shall adhere to the applicable requirements of the appearance of  
47 fairness doctrine, RCW Chapter 42.36.  
48 b. While any quasi-judicial proceeding is pending, no Planning Commission member may engage  
49 in communications either solely with proponents or solely with opponents about a proposal  
50 involved in the pending proceeding, unless the Commission member:

- 1 (1) places on the record the substance of such oral or written communications; and  
2 (2) provided that a public announcement of the content of such communication and of a party's  
3 right to rebut the substance of the communication shall be made at each hearing where  
4 action is taken or considered on the subject. This does not prohibit communication between  
5 a citizen and a Planning Commission if it is made part of the record, when it pertains to the  
6 subject matter of a quasi-judicial proceeding. (RCW 42.36.060)  
7

8 **SECTION XIII: AMENDMENT OR SUSPENSION OF RULES**  
9

- 10 13.1 These rules may be amended at any regular meeting of the Commission by a majority vote of the  
11 entire Commission membership if the proposed amendment is presented in writing at the  
12 immediately preceding regular meeting.  
13  
14 13.2 No rule shall be suspended without the concurrence of two-thirds of the members present.  
15  
16 13.3 No rule that reflects a requirement of state law may be suspended.  
17  
18 13.4 We, the members constituting a quorum of the Planning Commission of Yakima County, State of  
19 Washington, created by a Resolution of the Board of County Commissioners, pursuant to Chapter  
20 201, Laws of 1959, do this date hereby adopt, publish and declare the following as the Planning  
21 Commission Rules of Procedure and further rescind all rules previously adopted by this  
22 Commission.  
23

24  
25 Dated this the \_\_\_\_ day of \_\_\_\_\_, 2020~~19~~.  
26

\_\_\_\_\_  
Michael Shuttleworth

\_\_\_\_\_  
Ashley Garza, [Vice-Chair](#)

\_\_\_\_\_  
Doug Mayo, Chair

\_\_\_\_\_  
Kyle Curtis

\_\_\_\_\_  
Jerry Craig

\_\_\_\_\_  
Jerry Mellen

\_\_\_\_\_  
Vacant

27  
28  
29 Attest:  
30  
31  
32

\_\_\_\_\_  
33 Thomas Carroll, Secretary

**YAKIMA COUNTY PLANNING COMMISSION  
RULES OF THE COMMISSION**

**APPENDIX A**

<b>Examples of “Official Control” and Comprehensive Plan Issues</b>		
<b>Example #</b>	<b>Issue</b>	<b>Official Control/Comp Plan (Yes/No)</b>
1	Zoning Changes	Yes (Official Control)
2	Re-Zones	Yes (Official Control)
3	County Ordinance Adoption/Amendment	Depends on subject matter
4	Urban Growth Area Change	Yes (Comprehensive Plan Amendment)
5	Map Changes	Yes, if a Zoning or Comp Plan Map change
6	Land Use Overlays	Yes (Comprehensive Plan Amendment)
7	Permitted Land Use Changes	Yes (Comprehensive Plan Amendment)
8	Critical Area Ordinance Changes	Yes (Comprehensive Plan Amendment)
9	Shoreline Master Plan Changes	Yes (Comprehensive Plan Amendment)
10	De-designation Criteria Changes	Yes (Comprehensive Plan Amendment)
11	Review of Determinations of Non-Significance	No
12	Open Space Taxation Recommendations	Yes (Processed as a Comp Plan Amendment)