BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

In Re


Ordinance No. TLS 14-07-25B

WHEREAS, the Douglas County Board of Commissioners has created a planning department and, in accordance with RCW 36.70.040, established a planning commission; and

WHEREAS, the purpose of the planning commission is to assist the planning department in carrying out the department’s duties; and

WHEREAS, Chapter 2.12 of the Douglas County Code does not specify the qualities, responsibilities and duties of the planning commission and its members and the lack of specificity has, from time to time, created confusion and misunderstands; and

WHEREAS, RCW 36.70.070 allows Douglas County to establish a planning commission consisting of five, seven or nine members; and

WHEREAS, the Board of County Commissioners finds that amendment of DCC Chapter 2.12 will promote the efficiency and effectiveness of the planning process and the planning commission and will promote public health, safety and welfare by clarifying the role, duties, qualities and functioning of the planning commission and its members, and by reducing the size of the planning commission to seven members will provide additional opportunity for engagement and discussion by members, resulting in an improved public process; and

WHEREAS, the Board of County Commissioners further finds the proposed revisions to DCC Chapter 2.12 are categorically exempt from the procedural requirements of the State Environmental Policy Act of 1971.

NOW, THEREFORE, be it resolved and ordained that Sections 2.12.010 and 2.12.020 of the Douglas County Code are hereby amended as set forth at attached Exhibit A; that new DCC Section 2.12.030 is hereby adopted as set forth at attached Exhibit A; and that these revisions to Douglas County Code Chapter 2.12 shall be effective immediately.
ADOPTED AND ORDAINED this 10th day of June 2014, at Waterville, Washington.

BOARD OF COUNTY COMMISSIONERS
DOUGLAS COUNTY, WASHINGTON

Dale Snyder, Chair

Ken Stanton, Vice Chair

Steven D. Jenkins, Member

Dayna Prewitt, Clerk of the Board
Exhibit A

Adopted Amendments to Douglas County Code Sections 2.12.010 and 2.12.020

2.12.010 Established-Creation of Commission to Assist Department.
A. Established. Pursuant to and by authority of RCW 36.70.040, there is established a county planning commission to be known as the Douglas County planning commission.
B. Purpose. Consistent with RCW 36.70.040, the purpose of the planning commission is to "...assist the planning department in carrying out its duties, including assistance in the preparation and execution of the comprehensive plan and recommendations to the department for the adoption of official controls and/or amendments thereto. To this end, the planning commission shall conduct such hearings as are required by this chapter and shall make findings and conclusions therefrom which shall be transmitted to the department which shall transmit the same on to the board with such comments and recommendations it deems necessary."
C. Authority. The planning commission is authorized and required to assist the planning department and make recommendations on proposed land use plans, policies, regulations, and amendments, and conduct public hearings as required and assigned by the board of county commissioners. The planning commission may also perform such other duties as are assigned by the board and not inconsistent with its purpose and authority.
D. The Douglas County planning director, or his/her designee(s), shall be the executive secretary of the planning commission.

2.12.020 Members.
A. Membership. Pursuant to RCW 36.70.070, the planning commission shall consist of nine seven members to be appointed by the board of county commissioners in accordance with RCW 36.70.080. Two members shall be appointed from each of the three board of county commissioner districts. A member shall be resident within and a register voter of the board of county commissioner district from which the member is appointed. One member shall be appointed as an at-large member and shall be a resident within and a registered voter of Douglas County.
B. Term of Appointment. The terms of the planning commission members shall be four years. Membership shall be limited to three terms or twelve consecutive years.
C. Qualities. The board of commissioners should appoint planning commission members who:
   1. represent varying geographic, demographic, and socioeconomic perspectives and varying zoning districts throughout the county;
   2. ensure effective representation of unincorporated areas of the county;
   3. collectively represent a broad range of local opinion, experience, and expertise, and are entrusted to make recommendations reflecting the broad interests of the community;
   4. are free of incompatibility and conflict of interests with other municipal organizations, agencies, and entities within Douglas County;
5. are able to comply at all times with county policies on ethics and conflicts of interest; and
6. are able to receive meeting materials electronically.

D. Duties. Each planning commission member must:
1. attend all regular meetings, unless unavailable due to unavoidable conflicts or illness;
2. notify the planning department in advance when unavailable to attend a meeting;
3. be prepared to participate in meetings by reading proposals, staff reports, and other provided materials in advance;
4. comply at all times with the following laws, rules and policies:
   a. County policies on ethics and conflicts of interest;
   b. The Public Records Act, RCW Chapter 42.56;
   c. The Open Public Meetings Act, RCW Chapter 42.30; and
5. for quasi-judicial actions, comply with the Appearance of Fairness Doctrine, RCW Chapter 42.36.

E. Conflict of Interest. If a planning commission member is an applicant; is currently a paid or unpaid advocate, agent, or representative of an applicant; or has a direct pecuniary interest in or for a site-specific comprehensive plan map amendment, zoning district reclassification or any other non-area wide application before the planning commission, the planning commission member may not directly participate in any decision or recommendation on the application, and may not be present in the meeting room during any discussion or hearing held on the application.

F. Legal Advisor. The Prosecuting Attorney is the sole legal advisor for the planning commission. Requests for opinions and advice shall be made by the planning commission through the planning department.

Adopted New Douglas County Code Section 2.12.030

2.12.030 Meetings
A. Meetings. Regular meetings of the planning commission are held on the second Wednesday of each month beginning at 5:30 PM in the Hearing Room of the Douglas County Public Services Building. Special meetings may be held when requested by a majority of the current membership of the planning commission, by the board of county commissioners, or by the planning department. Meetings shall be held once per month, unless canceled by the planning department when there are only administrative matters for the planning commission to consider, with the concurrence of the board of county commissioners.
B. Procedures. The planning commission may adopt rules for transaction of its business, provided those rules are consistent with the county code and state law. The rules contained in the current edition of Robert's Rules of Order Newly Revised govern the planning commission in all other cases. Rules, bylaws and procedures are not effective until they are approved and confirmed by the board of county commissioners.
C. Public votes. All votes must be public, not secret, and not by ballot, pursuant to RCW Chapter 42.30, the Open Public Meetings Act.