

RULES OF THE CITY OF REDMOND LANDMARK COMMISSION

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Pursuant to Redmond Municipal Code, Chapter 4.33 Landmark Commissions, the following Rules and Procedures of the City of Redmond Landmark Commission have been adopted by the Redmond City Council and constitute all rules for transaction of business before the Landmark Commission of the City of Redmond.

I. Definitions.

- A. “Applicant” means as defined in RZC [21.78](#).
- B. “Commission” means the Landmark Commission of the City of Redmond.
- C. “City” means the City of Redmond, Washington.
- D. “Redmond Zoning Code” (RZC) means the City of Redmond Zoning Code.
- E. “Ex parte communication” means written or oral communication not included in the public record and made outside of a public meeting.
- F. “Party of record” means as defined in RZC [21.78](#).
- G. “Secretary of the Interior’s Standards for the Treatment of Historic Properties” refers to national standards, established as guidelines and implemented during preservation, rehabilitation, restoration, and reconstruction of historic properties.

II. Ex Parte Communication.

- A. No person, nor his or her agent, employee, or representative, who is interested in a particular application which is designated for public meeting shall communicate ex parte directly or indirectly with members of the Commission concerning the merits of that application. This rule shall not prohibit ex parte communications concerning procedural matters.
- B. Members of the Commission shall not communicate ex parte directly or indirectly with any person, nor his or her agent, employee or representative who is interested in a particular application which is designated for public meeting with regard to the merits of that application. This rule shall not prohibit ex parte communications concerning procedural matters, nor assistance to members of the Commission in viewing the land or building involved in application.
- C. If prohibited ex parte communication is made to or by a member of the Commission, the member is required to fully reveal the communication, and interested parties shall have the opportunity to rebut the communication. The member shall determine whether the communication merits disqualifications of himself or herself for that particular application.

III. Presiding Officials.

- A. Chairman and Vice Chairman. The term of the Chairman of the Commission and Vice Chairman shall be for one year. The Vice Chairman shall be elected at the same time as the Chairman. The Chairman shall be counted to determine a quorum, and shall have the same rights as other members of the Commission including the right to vote.
- B. Duties. The Chairman shall have the authority and duty to conduct fair and impartial meetings, to take all necessary action to avoid delay in the disposition of proceedings, to maintain order, to regulate the course of the meeting and the conduct of the parties and their agents, to consider and rule upon all procedural and other motions appropriate to the proceeding, and to file recommendations, or decisions. During the absence, disability, or disqualification of the Chairman, the Vice Chairman shall exercise or perform all the duties and be subject to all the responsibilities of the Chairman. If neither the Chairman nor the Vice Chairman is able to preside at a meeting, the Chairman shall designate the presiding officer for that meeting. If the Chairman is unable to designate the presiding officer, then the Vice Chairman shall do so. In the absence of the Chairman and Vice Chairman, the remaining members shall select an acting Chairman
- C. Presence of City Staff. The City Planning Director, or her/his designee, shall serve as secretary to the Commission and also in an advisory capacity.
- D. Vacancy of Chairman or Vice Chairman. In the event the Chairman or Vice Chairman leaves office or vacates their seat before their terms expire, the Landmark Commission shall vote to determine the Chairman and/or Vice Chairman to fill the position for the remainder of the previous incumbent's term.

IV. General Procedures

- A. Regular Meeting Date and Time. The Commission will meet on the first and/or third Thursday of each month at 7:00 p.m as needed. However, a meeting need not be held if there are no applications submitted for review by the Commission and no other business for the Commission.
- B. Special Meetings. Special meetings may be held at any time and location indicated in the public notices.
- C. Location of Meetings. All meetings will be held in the City Council Chambers at City Hall unless public notice is given that the meeting location will be changed.
- D. View Trip. Commission members are encouraged to visit the site.
- E. Record of Meeting/Hearing.
 - 1. Electronic Recording. Meetings shall be electronically recorded and such recordings shall be a part of the official record. Copies of the electronic recordings of a particular proceeding shall be made available to the public on request and payment of reasonable cost of such copying.
 - 2. Copies of any written materials in the record may be obtained by any interested person through the City's public records request procedures. The requestor shall be responsible for paying the cost of reproducing such material.
- F. Relationship with City Council. The Landmark Commission should meet with the City Council on an annual basis with a report of activities and progress.

V. Conduct of Meetings

- A. **Format.** The format for a public meeting will be of an informal nature yet designed in such a way that the evidence and facts relevant to an application will become the most readily and efficiently available to the Commission.
- B. **Meetings.** The deliberation and proceedings of the Commission shall be public. The public meeting shall include, but not be limited to, a brief introductory statement by the Chairman, and a report by City staff summarizing the application. The Commission at its discretion may permit testimony by the applicant, testimony in support and testimony of opposing parties. Nothing shall prohibit the Commission from soliciting explanations and additional input from the applicant or applicant's representative and such other sources as the Commission deems necessary to enable them to complete their review of the application.
- C. **Time Limitation.** Regularly scheduled meetings of the Commission should conclude by 8:00 majority of the Commission members present agree to extend the meeting past such time.
- D. **Continuance of Meetings.** The Commission may continue or reopen proceedings for any good cause as deemed reasonable and appropriate.

VI. Conduct of Public Hearings

The format for public hearings conducted by the Commission should be as follows:

- A. The Chair or a staff member should read or paraphrase the purpose of the hearing and advise the Commission of the applicable criteria that they must consider in the course of their review. The purpose of this is to advise the Commission before they receive testimony of the particular items they should be considering during the course of the hearing.
- B. The hearing should begin with a staff report to the Commission which may include the staff's recommendation.
- C. The Commission should direct any questions they have at that time to the staff.
- D. The hearing should then be opened to permit the applicant to make a presentation to the Commission.
- E. Questions from the Commission should be directed to the applicant.
- F. At this time, the hearing should be opened to the audience as a whole. A sign up list will be circulated before the meeting to determine the number of persons desiring to speak, which may be weighed against the amount of time available for the public hearing. A stated amount of time may be allocated to the hearing, and each person who has signed up given an equal amount of time to speak. Persons who have signed up may waive their opportunity to speak which leaves time for those who wish additional time to speak. If the time allocated for the hearing is exhausted, the hearing can then be continued to another date if necessary. The sign up list shall provide the name and address of speakers for the secretary who is taking the minutes for the hearing. In addition, it provides an orderly process for the calling of speakers and assures that each person is given an opportunity to speak before those who have already spoken are recognized again.
- G. Each person speaking, whether it be the applicant or a member of the audience should be recorded and should state their full name and mailing address.
- H. When everyone who wishes to speak has had an opportunity, any persons who have already spoken may speak again if there is time remaining.
- I. If, at the conclusion of the hearing there are still persons wishing to speak who may provide information, then the hearing time may be extended or the hearing continued to a date certain in the

Exhibit 3 – Landmark Commission Rules

future. When the public has completed their testimony, and before closing the hearing, the applicant or their representative should be given a brief opportunity for rebuttal. If, upon conclusion of the rebuttal, there are no more questions for any member of the audience or the applicant, the hearing may be closed or continued until after deliberation.

- J. As photographs, maps, slides, letters, invoices, memorandums, petitions or any other documents of any nature are presented to the Commission in connection with the hearing, each one should be identified at the time it is presented and an exhibit number assigned to it. The secretary should maintain an exhibit number list, ascribing the exhibit number and date of submission on the face of the exhibit.
- K. Commission members should be recognized by the Chair before asking questions or providing other information. This allows for the Chair to specifically recognize the Commission member by name who is about to speak, so that the record accurately reflects who has spoken.
- L. Each person who speaks a second time or who responds to a question should come to the podium and again re-identify themselves by name; however, restatement of addresses is not necessary.
- M. Any questions by Commission members to any member of the audience or the applicant should be asked prior to the closing of the hearing. Once the hearing is closed, no additional testimony may be taken, and the Landmark Commission will be limited to questions to the staff only.
- N. It should also be noted that proponents or opponents do have a right to question persons who have given testimony at the hearing. However, these questions should be directed to the Chair of the meeting and not directly to the person who gave testimony. The Chair would direct that person to come to the podium, identify himself and give a response. At the conclusion of the response, any additional questions from that person or other persons should be handled in the same manner. One question at a time should be channeled through the Chair to the person whose response is requested.
- O. At the conclusion of the hearing the Commission should bring a motion to the floor, and initiate discussion. It is preferable that deliberations on the hearing be completed on the same night; however, it is not mandatory and the decision may be continued to a date certain in the future.
- P. When the Commission does not intend to make a decision on the proposal immediately subsequent to closure of the public hearing, the Chairman shall announce that no further written or oral information will be accepted or considered by the Commission as part of the public record.
- Q. During the course of deliberation, the pros and cons of the proposal should be thoroughly discussed particularly in relation to the criteria to be applied, as defined by the RZC or the other guidelines.
- R. Any motion for action should include a statement of findings based on facts presented in the hearing. For example, “Mr. Chair, after reviewing of the file, listening to the testimony from the hearing, and visiting the site, I find that the proposed project satisfies the criteria (or does not satisfy the criteria) for the following reasons:” (list item 1, 2, 3, 4, 5, etc.). It is helpful to draft these in advance of making a motion. At the conclusion of the statement of findings and conclusions, the Commission member should say, “For the reasons I have stated, I move that the application or appeal be (approved, denied or modified as follows...)” If the motion is seconded, discussion should follow. The Chair may call upon each member to state their reasons for or against the particular motion. At the conclusion of the discussion, the Chair should call for a vote upon the motion.
- S. At the conclusion of the vote and the announcement of the decision, the Chair should close the hearing if not closed previously and should at the time advise the audience of when the final decision will be available in writing.
- T. Commission members should avoid whispered conversations between themselves during the course of the hearing. These conversations may not be audible on the tape recording and may jeopardize the

record of the hearing since they cannot be interpreted. No use of e-mail or other social media communications between Commissioners and/or Commissioners and others shall be allowed during the hearing.

VII. Rights of Parties.

- A. Rights of Parties. Every applicant and any interested party shall have the right to attend meetings of the Commission. The Commission may allow public comment at its discretion, and when allowed, the Commission may impose reasonable limitations on the number of individuals heard, and on the nature and length of their public comment. For public hearings the applicant and any interested party shall follow the procedures outlined for public hearings.

VIII. Recommendations and Decisions.

- A. Recommendation. A report of conclusions and recommendations shall be forwarded to the City Technical Committee after the conclusion of a public meeting. The conclusions and recommendations shall indicate how the recommendations meet the decision criteria of the RZC and in particular the applicable Secretary of the Interior’s Standards for the Treatment of Historic Properties.
- B. Decision. A report of conclusions and final decision shall be made available to the public within a reasonable period at the conclusion of a public hearing. The conclusions and recommendations shall indicate how the recommendations meet the decision criteria of the RZC and in particular the applicable Secretary of the Interior’s Standards for the Treatment of Historic Properties.
- C. Content of Recommendation and Decision. A recommendation or decision shall include a statement of:
 - 1. The nature of the proceedings.
 - 2. Findings and Conclusions. The conclusions shall include findings of fact regarding contested issues of fact, and the conclusions shall be referenced to specific provisions of the RZC decision criteria and in particular the applicable Secretary of the Interior’s Standards for Treatment of Historic Properties, together with reasons and precedents relied upon to support the same.
 - 3. Recommendation. The recommendation or decision shall be based upon a consideration of the whole record of the application.