FINAL ACTIONS Planning Commission Meeting of January 17, 2017	
AGENDA ITEM/ACTION	**FOLLOW-UP ACTION**
1. Call to Order. • Meeting was called to order at 6:00 p.m. by the Secretary, Andrew Gast-Bray, acting as temporary chair as this was the first meeting of the New Year. • PC members present were Mr. Dotson, Ms. Firehock, Mr. Keller, Mr. Lafferty Ms. More, Ms. Riley and Ms. Spain. Mr. Palmer was present. • Staff members present were Andrew Gast-Bray, Stephanie Mallory and John Blair.	
2. **Election of Officers: Chairman and Vice Chair for calendar year 2017.** **Elected** Tim Keller as Chair of Planning Commission for 2017 by a vote of 5:0:2 (Firehock absent) (Keller abstained). **Elected** Karen Firehock as Vice Chair of Planning Commission for 2017 by a vote of 6:0:1 (Firehock absent).	Staff: • No Action Required
3. **Discussion of 2017 Planning Commission Rules of Procedure**. The Planning Commission held a discussion on meeting procedures and the Rules of Procedure and took the following actions: The motion FAILED by a vote of 1:5, with Dotson voting in favor and Riley, Keller, Firehock, Spain, Lafferty and More against to not accept the changes in red to Item 2B, regarding the chair's discretion and canceling meetings **ADOPTED,** by a vote of 7:0, the 2017 Rules and Procedures as recommended by staff as discussed, regarding the following items as shown in Attachment 1. (See Attachment 1) The Planning Commission held a discussion on the following topics: Consider meeting time change; a mechanism for commissioner response to matters by the public for non-agenda items; - mechanism for on-site PC observation and discussion; - public "pre meeting" meeting for staff and PC discussion. **AMENDED** by a vote of 7:0 the bylaws,	

	Page 2, Item 3B-2, "Committee Reports," they strike the clause "only on first meeting of each month" and keep it as Item 2 on the agenda. **(See Attachment 1** - proposed Albemarle County Planning Commission 2017 Rules Of Procedure provided by John Blair)	
4.	**Discussion of committees/boards/bodies to which Commission members serve as liaisons.** The Planning Commission noted the following outdated items on the Committee List: • Ms. Spain serves on Pantops CAC. • Mr. Keller expressed interest in new committee replacing the Fiscal Impact Committee. • Mr. Lafferty said he served on CTAC and MPO Tech Advisory Committee	Staff: • Update Committee List.
5.	**Set Meeting Time, Day, and Location for 2017.** The Planning Commission held a discussion on meeting time, day and location 2017 and agreed not to have a meeting on Election Day and June 13, 2017.	Staff: Set 2017 Meeting Schedule as outlined in **Attachment 2.**
6.	**CONSENT AGENDA** **Approval of Minutes:** October 18, 2016, November 1, 2016, and December 6, 2016 **APPROVED,** by a vote of 7:0, the Planning Commission's meeting dates, times and location for 2017 as recommended by staff.	Clerk: • Finalize minutes for October 18, 2016, November 1, 2016 and December 6, 2016.
7.	**Other Matters Not on the Agenda from the Public** • None	Clerk: • No action required
8.	**Review of Board of Supervisors Meeting – January 6, 2016.** Mr. Benish deferred the review of the actions taken on above date.	Staff: • Reschedule review at next meeting.
9.	**Old Business** • None	Secretary: • None
10.	**New Business** • No meeting on January 31, 2017. • The next Planning Commission meeting will be on Wednesday, January 18, 2017.	Secretary: • No action required.
13.	Adjourn to January 18, 2017 joint Albemarle County Planning Commission/Board of Supervisors meeting, 4:00 p.m., Auditorium, Second Floor, County Office Building, 401 McIntire Road, Charlottesville, Virginia.	

• The meeting was adjourned at 8:16 p.m.	

Attachment 1 – 2017 Planning Commission Rules of Procedure
Attachment 2 – 2017 Planning Commission Meeting Schedule

Attachment 1 – 2017 Planning Commission Rules of Procedure - Planning Commission Action

The Planning Commission held a discussion on meeting procedures and the Rules of Procedure and took the following actions:

The motion FAILED by a vote of 1:5, with Dotson voting in favor and Riley, Keller, Firehock, Spain, Lafferty and More against to not accept the changes in red to Item 2B, regarding the chair's discretion and canceling meetings

ADOPTED, by a vote of 7:0, the 2017 Rules and Procedures as recommended by staff as discussed, regarding the following items as shown in the proposed Albemarle County Planning Commission 2017 Rules Of Procedure provided by John Blair.

- Item 3C – Matters not on the Agenda to delete the three-person cap but add in a 20-minute time limit for that comment.
- 3D applicant exceeding time limit
- Section 4 adding word "voting"
- Page 5H – Motion to Amend, it should say "unanimous consent of the voting members of the Commission" and on Page 6, it should say, "Rules may be amended by a majority vote of the voting members of the Commission."
- Tie vote – change it to "recommendation or denial"
- Clarify 504B – add language to read "a private street or a substantial accord finding with the Comprehensive Plan"
- "Motion to Amend" by unanimous consent
- Gender reference in bylaws – take out Section 8 and leave old one in with new references 9 change "his" to "they" or "their
- Section K suspension of rules pertaining to motion – have a motion that cancels all motion, then start over, rather than calling it "suspension of rules"
- Page 5 related to questions – need 2/3 vote to end discussion and then vote on matter. (Note: 2/3 would have to be 5:2 vote.
- Item J – change to include the term "voting member" to provide clarity

The Planning Commission held a discussion on the following topics:

- Consider meeting time change;
- a mechanism for commissioner response to matters by the public for non-agenda items;
- mechanism for on-site PC observation and discussion;
- public "pre meeting" meeting for staff and PC discussion.

AMENDED by a vote of 7:0 the bylaws, Page 2, Item 3B-2, "Committee Reports," they strike the clause "only on first meeting of each month" and keep it as Item 2 on the agenda.

(See 2017 Rules of Procedure prepared by John Blair noted below for more details.)

ALBEMARLE COUNTY PLANNING COMMISSION
2017 RULES OF PROCEDURE

1. Officers

A. *Chair.* At its annual meeting, the Commission shall elect a Chair who, if present, shall preside at the meeting and at all other meetings during the year for which elected.

B. *Vice-Chair*. At its annual meeting, the Commission shall elect a Vice-Chair, who, if present, shall preside at meetings in the absence of the Chair and shall discharge the duties of the Chair during the Chair's absence or disability.

C. *Secretary*. The Director of Planning shall serve the Commission as its Secretary. The duties of the Secretary shall include keeping and maintaining custody of the records of the Commission and such other duties as these rules may provide and the Commission may, from time to time, assign.

D. *Recording Secretary*. The Director of Planning, or the Director's designee, shall serve the Commission as its Recording Secretary. The duties of the Recording Secretary shall include keeping the minutes of the Commission's meetings, acting as the timekeeper, and such other duties as these rules may provide and the Commission may, from time to time, assign.

E. *Other Offices*. At any of its meetings, the Commission may create and fill any other offices as it deems necessary.

F. *Term of Office*. The Chair and Vice-Chair shall be elected for one-year terms; but either or both may be re-elected for one or more additional terms.

G. *Absence of Chair and Vice-Chair.* If the Chair and Vice-Chair are absent from any meeting, a present member shall be chosen to act as Chair.

2. Meetings

A. *Annual Meeting*. The first meeting in January of each year shall be known as the annual meeting. At the annual meeting, the Commission shall establish the day, time, and place for regular meetings of the Commission for that year, and shall elect the Chair and vice-Chair.

B. *Regular Meetings*. The Commission shall meet in regular session at the time and place and on the day or days established for regular meetings. The Commission may subsequently establish a different day, time, or place to conduct its regular meetings by passing a resolution to that effect.

If the Chair, or the Vice-Chair if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for Commission members to attend a regular meeting, the meeting shall be continued to the next regular meeting date. Additionally, if the Chair, or the Vice-Chair if the Chair is unable to act, determines, in consultation with the Director of Planning, that all scheduled public hearing items have been withdrawn or deferred at the request of the applicant, the Chair may cancel the scheduled meeting. This finding shall be communicated to the members of the Commission and to the press as promptly as possible.

Without further public notice, a regular meeting may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business of the Commission is complete.

C. *Special Meetings*. The Commission may hold special meetings as it deems necessary at such times and places as it deems convenient. A special meeting may be adjourned from time to time as the Commission finds necessary and convenient.

A special meeting shall be held when called by the Chair or requested by two or more members of the Commission upon written request made to the Secretary and shall specify the matters to be considered at the meeting. Upon receipt of the call or request, the Secretary, after consultation with the Chair, shall immediately notify each member of the Commission and the County Attorney. The notice shall be in writing and shall be mailed or delivered to the person or to their place of residence or business at least fourteen days prior to the special meeting. The notice shall state the time and place of the special meeting and shall specify the matters to be considered. The Commission shall not consider any matter not specified in the notice at the meeting unless all members are present. The notice may be waived if the time of the special meeting was fixed at a regular meeting, if all members are present at the special meeting, or if all members sign a waiver for the notice.

The Secretary shall notify the general news media of the time and place of such special meeting and the matters to be considered.

3. Order of Business

A. *Agenda Established by Secretary*. The agenda for each regular meeting shall be established by the Secretary in consultation with the Chair.

B. *Organization of the Agenda*. The agenda of each regular meeting shall be organized in substantially the following order, subject to change at the request of the Chair and with the consensus of the other members of the Commission:

(1) Call to order and establish quorum.
(2) Committee Reports (only on first meeting of each month).
(3) Other Matters Not Listed on the Agenda from the Public.
(4) Review of Board of Supervisors Meeting (when applicable).
(5) Consent Agenda (includes approval of minutes from previous meetings when applicable).
(6) Items Requesting Deferral (when applicable).
(7) Deferred Items (from previous meetings when applicable).
(8) Regular Items.
(9) Public Hearing Items.
(10) Work Sessions (when applicable).
(11) Old Business.
(12) New Business.
(13) Adjournment.

C. *Matters not on the Agenda*. Each regular meeting agenda shall include a period for matters not on the agenda. This period shall be limited to twenty (20) minutes. Each person speaking shall be allowed to speak for not more than three minutes; provided that, due to the number of speakers, the Chair, with the consensus of the Commission, may reduce the time each speaker is allowed to speak.

D. *Time Limits for Applicants and Other Speakers*. Each applicant shall be allowed to make a presentation not to exceed ten minutes, and a closing remark at the close of the hearing on the matter not to exceed five minutes. The Commission may permit the applicant to exceed the preceding time limits if the Commission determines that the proposed project's complexity requires additional time for the applicant to make an adequate presentation. Each other person speaking on a matter shall be allowed one

appearance not to exceed three minutes. A speaker may not reserve any time for rebuttal or transfer any time to another speaker. The time limits set forth herein shall not include any time during which the applicant or other speaker is responding to questions asked by the Commission. The Chair may allow the applicant or any speaker to minimally exceed the applicable time limit to complete the specific topic being addressed.

E. *Deferrals*. The Commission may defer any matter at the request of a member of the Commission, the County staff, or the applicant; provided that the Commission shall not defer any matter beyond the date that Commission action is required by law unless the request for deferral is made by the applicant. The request may be either oral or in writing, and may be made at any time prior to the vote on the matter. The person making the request shall state the reasons therefor. A motion to defer shall either specify the date to which the matter is deferred or defer the matter indefinitely.

(1) *Deferral to a specific date*. If the motion to defer pertains to a matter for which a noticed public hearing is required and the motion is to defer the matter to a specific date, the Chair shall either close the public hearing or, if the public hearing was not opened, open and then close the public hearing, before the Commission votes on the motion. When the matter returns to the Commission on the date specified, the Commission may open a new public hearing and receive comments from the applicant or any other speaker, act on the matter, consider another motion to defer, or any appropriate combination thereof.

(2) *Indefinite deferral*. A motion to indefinitely defer a matter should be considered when neither the Commission nor the applicant are certain of the date and time when the matter may return to the Commission for consideration. If the motion to defer pertains to a matter for which a noticed public hearing is required and the motion is to defer the matter indefinitely, the Commission shall close the public hearing, or, if the public hearing was not opened, it may in its discretion allow the applicant or any other speaker to speak on the matter. An indefinite deferral does not extend the time for which action is required on a matter before the application is deemed withdrawn under Chapters 14, Subdivision of Land, and 18, Zoning, of the Albemarle County Code.

4. Quorum

A majority of the voting members of the Commission shall constitute a quorum for any meeting of the Commission. If, during a meeting, less than a majority of the members of the Commission remains present, no action can be taken except to adjourn the meeting or to adjourn the meeting to a fixed time and place. If, prior to adjournment, a quorum is again established, the meeting shall continue. A meeting shall not be adjourned to a date and time beyond that fixed for the next regular meeting.

5. Voting Procedures

A. *Motions*. Each action by the Commission shall be initiated by a motion that is seconded; provided that a second shall not be required if debate immediately follows the motion. Any motion that is neither seconded nor immediately followed by debate shall not be further considered.

B. *Approval of Motion by Majority*. Except for a decision on a motion of the previous question, each decision of the Commission shall be made by approval of a majority of the members present and voting on a motion.

C. *Time for Vote*. Any matter before the Commission requiring a public hearing shall not be decided by the Commission until after the public hearing has been held.

D. *Manner of Vote*. The vote on a motion pertaining to a matter for which the Commission is making a recommendation to the Board of Supervisors shall be by roll call vote; provided that if it appears to the Chair that the Commission will be unanimous in its recommendation, the Commission may make its recommendation by a voice vote. The vote on a motion pertaining to any other matter may be either by roll call vote or voice vote, in the discretion of the Chair; provided that a roll call vote on such a motion shall be required if requested by a member of the Commission. For each roll call vote, the Recording Secretary shall record the name of each member voting and how the member voted on the motion. For each voice vote, the Recording Secretary shall record the result of the vote.

E. *Tie Vote*. A tie vote shall not be deemed to be a recommendation of denial,nor shall a tie vote be deemed to be either a recommendation of approval. A tie vote shall defeat any motion to approve a preliminary subdivision plat, a variation or exception to a site plan, a final subdivision plat, compliance with the Comprehensive Plan pursuant to Virginia Code §15.2-2232, or a private street.

F. *Effect of Defeat of Motion to Deny or Recommend Denial*. The defeat of a motion to deny or to recommend denial of a matter shall not be deemed to be approval of the matter. In such a case, the Chair shall call for another motion.

G. *Abstention*. If any member abstains from voting on any motion, the member shall state the member's abstention. The abstention shall be announced by the Chair and recorded by the Recording Secretary.

H. *Motion to Amend*. A motion to amend a motion before the Commission shall be discussed and voted by the Commission before any vote is taken on the original motion unless the motion to amend is accepted by the unanimous consent of the voting members of the Commission. . If the motion to amend is approved, the amended motion is then before the Commission for its consideration. If the motion to amend is not approved, the original motion is again before the Commission for its consideration.

I. *Previous Question*. The discussion of any motion may be terminated by any member moving the "previous question." Upon a proper second, the Chair shall call for a vote on the motion of the previous question. If approved by a two-thirds majority of those voting, the Chair shall immediately call for a vote on the original motion under consideration. A motion of the previous question shall not be subject to debate and shall take precedence over any other matter.

J. *Motion to Reconsider*. Any decision made by the Commission may be reconsidered if a motion to reconsider is made at the same meeting or an adjourned meeting held on the same day at which the matter was decided. The motion to reconsider may be made by any voting member of the Commission. Upon a proper second, the motion may be discussed and voted. The effect of the motion to reconsider, if approved, shall be to place the matter for discussion in the exact position it occupied before it was voted upon.

K. *Cancellation of Motions*. In any case where a motion has been made under Rules 5(A), 5(H), 5(I), or 5(J), or any combination thereof, and there is uncertainty as to the status or effect of any pending motions or how the Commission is to proceed at that point, the Commission may, by a majority vote, suspend Rules 5(A), (H), (I), or (J), or any combination thereof, for the sole purpose of canceling any pending motions and to permit a new motion to be made.

6. Amendment of Rules of Procedure

These Rules of Procedure may be amended by a majority vote of the voting members of the Commission at the next regular meeting following a regular meeting at which notice of the motion to amend is

given.

7. Rules of Procedure not Covered by These Rules of Procedure

Any rules of procedure not covered by these Rules of Procedure shall be governed by the current Robert's Rules of Order.

8. Nature and Effect of These Rules

The purpose of these Rules of Procedure is to facilitate the orderly conduct of public meetings and decision-making. The parliamentary Rules of Procedure (those rules other than Rules 2(B), 2(C), 4 and 5(B)) are procedural, not jurisdictional, in nature, and Rules 2(B), 2(C), 4 and 5(B) are jurisdictional only to the extent that Virginia law makes them jurisdictional. The failure to comply with the parliamentary Rules of Procedure shall not invalidate any decision of the Commission.

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(Adopted 01/12/99; Amended and/or Readopted 01/11/00 (§3(C)), 01/09/01(§2(B)), 01/15/02, 01/14/03, 01/13/04 (§§1(C), 1(D)), 01/05/05, 01/11/06, 01/09/07, 01/15/08, 01/06/09, 01/12/10, 01/11/11 (§§ 1(D), 2(C), 3(C), 3(D), 4, 5(A) (added), 5(B), 5(E), 9 (added)), 02/14/12, 01/08/13 (§ 3(C)), 01/14/14, 01/27/15 (§§ 1(A), (B), (F), (G), 2(A), (B), (C), 3(A), (B), (C), (D), (E), 5(A), (C), (D), (F), (G), (H), (I), (K) (added), former 7 (deleted)), 1/17/17 §§ 1(B), (D), 2(B), (C), 3(C), (D), 4, 5(E), (G), (H), (K). 6.

PUBLIC HEARINGS, WAIVERS AND MINISTERIAL APPEALS	WORK SESSIONS	NO SCHEDULED MEETING
January 12, 2016	*January 19, 2016**	*January 5, 2016**
January 26, 2016		
February 2, 2016	February 9, 2016	*February 16, 2016**
February 23, 2016		
March 1, 2016	March 8, 2016	March 22, 2016
March 15, 2016		March 29, 2014
April 5, 2016	*April 12, 2016**	April 26, 2016
April 19, 2016		
May 3, 2016	May 10, 2016	*May 24, 2016*
May 17, 2016		*May 31, 2016**
June 7, 2016	June 28, 2016	June 14, 2016
June 21, 2016		
July 12, 2105	July 19, 2016	*July 5, 2016**
July 26, 2016		
August 2, 2016	August 9, 2016	August 23, 2016
August 16, 2016		August 30, 2016
September 13, 2016	September 20, 2016	*September 6, 2016**
September 27, 2016		
October 11, 2016	October 18, 2016	October 4, 2016
October 25, 2016		
November 15, 2016	November 1, 2016	November 8, 2016
*November 29, 2016**		*November 22, 2016**
December 8, 2016	*December 1, 2016**	December 22, 2016
December 15, 2016		*December 29, 2016**
January 10, 2017	*January 17, 2017**	*January 3, 2017**
January 24, 2017		January 31, 2017
February 7, 2017	February 14, 2017	*February 16, 2017**
February 21, 2017		
March 7, 2017	March 14, 2017	March 28, 2017
March 21, 2017		

**Follows a Holiday during the preceding week.*
***Election Day.*
Highlighted Planning Commission meeting dates in 2017 are based on application submittal dates in 2016.