

## **Bylaws of the Louisa County Planning Commission**

### **I. Purpose**

1. The Louisa County Planning Commission is established to promote the orderly development of Louisa, as guided by the Code of Virginia, Title 15.2-2200, to improve the public health, safety, convenience, and welfare of their citizens and to plan for the future development of communities to the end that:
  - A. transportation systems are carefully planned;
  - B. new community centers are developed with adequate highway, utility, health, educational, and recreational facilities;
  - C. the need for mineral resources and the needs of agriculture, industry, and business are recognized in future growth;
  - D. the concerns of military installations are recognized and taken into account in consideration of future development of areas immediately surrounding installations and that where practical, installation commanders shall be consulted on such matters by local officials;
  - E. residential areas are provided with healthy surroundings for family life;
  - F. agricultural and forestal lands are preserved;
  - G. growth of the community is consonant with the efficient and economical use of public funds.This is primarily achieved through the preparation and maintenance of a comprehensive plan for Louisa County.
2. The Louisa County Planning Commission serves in an advisory capacity to the Board of Supervisors and fulfills its responsibilities through:
  - A. creation and maintenance of the Comprehensive Plan, with associated maps, small area plans, gateway plans, transportation plans, and public service plans;
  - B. evaluation of the annual Capital Improvement Plan;
  - C. evaluation of zoning and land use requests.
3. The Louisa County Planning Commission is established and governed by the Code of Virginia, Title 15.2, Subtitle II, Chapter 2200 and the Louisa County Code of Ordinances, Chapter 2, Article 4, Section 2-67.

### **II. Organization.**

1. The rules contained in Robert's Rules of Order Newly Revised shall be the parliamentary authority in all cases not covered by these Bylaws.
2. The County Attorney or a designee of the Commission shall be Parliamentarian.
3. The officers of the Planning Commission shall be the Chairman and Vice-chairman.

4. Nominations and elections of the Chairman and Vice-chairman shall be held at the regularly scheduled January meeting of the Planning Commission. Officers shall be elected by a majority vote of the Planning Commission, and shall serve a one-year term, or until successors shall take office. Officers shall take office immediately upon election. Vacancies shall be filled immediately by the aforesaid election process.
5. The Chairman shall have the following duties:
  - A. be responsible for conducting the meetings.
  - B. rule on the interpretation of the rules.
  - C. appoint all committees of the Commission.
6. The Vice-chairman shall preside in the absence of the chairman.
7. In the event that neither the Chairman nor the Vice-Chairman is in attendance at a meeting where a quorum is present, any member of the Board may call the meeting to order, and the members present shall elect a Chairman pro tempore to preside over the meeting until the Chairman or Vice-Chairman arrives.
8. The Director of Community Development or a designee of the Commission shall be the Secretary.

### **III. Members.**

1. One member shall be appointed for a four-year term from each election district in the county by the board of supervisors, upon recommendation by the member of the board of supervisors of each district. The term of office for such commission member shall be concurrent with the term of the member of the board of supervisors for such district and shall end upon the death, resignation, or removal of the commissioner, or the expiration of the term of the member of the board of supervisors for such district.
2. One member shall be a member of the board of supervisors who shall be appointed as a liaison member for the planning commission for a term of one year at the first meeting of the board of supervisors in January. Such member may participate in discussion of all matters before the planning commission but shall not be entitled to vote on any matter.  
The Board Liaison is entitled to participate in any Closed or Executive Session.
3. (a) One member shall be a member of the Mineral Town Council and shall be appointed for a one-year term each January by the Mineral Town Council.  
The member appointed for the Town of Mineral shall only participate in discussion of those matters related to land use within the Town of Mineral and within two miles of the corporate limits of the Town of Mineral.  
(b) One member shall be a member of the Louisa Town Council and shall be appointed for a one-year term each January by the Louisa Town

Council.

The member appointed for the Town of Louisa shall only participate in discussion of those matters related to land use within the Town of Louisa and within two miles of the corporate limits of the Town of Louisa.

(c) Town members shall not be entitled to vote on any matter.

(d) Town members are not entitled to participate in any Closed or Executive Sessions, unless deemed necessary by a majority vote of the Planning Commission.

4. New members of the Planning Commission shall not participate in meetings until their appointment has been approved by the board of supervisors and they have been sworn in by a duly appointed officer of the court.

#### **IV. Meetings.**

##### **(A) Regular Meetings**

1. Regular meetings of the Commission shall be held in the Louisa County Public Meeting Room, County Office Building, on the second Thursday of each month. If such meeting falls on any legal holiday, then it shall be held on another day designated by the Commission. If the content of the agenda for any month is sufficient to warrant holding a second regular meeting for that month, then the second regular meeting shall be held on the fourth Thursday of that month.
2. The time for Regular meetings shall be 7:00 p.m., unless otherwise directed by the Commission. If a majority of the Commission fails to attend within half an hour after the time appointed for any meeting, the Secretary shall enter into the minutes the names of the members present and note the adjournment for want of a quorum.
3. Meetings shall not extend beyond ten o'clock (10:00) p.m. unless extended by resolution of the Commission.
4. A majority of the members present at the prescribed time and place to attend any meeting held or to have been held shall constitute a quorum and may adjourn such meeting from day to day or from time to time, not beyond the time fixed for the regular meeting.
5. All questions submitted to the Commission shall be determined by roll call vote of the majority of the members voting on any such question.
6. Minutes of all meetings shall be taken and kept by the secretary and shall be verified as true and correct by the signature of the Chairman; after approval by a majority vote of the members present at that meeting.

7. The Chairman, or Vice-Chairman if the Chairman is unable to act, may find and declare that weather or other conditions are such that it is hazardous for members of the Commission to attend any scheduled meeting. The Chairman, or Vice-Chairman if the Chairman is unable to act, will communicate such finding and declaration to the other members of the Commission by email, telephone, text message, or other expeditious method. Upon such finding and declaration, the scheduled meeting will be continued seven days to the same time and place. All hearings and other matters previously advertised for such meeting shall be conducted at the continued meeting and no further advertisement is required. The Director of the Louisa County Community Development Department or his or her designee will communicate such finding and declaration to members of the press as quickly as possible.

**(B) Special Meetings**

1. Special meetings of the Commission may be called by the Commission or by the Chairman and held at times and places designated by the Commission or by the Chairman at the time of the call of such meetings. All parties having requested notification of meetings pursuant to the Virginia Freedom of Information Act shall be notified of any special meeting.

**(C) Work Sessions**

1. Work sessions are public meetings and shall require compliance with legal notice pursuant to §2.2-3707 of the Code of Virginia (1950), as amended. Though work sessions of the Commission are conducted in an informal format, and are primarily for the purposes of discussion, and presentations of information to or by the Commission, if a quorum is present, the Commission may exercise any power conferred on it by statute during a Commission work session, including transacting County business by vote.

**V. Conduct of the Meetings.**

1. Members shall address only the Chairman or address each other through the Chair. A member must be recognized by the Chair before he or she shall proceed. Upon being recognized, a member shall not be interrupted during the time allowed, except when a point of order is called or upon being requested to yield the floor by another member.
2. After being entered as present at any meeting, each member shall notify the Chair before absenting himself or herself.
3. If the member from the District in which the matter arises will be absent, the member may notify the Chairman or the Secretary of the request to DEFER the matter to the agenda from the next regularly scheduled meeting. If notice is provided prior to advertising, the Secretary will not advertise the

matter. If notice is not received prior to advertising, the matter will be placed on the agenda and the Commission may consider deferral. For cases which have previously been advertised and deferred to a specific agenda, Commission action will be required for additional deferrals. Not more than one deferral may be requested by a Commissioner for any agenda item.

4. The Chair shall be allowed to participate in all matters without relinquishing the Chair.
5. All motions shall require a second before being voted upon.
6. A member may participate in an open meeting from a remote location through electronic communication methods, provided the member gives notice to the Chairman that he or she will be unable to attend the meeting and a quorum of the Planning Commission is physically assembled at the open meeting. The member participating from a remote location will be required to state the reason on the record (either a personal reason or a temporary or permanent physical disability or other medical condition that prevents his or her attendance) and his or her location. The member participating by electronic means must be heard by the public physically assembled at the meeting. The number of meetings a member may participate in remotely per year is limited pursuant to the Code of Virginia.

## **VI. Agendas.**

1. Matters may be placed on the Agenda by resolution of the Commission, by notification to the Secretary by any member of the Commission, or by the Community Development Director with approval of the Chairman. The agenda may be amended by vote of the Commission.
2. Matters submitted within the prescribed filing deadline are automatically added to the agenda in the order of date/time of application. Administrative matters not required to be filed by the prescribed filing deadline, but which are requested to be placed on the Commission's agenda, may be accepted for placement until the date of publication of advertisement for Commission public hearings. After this date, matters can only be placed on the agenda with the consent of the chairman.
3. The Community Development Director shall have the authority to delay the placement of an item on the Commission's agenda if:
  - A. The application is not, on the opinion of the Director, complete; or
  - B. The applicant requests, in writing, the deferral of an application requiring a public hearing prior to the initial advertising deadline; or
  - C. The applicant requests, in writing, the deferral of an application not

requiring a public hearing prior to the deadline for preparation of the Commission's agenda.

4. Agenda and information to be discussed at meetings shall be distributed to each member at least five (5) days prior to the meeting.
5. The Commission shall retain Staff packet information concerning cases deferred for a maximum of sixty (60) days. The staff shall redistribute the information if the case is deferred for over sixty days. If the Staff recommends changes or if the applicant submits new proffers, these shall be mailed, emailed, sent by telephone, text or other expeditious method to the Commission.

## **VII. Courtesy**

1. Those persons coming before the Commission, including citizens and employees of and visitors to Louisa County, shall be extended every courtesy by members of the Commission.
2. Visitors at Commission meetings will be asked to extend the same courtesy. The Chairman of the Commission shall determine when the proper courtesies are not being demonstrated.

## **VIII. Consent Agenda**

1. The purpose of the consent agenda is to provide a method for the expeditious handling of items, which, in the opinion of the Director of Community Development and the Chair, will not require any discussion and can be approved unanimously by the Commission.
2. Prior to the consideration of a motion to approve the regular agenda (which operates to simultaneously approve the consent agenda), the Chair shall ask if any member of the Commission would like to have an item removed from the consent agenda for separate discussion and consideration, or in order that there might be a separate vote on that item.
3. Any item or items which one or more members of the Commission wishes to remove from the consent agenda shall be removed by the Chair, and, at that point, a motion to approve the remaining consent agenda shall be in order. Items which have been removed from the consent agenda may be taken up by the Commission immediately after the approval of the remaining consent agenda or may be scheduled for consideration later in the meeting by the Chair with concurrence of the Commission.

## **IX. Public Hearings.**

- (a) The Chairman shall conduct all public hearings. Time limits set forth herein are

considered as guidelines, but any and all time limits can be modified by the Chairman based on the application and public attendance at the hearing.

(b) The order of public hearings shall be as follows:

1. Hearings should begin with a brief presentation from a staff member and/or representative from the cognizant board, authority, commission or committee, or by recognizing the Deputy County Administrator. The presentation should summarize the facts about the issue. Planning Commission members may seek clarification during the presentation.
2. After a brief presentation from staff, the Chairman shall open the public hearing. The first speaker shall be the applicant or representative of the applicant and will be allowed ten (10) minutes for comments. The applicant will also have an additional five (5) minutes, at the close of the public hearing, for rebuttal of questions or concerns brought up by those speaking during the public hearing. If the applicant does not use all ten (10) minutes at the beginning of the hearing, he or she may add the leftover minutes to the rebuttal at the close of the public hearing.
3. The duration of each public hearing should be limited to one hour, except that the public hearing on the CIP budget and any other public hearing on a matter anticipated by the Planning Commission to require an especially high degree of public input should be limited to two hours in duration. Any public hearing may be extended by majority vote of the Planning Commission.
4. Prior to the beginning of a public hearing, persons wishing to speak will be encouraged to sign a public presentations speaker's card indicating their intent to speak, and include their name, and voting district. Each speaker may be permitted to speak for up to three (3) minutes; provided, however, a representative of a group may be entitled to use up to five (5) minutes. No person shall be permitted to "yield time" to another speaker for the purpose of gaining additional time. If prior to the beginning of a public hearing, it appears to the Chairman that there may be more prospective speakers than can be accommodated in the time designated for the public hearing, the time allotted to each speaker may be limited further by the Chairman, provided the imposition of such time limitation is uniform and applied to every speaker.
5. At public hearings where citizens identifying from neighboring jurisdictions wish to speak, Louisa County residents will be called upon first to speak. Citizens from other jurisdictions will be permitted to speak after Louisa County residents have been given an opportunity to speak and if time permits prior to the close of the public hearing.
6. Written correspondence (such as letters and emails, etc.) received on any public hearing matter shall be acknowledged by the Chairman during the public hearing and made a part of the official record of the meeting.

- (c) The principal purpose of public hearings is to provide an opportunity for members of the public to provide input to the Planning Commission regarding the subject of the public hearing. Accordingly, members of the staff will record statements and questions from speakers and, if sufficient time remains at the conclusion of the public hearing, the Planning Commission or the staff may attempt to answer the questions raised by speakers. Commission members should withhold their comments until after the public hearing portion is closed in order to ensure participation by the public without interference.
- (d) After public comments have been received, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.
- (e) After the applicant and public have concluded all presentations, the Chairman shall close the public hearing.
- (f) After the Chairman has closed the public hearing, no further public comment shall be permitted. Commission members, however, may direct questions to the applicant, the representative of the cognizant board, authority, commission, committee or a staff member, or others present, for clarification prior to taking any vote.
- (g) Following the close of the public hearing, the Commission may debate the merits of the issue before it. Afterwards, the Chairman shall entertain a motion to dispose of the issue. If the public hearing has been duly conducted and closed, but the Commission chooses to table action until a later meeting, additional public notification shall not be required; and discussion and action that take place at the subsequent meeting shall be limited to the Planning Commission only. If the public hearing is continued to a subsequent meeting additional public notification is necessary.

## **X. Administration.**

1. Properties for which zoning action requests have been made shall be posted with signs in a conspicuous location. Such signs shall show the day, date, time, and place for any public hearing on the request, or shall notify interested parties that such information can be obtained from the Louisa County Community Development Department and provide a telephone number for the office.
2. Individual Planning Commission members may make requests for information or assistance from Community Development Department staff from time to time as long as the time necessary to fulfill such a request does not exceed one (1) hour per request. Any request which requires more than one hour of staff time shall be endorsed by the entire Commission.

## **XI. Amendments.**

These Bylaws may be amended by a majority vote of the Commission.