

PLANNING COMMISSION OF CAROLINE COUNTY

2021 RULES OF ORDER

I. MEMBERSHIP

1. The Planning Commission, hereinafter referred to as "the Commission" shall be governed by applicable State Statutes, local Ordinances and Rules, the extent that they remain in force and effect, as they are amended, or as they may be added to include the following:
 - Title 15.2-2200, Chapter 22, Code of Virginia 1950 (as amended) Article 2, Sections 15.2-2210 – 15.2-2222
 - The Virginia Freedom of Information Act (2.1-340 et seq. - Code of Virginia)
 - The Virginia Conflict of Interest Act (2.1-6.39.1 et seq. - Code of Virginia)
 - The Caroline County Zoning Ordinance
 - The Code of Caroline
 - The Rules of the Board as set forth herein.
2. Upon taking office, all members of the Commission shall familiarize themselves with the foregoing and shall be strictly governed thereby in the conduct of board affairs.
3. When a member proposes to resign, if reasonably feasible, they shall give notice to the Chairperson, or make the date of resignation effective in such a manner as to allow time for appointment of replacements.
4. All new members appointed to the Planning Commission must attend the CPEAV Planning Commissioner Certification Program within one (1) year of appointment. Costs associated with attendance will be reimbursed by the County upon completion. All Planning Commission members should attend seminars and annual refresher courses.

II. OFFICERS

1. As the first item of new business at the 1st regular meeting of the Commission for each calendar year, the Commission shall elect a chairperson and vice-chairperson. If such regular meeting is canceled or a quorum is lacking, the election shall be held within 36 days thereafter at a regular or special meeting following their election or appointment.
2. If present and able, the Chairperson shall preside at all meetings and hearings. If the Chairperson is absent or unable to preside the Vice-Chairperson shall preside. If both are absent or unable to preside, the members present shall appoint a temporary chairperson to preside.
3. In accordance with these and other applicable rules, the presiding officer shall decide all points of procedure or order unless otherwise directed by a majority of the members in attendance on a motion duly made and passed.

4. The Clerk, who shall be appointed from the staff of the Planning Department, shall handle correspondence subject to these rules at the direction of the Commission, shall send out Notices required by these rules, shall keep minutes of the Commission's proceedings and shall keep a file on each case which comes before the Commission.

III. **MEETING**

1. Regular meetings of the Commission shall be held at 7:00 p.m., in the Community Services Center Auditorium, located at 17202 Richmond Turnpike, Milford, Caroline County, Virginia on the 4th Thursday of the month provided that such meetings may be held at any other convenient place if directed by the Chairperson in advance of the meeting or upon finding that such other location would serve the public convenience or necessity.
2. A worksession of the Commission may be held as needed in the Community Services Center, located at 17202 Richmond Turnpike, Milford, Virginia. The day and time of the worksession will be determined by the Commission.
3. If weather or other conditions are such that it is determined to be hazardous for people's safety to attend the Planning Commission meeting, the continued meeting shall occur on the following Thursday at the same time and place as the previously scheduled regular meeting.
4. Special meetings may be called at the request of the Chairperson or at the request of a quorum of the membership. Written notice of the meetings shall be given at least five days prior to such meetings and shall state the purpose and time of the meeting.

IV. **RULES OF PROCEDURE**

1. All meetings shall have a prepared agenda. The general order of business for each of the Commission's regular monthly meetings shall be as follows:

Call to Order
Approval of Minutes
Subdivision Review
Unfinished Business
Public Hearings
New Business
Any and All Matters
Adjournment

During the preparation of the agenda for any Commission meeting, the Director of Planning may, when appropriate, amend the general order of business.

2. If a majority of the Commission fails to attend within a quarter hour after the time appointed for the meeting, the clerk shall enter in the minute book the names of the members present and the adjournment for want of a quorum. Four commissioners (2/3 of the Commission) must be present for a quorum.

3. All votes shall be recorded "yea" and "nay; in cases where the vote is not unanimous or confirmation is necessary, a roll call vote shall be conducted.
4. The Chair may make a motion or second a motion on any matter under consideration by the Commission.
5. No motion will be acted upon until it has had a second. At this time, the Chairperson will call for a discussion.
6. A majority vote of the Commission is necessary to advance a motion. A motion made to approve that does not receive a majority vote does not constitute a motion to deny. A separate motion to deny is necessary for the case to be forwarded to the Board of Supervisors with a recommendation of denial. Conversely, a motion to deny that does not receive a majority vote does not constitute a motion to approve.
7. In the event of a tie vote, the case will be forwarded to the Board of Supervisors with no recommendation.
8. A member shall address himself/herself to the Chairperson and be recognized by him/her before that member may proceed. After being recognized, the member shall not be interrupted during the time allowed him/her.
9. All debates shall be regular without altercation or personal invective and must be pertinent to the question.
10. The Sheriff, or his deputy, may be required to attend the meetings of the Commission to preserve quiet and order at the direction of the majority of the Commission.
11. After a member has been entered as present at any meeting, he/she shall not, without leave of the Chairperson, absent himself/herself.
12. In the case of the absence of the Chairperson, the Vice-Chairperson shall preside.
13. No question will be considered that is not on the agenda, unless the majority of the Commission agrees.
14. A tabled item will not be brought back before the Commission until a motion to reconsider the issue has been adopted.
15. A regular meeting may be adjourned to a worksession if a motion to do so is approved.
16. In any matter not addressed in these Rules of Order, Robert's Rules of Order shall be followed.
17. The Commission, in accordance with the CODE OF VIRGINIA and Robert's Rules of Order, may continue meetings at its discretion, set rules for public hearings and call special meetings as necessary.
18. The Commission may, upon a majority vote of all Commission members during a properly called meeting, amend these Rules of Order.

19. Any use permit application dependant upon a zoning text amendment(s) shall not be scheduled for a public hearing until one (1) month after the Commission considers and acts upon the proposed text amendment(s).

V. **PUBLIC HEARING PROTOCOL**

1. The purpose of a public hearing is for the Caroline County Planning Commission to listen carefully to the verbal expression of position and opinion from the citizens of Caroline County.
2. All public hearings are advertised weeks prior to the scheduled hearings and the notices indicate where citizens can obtain information pertinent to matters scheduled for public hearing.
3. Public hearings are not question and answer sessions or debates and all statements should be addressed to the chair.
4. Public hearings are intended to give citizens an opportunity to influence the public decision process based on prior research and discussions with appropriate public officials.
5. When members of the public offer comment, they need to clearly state their name and address prior to making their comments.
6. Applicants, or representatives of the applicant, will be allowed 15 minutes, at a minimum, as determined by the Planning Commission, to introduce information regarding the matter advertised for public hearing. All comments are to be pertinent to the issue being considered.
7. Persons speaking at public hearings are respectfully requested to keep comments brief, not to exceed three (3) minutes, and to address only those issues pertinent to the matters advertised for public hearing.
8. After the Public Hearing has been closed, the applicant or representatives of the applicant will be allowed ten (10) minutes to address any issues identified by the public.
9. Written copies of statements made at public hearings are requested but not required.
10. In the event that a regularly scheduled meeting, specially called meeting, and/or work session meeting of the Caroline County Planning Commission continues to 11:00 PM, the Commission may, at its discretion, adjourn the meeting until the next business day provided the motion of adjournment states the hour and location that the adjourned meeting is to be reconvened.
11. If weather or other conditions are such that it is determined to be hazardous for people's safety to attend the Planning Commission meeting, the continued meeting shall occur on the following Thursday at the same time and place as the previously scheduled regular meeting.

VI. **APPLICATIONS**

1. All applications will be received by the Planning Department and shall be set for public hearing in the order in which they are received.
2. The application deadline for filing any item(s) for review or approval by the Planning Commission shall be filed with the Planning Department's office by 5:00 p.m., the first day of the month or the following business day if the the first falls on a weekend or holiday.
3. Prior to being placed on the Planning Commission's agenda the application must be reviewed by staff and the Technical Review Committee (TRC) unless such review is otherwised waived by the Planning Director.
4. The Clerk of the Commission shall notify all interested parties of the public hearing, schedule the case, and give public notice in accordance within 15.2-2204, Code of Virginia.

VII. **RECORDS**

A certified official copy of the rules of the Commission in current form shall be available in the office of the Planning Department, Caroline County, Virginia. Additional copies shall be provided to members of the Commission and made available to the public upon request.

VIII. **APPLICANT PRESENTATION**

All applicants with requests before the Planning Commission will be responsible for the main presentation to the Planning Commission. Staff will first present a general overview of the project and applicable background information, then the applicant will be allowed fifteen minutes at a minimum, as determined by the Planning Commission, to make a presentation. After the applicant has had an opportunity to present, the Planning Commission may discuss the application and ask questions as appropriate to staff or the applicant.