

**BYLAWS OF THE
CITY OF MANASSAS
PLANNING COMMISSION**



Adopted May 6, 2009

BYLAWS OF THE CITY OF MANASSAS PLANNING COMMISSION

STATEMENT OF PURPOSE

These Bylaws provide for the general supervision of, and make regulation for, the administration of the Commission's affairs.

State Code Reference, Code of Virginia § 15.2-2217, § 15.2-2221

Article I. Creation, Name, Objectives

Section I-1. Creation

The City of Manassas Planning Commission was established in conformance with resolutions adopted by the Council of the City of Manassas, pursuant to Title 15.2 of the Code of Virginia.

*State Code Reference, Code of Virginia § 15.2-2203, § 15.2-2210
City Code Reference, City of Manassas Code of Ordinances Sec. 90-31*

Section I-2. Name

The official name of the Commission is the "City of Manassas Planning Commission", hereinafter referred to as, "Commission."

Section I-3. Objectives

The objectives and purposes of the Commission, pursuant to the provisions of Title 15.2 of the Code of Virginia, are to improve the public health, safety, convenience and welfare of the citizens of Manassas and to plan for the future development of the community to the end that transportation systems be carefully planned; that new community centers be developed with adequate highway, utility, health, educational and recreational facilities; that the needs of agriculture, industry and business be recognized in future growth, that residential areas be provided with healthy surroundings for family life; that agricultural and forest lands be preserved, and the growth of Manassas be consonant with the efficient and economical use of public funds.

State Code Reference, Code of Virginia § 15.2-2203, § 15.2-2210, § 15.2-2221

Article II. Members and Terms

Section II-1. Members

The Commission shall consist of seven (7) members, or as otherwise designated by City Council, all of whom shall be residents of the City of Manassas and qualified by knowledge and experience to make decisions regarding questions of growth and development. At-least one-half of the members so appointed shall be owners of real property in the City of Manassas. Each member of the Commission shall take an oath of office. The City Council may provide for the payment of expenses incurred by Commission members in the performance of their official duties and compensation for services.

State Code Reference, Code of Virginia § 15.2-2212

City Code Reference, City of Manassas Code of Ordinances Sec. 90-32, Sec. 90-33, Sec. 90-34

Section II-2. Terms

Unless a vacancy occurs, members of the Commission shall be appointed by the City Council for terms of four (4) years. Vacancies shall be filled by appointment made by the City Council and shall be for an unexpired term only. Members of the Commission shall be eligible for reappointment. Members may be removed for malfeasance in office.

State Code Reference, Code of Virginia § 15.2-2212

City Code Reference, City of Manassas Code of Ordinances Sec. 90-35, Sec. 90-36

Article III. Officers and Duties

Section III-1. Election of Officers

Annually, at the first regular meeting of the Commission in January each year, the Commission shall elect a Chairperson and a Vice Chairperson. Notice of the elections shall be given at the two prior and successive meetings of the Commission. Nomination of officers from among the members shall be made from the floor and a candidate receiving a majority vote of the members of the Commission in attendance and voting at said meeting shall be declared elected, and shall take office immediately and serve for one (1) year or until their successor shall take office. Permanent vacancies in office shall be filled immediately by regular election procedures.

State Code Reference, Code of Virginia § 15.2-2217

Section III-2. Election of Chairperson Pro Tem

If neither the Chairperson nor Vice Chairperson is present for a regular or special meeting of the Commission, the Clerk shall call the meeting to order and the Commission shall immediately elect a Chairperson Pro Tem to preside over the meeting.

Section III-3. Duties of Chairperson

The Chairperson shall preside at all regular meetings of the Commission and at other meetings and public hearings held by the Commission. The Chairperson shall call special meetings of the Commission when required, and will transmit reports, plans and recommendations of the Commission to the appropriate governing authority, and in general, shall act as spokesperson for the Commission. On all matters before the Commission, the Chairperson shall only cast a vote to break an existing tie vote among the members.

Section III-4. Duties of Vice Chairperson

The Vice Chairperson shall serve as Chairperson in the absence or the disability of the Chairperson. In the event of the death or resignation of the Chairperson, the Vice Chairperson shall perform the latter's duties until such time as the Commission shall elect a new Chairperson.

Section III-5. Duties of Clerk

The Clerk, a member of the Community Development Staff, shall keep a written record of all business transacted by the Commission, including preparing and maintaining written minutes of all regular and special meetings, shall prepare and send out notices for regular and special meetings, shall establish and maintain the Commission's files, shall certify all maps, records and reports of the Commission, and shall prepare and be responsible for the publishing of all notices of hearings and public meetings.

Section III-6. Additional Duties

The Chairperson, Vice Chairperson, and Clerk shall perform such other duties as may from time to time be required by the Commission or by these Bylaws.

Article IV. Meetings

Section IV-1. Regular Meetings

Regular meetings of the Commission shall be held on the first and third Wednesday of each month in the City Council Chambers at City Hall, commencing at 7:30 p. m. or as otherwise designated by the Commission. A meeting is defined under the Freedom of Information Act as "meetings, including work sessions, when sitting physically, or

through telephonic or video equipment pursuant to Section 2.2-3708, as a body or entity, or as an informal assemblage of (i) as many as three member or (ii) a quorum, if less than three, of the constituent membership, wherever held, with or without minutes being taken, whether or not votes are cast, or any public body where the business of the public body is being discussed or transacted.” The Clerk shall provide each member with an agenda and information package prior to the meeting.

State Code Reference, Code of Virginia § 15.2-2214

Section IV-2. Special Meetings

Special meetings of the Commission may be called at any time by the Chairperson, or in the absence or unavailability of the Chairperson, by the Vice Chairperson. Under FOIA (Freedom of Information Act) requirements, there must be three (3) days notice to the public for special meetings. Written notice to Commission members of the special meeting shall be provided by the Clerk if the special meeting is called (5) days in advance. If the special meeting is called within the FOIA minimum requirements of three (3) days, notification will be made by telephone and/or e-mail. Notification shall not be required if the time of the special meeting has been fixed at the regular meeting.

State Code Reference, Code of Virginia § 15.2-2214

Section IV-3. Cancellation

Whenever there is no business of the Commission, the Chairperson may dispense with the regular meeting, and shall thereafter give notice to all members of such action.

Section IV-4. Quorum, Majority Vote

A majority of the members of the Commission shall constitute a quorum. No business may be conducted unless a quorum is present, and no action of the Commission shall be valid unless authorized by a majority vote of those present and voting.

State Code Reference, Code of Virginia §15.2-2215

Section IV-5. Order of Business

The order of business at regular meetings shall be as follows, subject to change at the discretion of the Commission:

- AGENDA
- I. Pledge of Allegiance
- II. Roll Call - Determination of a Quorum
- III. Approval of Minutes
- IV. Citizens Time

- V. Old Business
- VI. New Business - Public Hearings
- VII. Other Business
- VIII. Adjournment

Section IV-6. Procedure

Parliamentary procedure in Commission meetings shall be governed by Robert's Rule of Order, unless they conflict with these Bylaws, the City of Manassas Code of Ordinances, or the Code of Virginia of 1950, as amended.

Section IV-7. Motions

Motions shall be restated by the Chairperson or the Clerk before a vote is taken. A record of members making and seconding motions shall be made by the Clerk.

Section IV-8. Voting

The following actions of the Commission shall be made by roll call vote: amendments to these Bylaws; the tabling or any action on a Zoning Text Amendment, Comprehensive Plan Amendment, Special Use Permit, Rezoning, or Subdivision case. All other decisions and actions of the Commission may be made by voice vote, unless a roll call vote is requested by any member.

Section IV-9. Meetings and Records Open

All meetings of the Commission and committees at which official action is taken, shall be open to the public and all records of the Commission shall be public record. Minutes of the Commission shall be public record when duly adopted by the Commission.

State Code Reference, Code of Virginia §15.2-2217

Article V. Standing and Special Committees and Liaison Members

The following committees shall be the standing committees of the Commission and shall be appointed by the Chairperson: Zoning Ordinance Review Committee (ZORC), the Comprehensive Plan Committee, and the Capital Improvements Committee.

The Zoning Ordinance Review Committee shall be composed of at least three (3) Planning Commission members. It shall be the responsibility of the committee to review and recommend amendments to the Zoning Ordinance. The Chairperson may also appoint up to two (2) Ex-officio (non-voting) members from the public at-large. The Chairperson shall appoint one of the Committee's Planning Commission members as the Committee Chair.

The Comprehensive Plan Committee shall be composed of at least three (3) Planning Commission members. It shall be the responsibility of the committee to develop, update, and revise the Comprehensive Plan and coordinate the work of other committees which relate to the overall plan development. The Chairperson may also appoint up to two (2) Ex-officio (non-voting) members from the public at-large. The Chairperson shall appoint one of the Committee's Planning Commission members as the Committee Chair.

The Capital Improvements Committee shall be composed of at least three (3) Planning Commission members. It shall be the responsibility of the committee to assist in the preparation and update of the Capital Improvements Program (CIP) in conjunction with the Community Development Staff, and generally assure that the CIP is in conformity with the Comprehensive Plan. The Chairperson may also appoint up to two (2) Ex-officio (non-voting) members from the public at-large. The Chairperson shall appoint one of the Committee's Planning Commission members as the Committee Chair.

School Board Liaison Member – One (1) Planning Commission member shall be appointed to act as a liaison between the Commission and the School Board in matters relating to land use needs and issues of the schools.

Airport Liaison Member – One (1) Planning Commission member shall be appointed to act as a liaison between the Commission and the Airport Commission in matters relating to land use needs and issues of the Airport.

City Council Land Use Committee Liaison Member - One (1) Planning Commission member shall be appointed to act as a liaison between the Commission and the City Council Land Use Committee in matters relating to planning, zoning, and land use.

Each committee member shall be appointed for a term of one (1) year by the Chairperson, subject to the member's consent. Any vacancy by a Planning Commission member shall be filled forthwith; any vacancy by an ex-officio member is filled at the discretion of the Chairperson. The Chairperson shall appoint Special committees or liaison members may be appointed by the Chairperson for the purposes and terms approved by the Commission. Meetings of all committees, whether standing or special, shall be open to the public.

State Code Reference, Code of Virginia §15.2-2217

Article VI. Community Development Staff and Other Advisory Sources

The Community Development Staff, including counsel, shall advise all members regarding the technical and legal aspects of matters before the Commission. The Chairperson may request the Community Development Staff, including counsel, and

other advisory agencies as deemed appropriate, to prepare and present special reports as the need arises.

Upon request of the Commission, City Council or other public officials may, assign or detail to it any members of the staff of the City of Manassas to make for the Commission special surveys or studies under the direction of the Commission.

The Community Development Staff shall prepare an Annual Report for review and adoption by the Commission at its first regular meeting in June of each year, or thereafter at such other time as determined by the Commission.

State Code Reference, Code of Virginia §15.2-2217

Article VII. Special Rules

Section VII-1. Objectivity

Commission members shall make every attempt to remain neutral and uncommitted on issues coming before the Commission until said issues have been presented to the Commission and the proponents and opponents concerning same have been heard. Additionally, Commission members shall not represent any applicant before the Commission.

Section VII-2. Speaking

No one in attendance shall be allowed to speak on any matter before the Commission without first gaining recognition of the Chairperson. A record shall be kept by the Clerk of those speaking before the Commission. Those wishing to speak shall limit their comments to three (3) minutes, or to a time as set by the Chairperson.

Section VII-3. Preparation and Training

Members are also encouraged to attend training sessions sponsored by the State of Virginia or by Community Development Staff, in order to more effectively carry out their responsibilities to meet the objectives of the Commission. Members are expected to attend all Commission meetings, regular and special, public hearings, work shops and briefings, and become familiar, insofar as possible in advance, with each application that comes before the Commission.

Section VII-4. Conflict of Interest

The Commission shall comply with the State and Local Government Conflict of Interest Act (Section 2.1-639.1 et seq. of the Code of Virginia of 1950, as amended).

Article VIII. Amendments

These Bylaws may be amended at any regular meeting of the Commission, by an affirmative vote of not less than two-thirds (2/3) majority of the members present and voting, provided that such amendments shall have first been presented to all members in writing at a meeting of the Commission at least thirty (30) days prior to the meeting at which the vote is taken.

Adopted this 6 day of May 2009

Chairperson, Christine M. Finnie

Attest:

Clerk, Donna Bellows