

# Town of Lovettsville

## Minutes of the Planning Commission Regular Meeting December 16, 2015

### Call to Order/Pledge of Allegiance

Chairman Frank McDonough called the Regular Meeting of the Lovettsville Planning Commission to order at 7:30 p.m. on December 16, 2015 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, Virginia. Chairman McDonough thanked everyone in attendance for participating in the Light-Up Lovettsville award presentation.

### Pledge of Allegiance

Chairman McDonough led those present in the Pledge of Allegiance.

### Present at Meeting

- Chairman Frank McDonough
- Commissioner Thomas Ciolkosz (arrived at 7:44 p.m.)
- Commissioner Nate Fontaine
- Commissioner Joseph Mueller
- Commissioner Buchanan Smith (arrived at 8:07PM)
- Commissioner Shiva Schilling

### Commissioners Absent

- Vice Chair Robert Gentile

### Staff Present

- Zoning Administrator Joshua Bateman
- Town Manager Laszlo Palko
- Town Clerk Harriet West

### Light-Up Lovettsville Awards Presentation

Mayor Zoldos presented on the history and background of the Light-Up Lovettsville event. Councilwoman Kim Allar, Chair of the Light-Up Lovettsville event, recognized and thanked the judges, local businesses who donated prizes, Mayor Zoldos, Council Member Tiffany Carder, the "We're In!" Committee, Chairman McDonough, and all participants in the event. Councilwoman Tiffany Carder, Chair of the "We're In!" Committee, explained the purpose of the committee and highlighted their efforts to support, attract, and promote tourism. Mayor Zoldos announced the winners:

#### Best Theme:

- 3<sup>rd</sup> place: McCall Family, 12 Quarter Branch Drive
- 2<sup>nd</sup> Place: Dockum Family, 9 South Loudoun Street
- 1<sup>st</sup> Place: Krogh Family, 39 Stocks Street

#### Most Outrageous:

- 3<sup>rd</sup> Place: Steadman Family, 114 Eisentown Drive
- 2<sup>nd</sup> Place: Bradley Family, 8 Daniel Keys Lane
- 1<sup>st</sup> Place: Lickey Family, 3 Red Bud

#### Most Traditional:

3<sup>rd</sup> Place: Tyson Family, 25 Hammond Drive  
2<sup>nd</sup> Place: Cahill Family, 30 Tritapoe Place  
1<sup>st</sup> Place: Sanbower Family, 6 S. Loudoun Street

Business with the Most Holiday Spirit:  
Honorable Mention: Lovettsville Pizza  
Winner: Minuteman Arms

Best Street:  
Eisentown Loop part of Eisentown Drive

Best in Show:  
Krogh Family, 39 Stocks Street

Chairman McDonough recessed the meeting at 7:50 p.m. for a brief reception for the award winners.

#### **Public Comment**

Chairman McDonough reconvened the meeting at 8:04 PM and asked whether there were any comments from the public. There were none.

#### **Additions/Deletions/Modifications to the Agenda**

Chairman McDonough added appointments to the Public Facilities and Utilities Committee to Action/Discussion items.

#### **Approval of Planning Commission Minutes**

There were none.

#### **Committee Reports**

Chairman McDonough stated that the item on the agenda was to appoint an Annexation Policy Review Committee. He explained that the purpose of such a committee was to review policy currently being formulated by the Town Council.

**Motion:** I move to appoint Chairman McDonough, Mr. Gentile and Mr. Fontaine to serve on the Annexation Policy Review Committee along with the Mayor or Mayor's designee from the Town Council.  
**By:** Chairman McDonough  
**Second:** Commissioner Mueller  
**Aye:** Commissioners Ciolkosz, Schilling, McDonough, Mueller, Fontaine and Smith  
**Nay:** None  
**Abstain:** None  
**Absent:** Commissioner Gentile

#### **Staff Reports**

Mr. Ciolkosz inquired about the Lovettsville Community Park project and asked staff for an update. Mr. Bateman stated that Town staff comments are limited to water and sewer only since the park is located mostly outside of the Town limits. He announced that Town staff recently issued comments on the second submission.

#### **Action/Discussion Items**

##### **A. Amendment to Planning Bylaws and Special Rules of Procedure**

Chairman McDonough requested a motion on the proposed amendment to the Planning Commission Bylaws and Special Rules of Procedure drafted by the Bylaws and Procedures Committee.

**Motion:** I move to adopt the amended Bylaws and Special Rules of Procedure as attached

hereto (Attachment 1).  
**By:** Commissioner Mueller  
**Second:** Commissioner Ciolkosz

Mr. Mueller recommended that the Planning Commission review the Bylaws and Special Rules of Procedure in full at a future meeting.

**Aye:** Commissioners Ciolkosz, Schilling, McDonough, Mueller, Fontaine and Smith  
**Nay:** None  
**Abstain:** None  
**Absent:** Commissioner Gentile

#### **Recess Planning Commission Meeting**

Chairman McDonough recessed the regular meeting at 8:10 p.m.

#### **Convene Transportation Committee Work Session**

Commissioner Mueller convened the Transportation Committee work session at 8:10 p.m. and explained the purpose of the committee. Committee Members present were Mr. Mueller, Mr. Ciolkosz, Pat Strassner, and Evan Harlow.

Mr. Bateman introduced Joe Krobroth with the Loudoun County Department of Transportation and Capital Infrastructure. Mr. Krobroth presented on transportation and capital improvement projects currently being planned and implemented in Western Loudoun County. Mr. Krobroth explained that he is working with the Board of Supervisors to update the 2010 Countywide Transportation Plan and comprehensive plan, and expressed his desire to coordinate with the towns to address multi-modal transportation and safety improvements, including bicycle and pedestrian facilities, throughout Loudoun. He listed the roads that are planned to be widened to four lanes and those in the area that will remain rural, two-lane sections. He described proposed road improvements to serve the proposed Lovettsville Community Park, and described two projects, the interchange study at Route 7 and Route 690 and proposed intersection improvements at Route 9 and Route 287, which will significantly affect traffic in the area.

Mr. Krobroth explained that House Bill 2 recently passed by the General Assembly requires that transportation projects compete for funding to save the state money. He noted that VDOT recently asked the County to identify six projects to be included in the ranking process, and stated that it was difficult to get small projects approved for funding through this new process. In response to a question from Mr. Ciolkosz about whether the County would fund 100% of the cost of improvements to the intersection of Route 287 and Route 9, Mr. Krobroth replied that the County is set to do so, but has asked the state for funds and will reallocate the County funds to other projects should the state agree to provide funding. Mr. Krobroth listed and described projects that the County will be funding and pursuing in Lovettsville during the next 24 to 36 months totaling \$30 million in investments, including the Lovettsville Community Park, Lovettsville Community Center, and Lovettsville Fire and Rescue Station. He announced that the Board recently approved an additional \$2 million for upgrades to the Community Center pool house and the new Community Center. He further explained that \$15 million in funds have been allocated towards repairs to the existing Fire Station in addition to construction of a new Fire Station. He indicated that the County is still in discussions with the Lovettsville Volunteer Fire and Rescue Company to determine the status of the banquet hall since the County cannot spend public funds on construction of a new hall, and to establish where the new station will be located on the property.

Mr. Ciolkosz asked about the status of the banquet hall and whether the fire company has the funds to build a new banquet facility, and Mr. Krobroth replied that he did not know what the financial status of the company is, but that they would have to provide the funds to do so. He compared the project to similar projects in Leesburg and elsewhere in the County. Mr. Ciolkosz asked whether the County mandates that the volunteers transition to full-time, paid fire fighters when the County pays for and constructs new fire stations. Mr. Krobroth explained that such decisions are the product of negotiations between the

County Fire Department and the volunteer corporations, and highlighted several examples in the County. He further stated that his department is involved because they program and develop the capital budget.

Mr. Ciolkosz asked Mr. Krobroth to discuss plans for park and ride lots in Purcellville and Lovettsville. Mr. Krobroth stated there are no plans currently to build park and ride lots in Purcellville or Lovettsville, but the County would be willing to do so should a survey demonstrate sufficient demand for one or more lots. He further explained that the County would like to build a park and ride lot at Route 7 and Route 690 once improvements to that interchange have been implemented.

Mr. Ciolkosz asked about the possibility for a northern collector route in Lovettsville similar to the one in Purcellville and whether he had any guidance to provide regarding a bypass of the Town of Lovettsville. Mr. Krobroth stated that the Purcellville Collector Road was necessary due to the presence of the Route 7 Bypass and the need for a service road to provide local access. Mr. Bateman asked whether there was a traffic count or level of service indicator that would suggest the need for a bypass in Lovettsville. Mr. Krobroth responded that level of service "B" or worse is the indicator to use, but the desired character of the neighborhood is the most important consideration in deciding upon a bypass. He stated that, if the Town is looking 20 or 30 years into the future, perhaps the Planning Commission would be prudent to consider incorporating some type of bypass into the comprehensive plan.

Mr. Mueller thanked Mr. Krobroth for his presentation. Mr. Fontaine asked about the level of service at the intersection of Route 287 and Route 9, and Mr. Krobroth responded that the level of service is currently an "F." He noted that he was involved in a six-mile traffic backup on his way to tonight's meeting. Mr. Smith asked what the most popular solution to this problem is, and Mr. Krobroth responded that a two-lane roundabout similar to the one in Maryland just north of Point of Rocks is VDOT's preferred solution at the moment. Mr. Ciolkosz commented that a free right onto Route 287 was part of the plan, and Mr. Krobroth stated that he was unable to confirm this, but he would provide the Town Manager with a copy of the VDOT study. Mr. Ciolkosz asked about the percentage of people that use buses in Fairfax and Loudoun, and Mr. Krobroth replied that 2.9 percent of people in Loudoun County travel by bus and that the percentage was likely higher in Fairfax.

Mr. Harlow asked staff whether traffic counts more recent than 2008 were available, and Mr. Bateman explained that the editorial changes provided to committee members contained those updated counts.

Mr. Bateman introduced himself, explained the purpose of the comprehensive planning committees and the transportation committee specifically, and stated that Karin Fellers, Town Engineer, would discuss specific projects. He delivered a presentation on transportation infrastructure investments, benefits and costs of making such decisions, elements of the transportation network, and need to coordinate land development with improvements to the transportation system. He explained the purpose of transportation system improvements and the monetary costs associated with traffic congestion. Mr. Bateman explained how transportation systems both affect and are affected by land use changes by explaining the life cycle of highway improvements and relationship to population growth and land use change. He discussed several of the environmental effects of highway construction and the monetary costs of widening highways versus managing transportation demand. Mr. Bateman introduced fundamental transportation planning concepts, issues, and processes and the local government's role in transportation planning. He described best practices currently being used in the urban planning profession including improved urban design and approaches to traffic calming.

Mr. Bateman explained the traffic counts in the Lovettsville area and highlighted increases and changes over time. He also presented a map showing vehicle collisions in the Lovettsville area. Mr. Bateman asked whether there were any questions. There were none.

Town Engineer Karin Fellers gave a presentation on the East Broad Way Streetscape Improvement Project, South Berlin Pike Shared-Use Trail, and North Berlin Pike Drainage Improvements. She highlighted the design of the Town's new ornamental streetlight. She explained each project's purpose,

funding sources, status, and design and described property acquisition challenges. She also described additional long-term projects included in the Town's Capital Improvement Program that will proceed once funding is available, including a planned sidewalk along Berlin Pike from 7-Eleven to Bonnie's Restaurant, East Broad Way Streetscape Improvements Phase 2, the North Berlin Pike Shared Use Path, South Loudoun Streetscape Improvements, and South Church Streetscape Improvements. Chairman McDonough asked about the suddenness of the start of construction of the South Berlin Pike Shared-Use Trail, and Ms. Fellers explained why the start of construction was so sudden after the design was completed. In response to a question from Mr. Ciolkosz about the section of the bike trail to be constructed as part of the Heritage Highlands project, Ms. Fellers explained that that improvement was proffered and bonded by the developer, who still owns the project. Ms. Fellers explained the challenges associated with water and sewer connections impacted by the shared-use path project.

Mr. Smith asked why East Broad Way Phase 2 takes precedence over South Loudoun Street streetscape improvements. Mr. Palko explained that East Broad Way has positive economic development impacts and is needed to convey pedestrians to South Loudoun Street. A discussion followed regarding funding for capital improvement projects during current and future budget cycles, and Mr. Palko explained funding issues related to the capital improvement program and budgeting. He stated that he may want to get input from the Planning Commission on funding and project priorities.

Ms. Fellers stated that information that needs to be included in the comprehensive plan includes development of a Town Transportation Master Plan and identifying sufficient funding to move forward with planned projects. A discussion followed on project prioritization. In response to a question from an audience member about why the Town Center developer cannot simply provide leftover materials to construct the small section of sidewalk for the new 7-Eleven, Ms. Fellers explained that Town staff would probably not want to do that. A discussion followed on the proffers for the Town Center project.

Ms. Fellers noted that the Town will have to maintain its own streets once its population exceeds 3,500 and explained the significance of remaining below that number so that the Town will not be required to maintain its streets. Chairman McDonough asked whether VDOT provides funding for maintenance once that happens, and Mr. Palko and Ms. Fellers responded that they do but that the funding was typically insufficient to cover a town's road maintenance costs. A discussion followed on the potential for changes to this state population threshold and VDOT's record of maintaining streets in the Town. In response to a question from Mr. Ciolkosz about whether the County is paying for highway improvements associated with the Community Center and Community Park, Ms. Fellers replied that the County was paying for them entirely with no costs to the Town. Mr. Palko explained that the Town currently does not have sufficient revenue to borrow for many of the long-term projects in the capital improvement plan, even though he would like to borrow now when interest rates are low.

Ms. Fellers explained that the final step in constructing any transportation project is VDOT inspection and acceptance of the finished transportation improvement. She noted examples in Town.

Mr. Ciolkosz asked whether staff was planning to distribute a survey on transportation issues, and Mr. Bateman indicated that he was not planning to do a survey but could if the Commission is interested in doing so. A discussion followed regarding the need to develop and distribute a transportation survey, particularly regarding a future commuter lot in Western Loudoun, but no consensus emerged to conduct a survey. Mr. Bateman agreed to share with the Commission publicly available data on regional commuting patterns, and agreed to provide recommendations for changes to the transportation policies at the next committee meeting. A discussion followed on traffic and transportation issues in and involving the Town. In response to a recommendation from Mr. Fontaine that staff use the existing transportation plans to inform the process going forward, Mr. Bateman explained he planned to distribute staff's recommendations at the next meeting.

#### **Adjourn Transportation Committee Work Session**

Mr. Mueller adjourned the committee meeting at 10:00 p.m.

**Reconvene Planning Commission Meeting**

Chairman McDonough reconvened the regular meeting of the Planning Commission at 10:00 p.m.

Chairman McDonough stated that he wished to appoint Shiva Schilling to serve on the Public Facilities and Utilities Advisory Committee.

**Motion:** I move to appoint Shiva Schilling to the Public Facilities and Utilities Advisory Committee.  
**By:** Chairman McDonough  
**Second:** Commissioner Smith  
**Aye:** Commissioners Ciolkosz, Schilling, McDonough, Mueller, Fontaine, and Smith  
**Nay:** None  
**Abstain:** None  
**Absent:** Commissioner Gentile

**Information Items**

There were none.

**Next Meeting**

Chairman McDonough informed the Commission that the next meeting is scheduled for January 6, 2016 and asked Mr. Bateman whether there were any items planned for the agenda for that meeting. Mr. Bateman responded in the affirmative.

**Comments from the Mayor and Commissioners**

There were none

**Adjournment**

There being no further business before the Planning Commission the meeting was adjourned at 10:02 p.m.

Respectfully submitted,



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Harriet West, Town Clerk

Date Approved: December 20, 2017

Attachments:

1. Proposed Amendments to Planning Commission Bylaws and Special Rules of Procedure

# Town of Lovettsville

## Lovettsville Planning Commission

### By-Laws and Special Rules of Procedure

#### **I. AUTHORITY AND PURPOSE**

The following bylaws and rules of procedure are adopted in order to facilitate the exercise of the Planning Commission of the Town of Lovettsville in Virginia under Title 15.2, Chapter 22, of the Code of Virginia, as amended. The Planning Commission shall have the general powers and duties prescribed under 15.2-2221 of the Code of Virginia, as amended, in addition to any other specific powers granted by any local or state law, including but not limited to the zoning and subdivision ordinances of the Town of Lovettsville, or otherwise assigned by the Town Council. Notwithstanding any of the foregoing, the Planning Commission shall have the authority to:

1. Serve in an advisory capacity to the Town Council on all matters related to the growth and development of the Town of Lovettsville;
2. Prepare and recommend to the Town Council a comprehensive plan for the physical development of the Town and review the plan as necessary in accordance with Section 15.2-2230 of the Code of Virginia, including all elements to the Comprehensive Plan required by state law, and any amendments that may be necessary or otherwise directed by the Town Council;
3. Review and make recommendations to the Town Council on all amendments to the Zoning Map, Zoning Ordinance, and Subdivision Ordinance, including proffer proposals accompanying such rezoning requests;
4. Review and make recommendations to the Town Council on all applications for conditional use permits in the Town.
5. Carry out all other such matters as may be prescribed in the Zoning Ordinance, Subdivision Ordinance, and other ordinances of the Town of Lovettsville, or as may be directed by the Town Council.
- 4-6. Establish and maintain standing, advisory and other such committees as are required by the Town Council or otherwise deemed necessary by the Commission.

#### **II. MEMBERSHIP**

The Town Planning Commission shall consist of no fewer than five members appointed by the Town Council. Terms of Commission members shall be for four years with terms staggered so that terms do not expire simultaneously. Their successors shall be appointed for terms of four (4) years. Any vacancy in membership shall be filled by appointment by the Town Council. It shall be for a non-expired term only. Any appointed member may be removed by the Town Council without limitation for inefficiency, neglect of duty or malfeasance in office reasons prescribed in the zoning ordinance of the Town of Lovettsville or as otherwise specified in the Town Code.

### III. LEADERSHIP AND RECORDING CLERK

#### A. SELECTION OF LEADERSHIP

The officers of the Planning Commission shall be a Chair and Vice Chair. The elections shall be held and the term shall commence on the first meeting of the Commission in July of each year. A candidate must receive the votes of a majority of the members present. The Chair and Vice Chair shall serve for one year or until a successor is elected. Vacancies in either office shall be filled by election. The successor fills the remainder of the un-expired term. Candidates receiving the votes of a majority of the members present will ascend to these positions.

#### B. SELECTION OF RECORDING CLERK

~~The Recording Town Clerk, as appointed by the Town Council, for the shall serve as the Recording Clerk of the Planning Commission shall be appointed by the Town Council.~~

#### C. DUTIES OF THE CHAIR, VICE CHAIR AND RECORDING CLERK

##### CHAIR

The Chair shall preside over all meetings of the Planning Commission and shall:

1. Rule on all procedural questions subject to reversal by a two-thirds vote of those Planning Commissioners present.
2. Receive communications on behalf of the Planning Commission and shall report the same at the next meeting.
3. Execute documents, plats, and plans on behalf of the Planning Commission as required by law.
4. Ensure the orderly conduct of all meetings, public hearings and the proceedings.
5. Carry out all other duties as established by the Planning Commission and Town Council.

##### VICE CHAIR

The Vice Chair shall:

1. Act as Chair of the Planning Commission when the Chair is absent or unable to fulfill his duties.
2. Serve as the Parliamentarian of the Planning Commission unless another Commissioner has been so designated by the Chair.
- 4.3. Carry out all other duties as assigned by the Chair.

##### RECORDING CLERK

The recording clerk shall serve as secretary and shall:

1. Record the minutes of all meetings of the Planning Commission and its committees.
2. Notify all members of all meetings of the Planning Commission and its committees.
3. Maintain a file of all official Commission records and reports.
4. Give notice and be responsible for publishing public notices of all Planning Commission public hearings and public meetings as advised by the Town Attorney.



5. Attend to all correspondence necessary for the execution of the duties and functions of the Planning Commission.
6. Certify all records and reports of the Planning Commission.
- ~~6.7.~~ Maintain records regarding attendance of Planning Commissioners at Planning Commission meetings pursuant to the requirements of the Town Code and the Code of Virginia.

#### **IV. MEETINGS**

##### **A. REGULAR MEETINGS**

Regular meetings of the Planning Commission shall be held on the first and third Wednesday of each month at 7:30 PM. When a meeting date falls on a legal holiday, the meeting shall be held on the following Wednesday unless otherwise designated by the Commission.

##### **~~B. SPECIAL WORK SESSIONS~~**

~~The Planning Commission may schedule special work sessions as required for items requiring substantial discussion. Every attempt will be made to schedule these meetings for Wednesday nights when there is not a regular monthly meeting~~

##### **~~C.B. SPECIAL MEETINGS~~**

~~Special meetings shall be called at the request of the Chair or two members of the Planning Commission. Notice of special meetings shall be given to the Chair and each Commissioner at least seventy-two (72) hours in advance of such special meeting and shall contain the purpose, date, time and place of such meeting.~~

##### **~~D.C. CLOSED SESSIONS~~**

~~The Planning Commission may meet in Closed Session (closed to the public) under the circumstances, conditions and reasons set forth in the Code of Virginia. If practicable, the Planning Commission will relocate to a private meeting space for the Closed Session and return to the main meeting room to reconvene the regular meeting. If the main meeting room must be used for the Closed Session, the public will be notified when the Closed Session has concluded so they may return to the Chamber for the continuation of the regular meeting.~~

##### **~~E.D. PLACE OF MEETING~~**

~~All meetings of the Planning Commission, unless otherwise determined, shall be held in the Lovettsville Town Hall located at 6 East Pennsylvania Avenue, Lovettsville, Virginia. Notice of change in meeting place shall be prominently posted on the door of the regularly scheduled meeting place and shall be given by such other means, including a local newspaper, Town website or other available media, as may be feasible. Every attempt will be made to keep the meeting location within the Corporate-corporate Limits limits of the Town.~~

**F.E. PUBLIC NOTICE OF MEETINGS**

All regular meetings, hearings, work session, records and accounts shall be open to the public and proper notice of all meetings of the Planning Commission shall be provided to the public by the Town Clerk.

**G.F. QUORUM**

**1. Definition**

A quorum shall consist of a simple majority of the seated members of the Commission. To conduct official business, a quorum must be present at all times. To be "present" is defined as being within the location in which the meeting is being held as defined from time to time by the Planning Commission.

**2. Change in Quorum Status**

Once a meeting has been properly convened with the presence of a quorum and the number of persons necessary to constitute a quorum is no longer present, the Chair or Presiding Officer should bring this fact to the attention of the body. The meeting shall then be automatically temporarily recessed until a quorum is reestablished. Upon reestablishment of the quorum, the Planning Commission shall resume consideration of the matter before them at the time of the recess. This shall not prevent any Commissioner from moving to table, defer, postpone, or make any other appropriate motion with respect to any pending matter.

If, in the opinion of the Chair or Presiding Officer, a quorum cannot be obtained within a reasonable period of time, the Chair or Presiding Officer shall declare the meeting adjourned until the next scheduled meeting; at that next meeting, after taking up the usual preliminary matters, the Planning Commission shall resume their consideration of the matter that was before them when they previously adjourned. ~~This shall not prevent any Commissioner from moving to table, defer, postpone, or make any other appropriate motion with respect to any pending matter.~~

**3. Reconvene as Work Session**

In the event that a regularly scheduled meeting is adjourned due to a lack of a quorum, the Planning Commission may immediately convene into a work session to discuss Town matters. No formal action will may be taken at such work session.

**H.G. VOTING**

All votes may be recorded as roll call votes if requested by any member of the Commission. The order of voting ~~will~~ shall be determined by the Chair.

**I.H. RECORD OF MEETINGS**

The recording clerk shall take minutes of all Planning Commission proceedings and maintain them in a special file of written documents of Planning Commission activity. Minutes of previous meetings of the Planning Commission will be provided in a timely fashion. The minutes of previous meetings shall be approved by order of the Chair by adoption by a majority of Commissioners present. Corrections to the minutes can be

made by any member of the Planning Commission. Members may, by a majority vote of members present, insert remarks or clarifying statements into the minutes.

#### J.I. PARLIAMENTARY AUTHORITY

Robert's Rules of Order, as ~~newly revised~~ Revised, as set forth for conducting business in small boards, shall govern all questions of procedure not otherwise provided for in these rules or by State or Federal Law. The Vice Chair or his/her designee shall serve as Parliamentarian unless another Commissioner has been so designated by the Chair. The Parliamentarian shall have the power to advise the presiding officer on points of order and parliamentary inquiries in accordance with Robert's Rules of Order.

#### K.J. ORDER OF BUSINESS

The order of business for the Planning Commission shall normally be as follows but may be varied by a majority vote of ~~these~~ Commissioners present:

- a) Call to Order/Welcome/Pledge of Allegiance
- b) Public Comment
- c) Additions/Deletions/-Modifications to the Agenda
- d) Approval of Minutes
- e) Committee Reports
- e)f) Staff Reports
- f)g) Action Items
- g)h) Discussion Items
- i) Information Items
- h)i) Next Meeting
- i)k) Comments from the Commissioners/Mayor
- j)l) Adjournment

Deadline for Agenda: Deadline for filing for placement on the agenda shall be 9:00 AM on the Friday preceding the Wednesday meeting.

### **V. CONDUCT OF MEETINGS**

#### **1. Presiding Officer**

The Chair shall preside at all meetings of the Planning Commission. The Vice-Chair shall preside at all meetings in the absence of the Chair. In the absence of both the Chair and the Vice-Chair, the Chair, or the Vice-Chair if the Chair is not available to do so, shall designate a member of the Planning Commission to preside in their absence.

#### **2. Procedure**

- a) Recognition. The Presiding Officer shall recognize Planning Commissioners before speaking. Other persons at a meeting of the Planning Commission may speak only when called upon or authorized.
- b) Comments on Agenda Items. The Town Planner/Zoning Administrator or his/her designee shall introduce or present Staff's position on all agenda items. When appropriate the Town Planner/Zoning Administrator shall make a recommendation to the Planning Commission. The member of the Planning Commission who introduces an agenda item for action by the Commission may

provide comments relating thereto. Comments by a member of the Commission who introduces an agenda item shall be limited to five (5) minutes. The time it takes the Commissioner to actually state the motion shall not be included in the five minutes. Following introduction and seconding of an agenda item, each member of the Planning Commission may provide comments on the item. Each comment shall be limited to three (3) minutes. Each agenda item will ~~only~~ be discussed for not more than thirty (30) minutes. After thirty (30) minutes of discussion the Presiding Officer or his/her designee ~~will~~ may call for a vote on the item or a motion to table the item until a future Commission meeting.

c) Motions/Resolutions in Writing

All motions pertaining to ordinances, Commission policies or other substantive proposals shall, where possible, be made in writing. If resolutions are to be adopted, the Town ~~Attorney~~ staff or other appropriate authority, prior to adoption, shall prepare those resolutions for the Planning Commission.

d) Voting by Planning Commission Members

When a question is called by the Presiding Officer, every member of the Planning Commission present shall vote either "Yes", "No" or "Abstain" on a particular motion. Each member of the Planning Commission may make a brief statement not longer than three (3) minutes in length explaining the reasons for the Commissioner's vote of abstention.

e) Public Participation

Members of the public may speak at the beginning of Regular and some Special Meetings of the Planning Commission -as well as provide written comment to the Body in accordance with the procedures established by the Planning Commission.

1. Sign-up Procedure. Cards or a sign-up sheet shall be placed in an accessible location in the meeting room for people to sign if they wish to speak. This will assure that the minutes reflect the proper spelling of names and correct addresses.
2. Rules for Public Participation. Before receiving any public comment during a Public Hearing or Regular/Special Meeting the Presiding Officer or his/her designee will read aloud the procedures established by the Body to receive such comments.
3. Public Comment. Comments from the public are limited to three (3) minutes per person at the beginning of the Commission meeting. A speaker representing a group or organization will be allowed up to five (5) minutes to present the position of the organization. Any member of the public speaking for an organization must submit a letter from the Board of that organization authorizing them to speak for the organization on that issue. ~~Questions from Commission Members will not be counted against the speaker's time. Written comments must also be accompanied by an authorizing letter.~~

4. Speakers' Comments. Notwithstanding any of the above, all speakers shall refrain from using vulgarities, obscenities, or profanity. Speakers shall address the Planning Commission as a whole and not address their remarks toward any specific member of the Commission or Staff.
5. Written Comments. Written comments must be received by the Town Clerk, by 3:00 PM the day before the meeting to be distributed to the members of the body at the meeting. Items received before the packet deadline (generally, 9:00 AM the Friday before the week of the meeting) will be included in the packet. Written communications must contain the writer's name and physical address. Any member of the public submitting comments on behalf of an organization must also submit a letter from the Board of that organization authorizing them to submit written comments for the organization on that issue. Written comments meeting the above criteria and all other criteria established by the body will be distributed to the members by the Town Clerk. Minutes of the meeting will contain a section at the end of the minutes listing the name and address of anyone submitting written comments distributed at the meeting or in the meeting packet. Those comments will be kept on file at the Town Hall and will be made available to the public under normal Freedom of Information Act (FOIA) procedures.

## VI. PUBLIC HEARINGS

The Planning Commission may conduct public hearings in addition to those required by law as it determines necessary and appropriate.

~~The recording clerk~~ Town staff shall publish notice of public hearings as required by the zoning ordinance, or as otherwise prescribed by local or state law ~~Section 15.1-431 of the 1950 Code of Virginia, as amended.~~

Public hearings shall be opened by the Chair or a ~~designated representative~~ his/her designee. The public notice shall be read into the record. Staff shall be provided an opportunity to deliver a report and recommendation to the Commission. The petitioner, if there is one, shall be recognized. Thereafter, the Chair shall call upon speakers in the order in which they signed up to speak. Comments from the public are limited to three (3) minutes per person. A speaker representing a group or organization will be allowed up to five (5) minutes to present the position of the organization. Any member of the public speaking for an organization must submit a letter from the Board of that organization authorizing them to speak for the organization on that issue. Questions from the Planning Commission will not be counted against the speaker's time. The speaker shall limit his or her comments to only those pertaining to the item that is the subject of the public hearing.

The recording clerk shall enter in the minutes the names and addresses of all speakers and whether they favor or oppose the subject of a hearing.

## VII. CORRESPONDENCE

It shall be the duty of the Chair to sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.

## VIII. COMMITTEES

The Chair of the Planning Commission may appoint advisory committees and/or subcommittees. Matters coming before the Planning Commission may be referred to such a committee for review and recommendation or acted upon by the whole Commission without referring the matter to a committee. Committees shall follow rules of procedure of the Planning Commission to the extent applicable.

## IX. PLANNING COMMISSION/STAFF RELATIONSHIP

It is the Town Council's responsibility to ensure and supervise the adequate staffing and administrative support necessary for the Commission to conduct its business. The Planning Commission may utilize the Town's administrative and technical staff for the timely and efficient conduct of Commission business.

## X. CONDUCT OF PLANNING COMMISSION MEMBERS

### A. PLANNING COMMISSIONER DISCLOSURES

~~At the start of every Planning Commission meeting the Planning Commissioners are invited~~ required to disclose any personal meetings or activities they feel may that are be relevant to items on the agenda prior to discussion and consideration of that item.

### B. ETHICS

The Planning Commission is an arm of the local government and deals with matters of importance and concern to local citizens. Activities of the Planning Commission come under close public scrutiny. It is vitally important that the Commission perform all of its activities fairly and openly without any hint of unethical conduct.

### C. CONFLICT OF INTEREST

Standards governing conduct of Planning Commissioners with regard to conflict of interests are ~~contained~~ set forth in the Virginia Conflict of Interests Acts (Section 2.4-599 ~~2.4-6342-3100~~ et al). Members of the Planning Commission should be familiar with the provisions of the Act, particularly those sections dealing with disclosures of material, financial interest and real estate holdings.

### D. CONDUCT UNBECOMING

If any member of the Planning Commission engages in any language or conduct unbecoming to the office, the member shall be called to order by the Presiding Officer or a Commission Member, and in such case, the offending member shall lose the floor and shall not proceed without the approval of the majority of members present.

The Planning Commission may, by majority vote of all members of the Commission present, expel any member of the Planning Commission from a meeting for disorderly conduct or violation of the Rules and Procedures.

## **XI. PROCEDURAL CHANGES**

All guidelines, rules and items within the Bylaws and Special Rules of Procedure may be amended by a two-thirds vote of the entire membership after 30 days prior notice to all members.

Adopted: April 3, 1997  
Amended: October 4, 2006  
Amended: October 3, 2007  
Amended: June 1, 2011  
Amended: July 2, 2014  
Amended: December 16, 2015