

TOWN OF BOWLING GREEN PLANNING COMMISSION

**BYLAWS\***

**TOWN OF BOWLING GREEN PLANNING COMMISSION**

ARTICLE 1  
**OBJECTIVES**

- 1-1. This planning commission, re-established pursuant to an Ordinance enacted by the Town of Bowling Green Town Council on the 17th day of January, 2018, has adopted these subsequent Articles in order to clearly delineate its powers and duties in accordance with the provisions of the Code of Virginia, 1950, as amended.
- 1-2. The official title of this planning commission shall be the "Town of Bowling Green Planning Commission."

ARTICLE 2  
**MEMBERS**

- 2-1. In accordance with the provisions of the Code of Virginia, 1950, as amended, the Town of Bowling Green Planning Commission shall consist of five (5) members, one member of the Bowling Green Town Council and four of which are appointed at-large by the Bowling Green Town Council. All commission members shall be residents of the Town of Bowling Green, qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half of the commission members must be owners of real property in the Town of Bowling Green.
- 2-2. After initial appointments, Commission member appointments shall be for a term of four years except that the Bowling Green Town Council representative shall serve a two year term. Vacancies on the Planning Commission shall be filled by the Town of Bowling Green Town Council for the unexpired term only.
- 2-3. Commission members may be removed for malfeasance in office.
- 2-4. All members of the planning commission shall serve with compensation in an amount specified by the governing body.

\* Adopted by the Bowling Green Planning Commission, December 16, 2019

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ARTICLE 3  
**OFFICERS AND THEIR SELECTION**

- 3-1. The officers of the planning commission shall consist of a chairman and vice-chairman. The Town of Bowling Green Zoning Administrator shall serve as secretary and staff to the planning commission and may designate town staff or other consultants as needed for timely completion of assignments.
- 3-2. Nomination of officers shall be made from the floor at the regular January meeting each year. Election of officers shall follow immediately thereafter.
- 3-3. A candidate receiving a majority vote of the entire membership of the planning commission shall be declared elected and shall take office immediately and serve for one (1) year or until his successor shall take office.
- 3-4. Vacancies in office shall be filled immediately by regular election procedures.

ARTICLE 4  
**DUTIES OF OFFICERS**

- 4-1. The *chairman* shall be a citizen member of the commission and shall:
- 4-1-1. Preside at all meetings;
- 4-1-2. Appoint committees, special and/or standing;
- 4-1-3. Rule on all procedural questions subject to a reversal by a two-thirds [3/5] majority vote of the members present;
- 4-1-4. Be informed immediately of any official communication and report same at the next regular meeting; and
- 4-1-5. Carry out other duties as assigned by the governing body.
- 4-2. The *vice-chairman* shall be a citizen member of the commission and shall:
- 4-2-1. Act in the absence or inability of the chairman to act,

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- 4-2-2. Have the powers to function in the same capacity of the chairman in cases of the chairman's inability to act.
- 4-3. The *secretary* shall:
  - 4-3-1. Keep a written record of all business transacted by the commission;
  - 4-3-2. Notify all members of all meetings;
  - 4-3-3. Keep a file of all official records and reports of the commission;
  - 4-3-4. Certify all maps, records and reports of the commission;
  - 4-3-5. Serve notice of all hearings and public meetings;
  - 4-3-6. Attend to the correspondence of the commission as hereinafter prescribed;
  - 4-3-7. Keep a set of minutes as hereinafter prescribed;
  - 4-3-8. Prepare and be responsible for the publishing of advertisements relating to public hearings in compliance with the requirements of the Code of Virginia, 1950, as amended;
  - 4-3-9. Draft and sign all correspondence necessary for the execution of the duties and functions of the planning commission; and
  - 4-3-10. Communicate by telephone whenever necessary to accomplish communications that cannot be carried out as rapidly as required through direct correspondence. A record of such communication shall be kept and presented at the next meeting of the commission.
- 4-4. All official papers and plans involving the authority of the commission shall bear the signature of the chairman or vice-chairman together with the certification signed by the secretary and chairman.

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### ARTICLE 5 COMMITTEES, STANDING AND SPECIAL

- 5-1. Special Committees may be appointed by the chairman for purposes and terms approved by the commission.
- 5-2. All committees are appointed to more efficiently and expeditiously research and develop recommendations for the planning commission's consideration. No committee has authority to hold public hearings or to take final action on any matter. The planning commission has sole authority to act on those matters as permitted by the Code of Virginia, 1950, as amended and to make recommendations to the Bowling Green Town Council.
- 5-3. The Bowling Green Zoning Administrator shall serve as staff to each committee.

### ARTICLE 6 MEETINGS

- 6-1. Regular meetings of the commission shall be held on the third Monday of each month. When such regular meeting date is scheduled on a State designated holiday or the chairman declares that weather or other conditions are such that it is hazardous for members to attend the meeting, the meeting shall be held on the following Monday. All hearings and other matters previously advertised for such regular meeting shall be conducted at the continued meeting and no further advertisement is required.
- 6-1-1. The commission shall cause a copy of the yearly regular meeting schedule to be publicly posted at the Town of Bowling Green Business Office and electronically at least seven days prior to the first meeting held pursuant to the adopted schedule.
- 6-2. Special meetings shall be called at the request of the chairman or at the request of two members. Such requests for special meetings shall be made to the Bowling Green Zoning Administrator who shall be responsible for notice of such meeting by mail to all members. Written notice of meetings shall be given to each member at least five (5) regular days in advance of a special meeting and shall state the purpose, time and place of the special meeting.
- 6-2-1. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting or if all members file a written waiver of notice.
- 6-3. Pursuant to the Virginia Freedom of Information Act, meetings, hearings, records, and accounts shall be open to the public.

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- 6-4. A majority of the membership of the commission shall constitute a quorum and no action of the planning commission shall be valid unless authorized by a majority vote of those present and voting.
- 6-5. All documents, requests, applications, and forms of communication that require action by the Town of Bowling Green Planning Commission or review by a committee must be received fourteen (14) business days prior to the next scheduled meeting to allow for town staff processing and distribution to the members of the Town of Bowling Green Planning Commission and adequate time for review by the members prior to the meeting which they are scheduled for action. Items received less than fourteen (14) business days will be assessed by the Bowling Green Zoning Administrator for urgency and if not urgent, will be acknowledged as received at the next scheduled meeting and deferred for action until the following meeting.

ARTICLE 7  
**ORDER OF BUSINESS**

7-1. ROLL CALL AND DETERMINATION OF A QUORUM:

7-1.1 PUBLIC COMMENT:

7-1.2 PUBLIC HEARING:

7-1.3 APPROVAL OF THE MINUTES:

7-1.4 NEW BUSINESS:

7-1.5 REPORT OF THE ZONING ADMINISTRATOR:

7-1.6 UNFINISHED BUSINESS:

7-1.7 INFORMATIONAL ITEMS:

7-1.7 COMMISSION COMMENTS AND REPORTS:

7-1.8 **ADJOURNMENT:**

Motions shall be restated by the chairman before a vote is taken. The names of persons making and seconding motions shall be recorded. All votes shall be recorded in the minutes as roll call votes.

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Parliamentary procedure in commission meetings shall be governed by Robert's Rules of Order. The rules and procedures under Robert's Rules of Order may be waived or temporarily suspended on a designated matter by a majority vote of commission members present and voting.

- 7-3-1. These by-laws may be modified by a recorded two-thirds (3/5) vote of the entire membership.
- 7-4. The planning commission shall keep a set of minutes of all meetings and these minutes shall become public record.
- 7-4-1. The secretary shall cause a set of minutes for all regular, continued, and special meetings to be prepared.
- 7-4-2. The chairman shall sign all minutes and at the end of the year shall certify that the minutes of the preceding year are a true and correct copy of same.

### ARTICLE 8 HEARINGS

- 8-1. The planning commission shall hold public hearings as required by the Code of Virginia, 1950, as amended.
- 8-2. Notice of such hearings shall be published in accordance with the requirements of the Code of Virginia, 1950, as amended.
- 8-3. The matter before the commission shall be summarized by the chairman, and parties in interest shall have the privilege of the floor. No record or statement shall be recorded, or sworn to, as evidence for any court of law without notice to the parties in interest.
- 8-4. A record shall be kept of those speaking before the hearing.

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### ARTICLE 9 DUTIES OF THE COMMISSION

- 9-1. To effectuate the duties and powers of a local planning commission under the Code of Virginia, 1950, as amended, the Bowling Green Planning Commission shall:
- 9-1-1. Exercise general supervision of, and make regulations for, the administration of its affairs;
  - 9-1-2. Prescribe rules pertaining to its investigations and hearings;
  - 9-1-3. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the Bowling Green Town Council;
  - 9-1-4. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;
  - 9-1-5. Make recommendations in an annual report to the Bowling Green Town Council concerning the operation of the Bowling Green Planning Commission and the status of planning within its jurisdiction;
  - 9-1-6. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
  - 9-1-7. Prepare and submit an annual budget request in the manner prescribed by the Bowling Green Town Council; and
  - 9-1-8. Establish advisory committees, if deemed advisable.
- 9-2. The commission shall perform those duties and functions as requested by the Bowling Green Town Council and as required by the Code of Virginia, 1950, as amended which shall include but not be limited to the following:
- 9-2-1. Prepare and recommend a comprehensive plan for the physical development of the Town of Bowling Green. In the preparation of the comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its land and citizens;
  - 9-2-2. Review and determine whether any requested amendment to the adopted Town of Bowling Green zoning map is substantially in accord with the adopted comprehensive plan and communicate its findings to the Bowling Green Town Council;

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- 9-2-3. Review and consider all additions and modifications to the official zoning map referred by the Bowling Green Town Council which shall be acted upon within ninety (90) days of referral;
- 9-2-4. Prepare and recommend any amendment to the subdivision ordinance and transmit it to the Bowling Green Town Council;
- 9-2-5. Prepare and revise annually a capital improvement program based on the comprehensive plan. The commission shall submit the program annually to the Bowling Green Town Manager at such time as the Town Manager directs;
- 9-2-6. Review and make recommendations on applications for special exceptions, and when deemed necessary, on appeals and applications for special permits filed with the Board of Zoning Appeals (BZA);
- 9-2-7. Review and make recommendations on preliminary and final development plans; and
- 9-2-8. Approve or disapprove the general or approximate location, character and extent of streets, parks or other public areas, public buildings, public structures, public utilities, or public service corporations, other than railroads, whether publicly or privately owned.

### ARTICLE 10 EDUCATION REQUIREMENTS

- 10-1. All appointees to the Town of Bowling Green Planning Commission are required to attend and successfully complete a Planning Commissioners Course. The appointee will make every attempt to attend the course in the first year of the appointed term. Should class schedule, funding, or personal circumstances prevent attendance in the first year, the class will be completed as soon as possible.
- 10-2. The Chairman of the Town of Bowling Green Planning Commission shall identify all educational requirements for the upcoming budget year and provide the request for funds to the Town Manager during the budget development cycle. Other educational opportunities that will benefit the town planning process may be identified by the Chairman of the Town of Bowling Green Planning Commission and appropriate approvals and funding will be requested from the governing body or projected for the next budget cycle.