

# Town of James Island Planning Commission Rules of Procedure

## Article I Organization

**Section 1. Rules.** These rules of procedure are adopted pursuant to S.C. Code § 6-29-360 for the Town of James Island Planning Commission which consists of five members appointed by Town Council.

**Section 2. Officers.** The officers of the commission shall be a chair and vice-chair elected for one-year terms at the first meeting of the commission in each calendar year. The commission shall appoint a member of the staff as secretary of the commission.

**Section 3. Chair.** The chair shall be a voting member of the commission and shall:

- a. Call meetings of the commission;
- b. Preside at meetings and hearings;
- c. Act as spokesperson for the commission;
- d. Sign documents for the Commission when authorized;
- e. Transmit reports and recommendations to council; and
- f. Perform other duties approved by the commission.

**Section 4. Vice-Chair.** The vice-chair shall exercise the duties of the chair in the absence, disability or disqualification of the chair. In the absence of the chair and vice-chair, an acting chair shall be elected by the members present.

**Section 5. Secretary.** The secretary shall:

- a. Provide notice of meetings;
- b. Assist the chair in preparation of agenda;
- c. Keep minutes of meetings and hearings;
- d. Maintain commission records as public records;
- e. Attend to commission correspondence; and
- f. Perform other duties normally carried out by a secretary.

## Article II Meetings

**Section 1. Time and Place.** An annual schedule of regular meetings shall be adopted, published and posted at the designated Town Hall office in December of each year. Special meetings may be called by the chair upon 24 hours notice, posted, and delivered to all members and local news media. Meetings shall be held at the place stated in the notices and shall be open to the public.

**Section 2. Agenda.** A written agenda shall be furnished by the secretary to each member of the commission and the news media, and shall be posted at least 5 days

prior to each regular meeting, and at least 24 hours prior to a special meeting. Items may be added to the agenda at a meeting by majority vote.

**Section 3. Quorum.** A majority of the members of the commission shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

**Section 4. Rules of Order.** *Robert's Rules of Order Newly Revised*, latest edition, shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.

**Section 5. Voting.** A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, give it to the chair in writing, have it placed in the minutes, and refrain from deliberating or voting on the question.

**Section 6. Conduct.** Except for public hearings, no person shall speak at a commission meeting unless invited to do so by the commission.

### **Article III Public Hearings and Public Meetings**

**Section 1. Notice.** The secretary shall give the notice required by statute or ordinance for all public hearings and public meetings conducted by the commission. Members of the public desiring to be heard shall give written notice to the secretary prior to commencement of public hearings.

**Section 2. Procedure.**

- Call to Order
- Prayer and Pledge
- Compliance with the Freedom of Information Act
- Introduction of Commission members by the Chair
- Review and act on Summary of previous meeting
- Application review
  - Staff presentation
  - Applicant presentation (limited to 5 minutes)
  - Opponent presentation (limited to 2 minutes)
  - Applicant's rebuttal (limited to 2 minutes)
- Call for motion by the chair
- Second of the motion
- Discussion
- Polling of members
- Announcement of result
- Call for the next case

- Chair's comments
- Commissioner's comments
- Adjourn

No person may speak for more than the time limits outlined above without majority consent of the commission.

No person speaking at a public hearing shall be subject to cross-examination.

All questions shall be posed by members of the commission.

It is the intent to set meetings to start and end within 90 minutes. Some cases may be so complex that the items and applications may take longer to complete. At 90 minutes the commission will recess for a break or adjourn if all work has been completed.

#### **Article IV Records**

**Section 1. Minutes.** The secretary shall record all meetings and hearings of the commission on tape which shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes of each meeting for approval by the commission at the next regular meeting. Minutes shall be maintained as public records.

**Section 2. Reports.** The secretary shall assist in the preparation and forwarding of all reports and recommendations of the commission in appropriate form. Copies of all notices, correspondence, reports and forms shall be maintained as public records.

**Section 3. Attendance.** The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. The commission shall recommend to the governing body the removal for cause of any member who is absent from 2 consecutive regularly scheduled meetings without adequate reason. Attendance at meetings is necessary to conduct the Town's business. If you cannot attend a regular meeting due to illness, death of a family member, or bad weather, please contact the Town's staff as soon as possible.

#### **Article V Review Procedure**

**Section 1. Zoning Amendments.** Proposed zoning text and district amendments shall be considered and recommendations shall be forwarded to the governing body within 30 days after receipt of the proposed amendments, unless additional time is given by the governing body. When so authorized, the planning commission shall conduct any required public hearing prior to making a recommendation.

**Section 2. Plats.** Plats submitted for review pursuant to land development regulations shall be reviewed by designated staff members who may approve for recording plats of existing lots of record (boundary surveys), minor subdivisions (three or fewer lots) and subdivisions which are exempt from regulation pursuant to S.C. Code § 6-29-1110(2). The Planning Director may send minor subdivision applications to the Planning Commission for approval in order to determine whether or not the proposed subdivision

is consistent with the goals and objectives of the Comprehensive Plan. The commission shall be informed in writing of all staff approvals at the next regular meeting, and a public record of such actions shall be maintained. All other plats shall be subject to review and approval by the commission. Staff will meet with surveyors and provide requirements for sketch plan, preliminary plat, conditional plat and final plat approval. A plat submitted but not acted on within 6 months may be recorded without the Town's approval. Denial of subdivision plats must be for stated reasons in the motion to deny the plat. There is no appeal of the Planning Commission plat review process to Town Council. Appeals go directly to Circuit Court.

**Section 3. Comprehensive Plan.** All zoning and land development regulation amendments shall be reviewed first for conformity with the comprehensive plan. Conflicts with the comprehensive plan shall be noted in any report to the governing body on a proposed amendment. The elements of the comprehensive plan shall be reviewed and updated on a schedule adopted by the commission, meeting the requirements of S.C. Code § 6-29-510(E).

**Section 4. Precedence setting.** Not one parcel, lot or tract of land is exactly the same. The requests made to the commission may seem similar but each property stands on its own and deserves to be considered on the merits of the application made.

**Section 5. Reconsideration.** The commission may reconsider any review when so requested by the governing body, or when an applicant brings to the attention of the commission new facts, a mistake of fact in the original review, correction of clerical error, or matters not the fault of the applicant which affect the result of the review.

## **Article VI Finances**

**Section 1. Budget.** The commission shall submit written recommendations to the governing body for funding in the annual budget. The recommendations shall include an explanation and justification for proposed expenditures.

**Section 2. Expenditures.** Budgeted funds shall be expended only for approved purposes in accordance with financial policies and procedures set by the governing body, including procurement rules. Upon adoption of a budget by the governing body, the commission may adopt an authorization for specified expenditures by designated staff members within the limits provided. Reimbursement for actual expenses incurred in the performance of official duties approved in advance by the commission shall be made to members of the commission and staff upon submission of vouchers supported by receipts.

**Section 3. Personnel.** The commission shall employ such staff and consultants as may be authorized and funded by budget or make recommendations for staff members to be employed by the Town of James Island. Consultants shall be engaged by majority vote of the commission after review of proposals invited by public notice and mail, and personal interviews with applicants by the commission, or a committee of commission

members and staff.

**Section 4. Stipend.** Planning Commissioners shall receive a stipend of \$50.00 for each monthly meeting they attend. Work Sessions will be considered a meeting. Stipends will not be given for cancelled meetings.

**Article VII  
Adoption and Amendment**

**Section 1. Amendment.** These rules may be amended at any regular meeting of the commission by majority vote of the members of the commission at least seven days after the written amendment is delivered to all members.

**Section 2. Adoption.** These rules were adopted by vote of a majority of the members of the commission at a regular public meeting on September 20, 2012.

Attest

Secretary

*Frances Ammons*  
*August 14, 2015*

*David P. Beron*  
Chair

*August 14, 2015*