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# Planning Commission

RULES OF PROCEDURE

ADOPTED MAY 6, 2020

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## Statement of Purpose

These Rules of Procedure govern the transaction of business by the City of Manassas Planning Commission and prescribe the rules pertaining to its meetings and hearings.

*State Code References, Code of Virginia § 15.2-2217, § 15.2-2221*

### Article 1. In General

#### Section 1-1. Creation

The City of Manassas Planning Commission is established by the Council of the City of Manassas, pursuant to Title 15.2 of the Code of Virginia.

#### Section 1-2. Name

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

#### Section 1-3. Objectives

The objectives and purposes of the Commission, pursuant to the provisions of Title 15.2 of the Code of Virginia, are:

1. To promote the orderly development of the City and its environs;
2. To recommend improvements for the public health, safety, convenience, and welfare of the citizens of Manassas;
3. To plan for the future development of the community and ensuring carefully planned transportation systems;
4. To ensure that recommendations for new community centers be developed with adequate highway, utility, health, educational, and recreational facilities;
5. To ensure that the needs of agriculture, industry, and business be considered in future growth;
6. To ensure that residential areas be provided with healthy surroundings for family life;
7. To ensure that the preservation of open space be considered; and
8. To ensure that the growth of Manassas be consonant with the efficient and economical use of public funds.

#### Section 1-4. Governing Law

The Commission is governed by the Freedom of Information Act (FOIA), the Conflict of Interests Act (COIA), the Public Records Act, and Article 2 of Chapter 22, Title 15.2, Code of Virginia.

*State Code References, Code of Virginia § 15.2-2203, § 15.2-2210, § 15.2-2221*

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## Article 2. Members and Terms

### Section 2-1. Members

The City Council determines the size of the Commission. All members 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 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.

### Section 2-2. 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 may be removed for malfeasance in office or as otherwise provided by law.

*State Code Reference, Code of Virginia § 15.2-2212*

## Article 3. Officers and Duties

### Section 3-1. Election of Officers

Annually, at the first regular meeting of the Commission, the Commission shall elect a Chairperson and a Vice Chairperson. 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 until the following first regular meeting in January or until their successor shall take office. Vacancies in office shall be filled immediately by regular Planning Commission election procedures.

### Section 3-2. 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.

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### Section 3-3. 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, will transmit reports, plans, and recommendations of the Commission to the appropriate governing authority, and in general, shall act as spokesperson for the Commission.

### Section 3-4. 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 the Commission shall elect a new Chairperson.

### Section 3-5. 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, and shall prepare and be responsible for the publishing of all notices of hearings and public meetings. The Clerk is deemed to be the "Secretary" of the Commission for purposes of Virginia Code §15.2-2214.

### Section 3-6. 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 Rules of Procedure.

*State Code References, Code of Virginia § 15.2-2214, § 15.2-2217*

## Article 4. Meetings

### Section 4-1. 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 at a location and/or time as otherwise designated by the Chairperson. 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 members 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

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the public body is being discussed or transacted.” The Clerk shall prepare an agenda and information package prior to the meeting and provide each member with a copy.

#### Section 4-2. Special or Emergency Meetings

The Commission may hold special or emergency meetings at the call of the Chairperson or any two members, by notice to the Clerk. Notice shall be provided pursuant to FOIA.

#### Section 4-3. Cancellation

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

#### Section 4-4. Quorum, Majority Vote

A majority of the members of the Commission shall constitute a quorum. Vacancies shall not be counted in calculating the quorum, except that in no case may a quorum be less than three. 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.

#### Section 4-5. Participation by Remote Electronic Communication

The following policy is established pursuant to Virginia Code §2.2-3708.2 to allow members of the Planning Commission to participate in a meeting through electronic communication means from a remote location that is not open to the public, subject to the conditions and requirements of this Section. The following provisions shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

- A. On or before the day of a meeting, the member who wishes to participate through electronic means must notify the Chairperson, or in the Chairperson’s absence the member who will chair the meeting, that the member is unable to attend the meeting due to (1) a temporary or permanent disability or other medical condition that prevents the member's physical attendance; or (2) a personal matter, and identifies with specificity the nature of the personal matter. Remote electronic participation by a member because of a personal matter is limited each calendar year to two meetings.
- B. Following receipt of notification as required by subsection (A), remote participation by electronic communication is authorized if (1) a quorum of the Commission is physically assembled at one primary or central meeting location; and (2) the Commission arranges for the

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voice of the remote participant to be heard by all persons at the primary or central meeting location.

- C. At the start of the meeting the Chairperson, or other presiding officer, shall advise the Commission of the member's request for participation by remote electronic communication. If the conditions and requirements of this Policy have been met, the Commission shall approve the member's request by majority vote. If participation by a member through electronic communication means is approved, the Clerk shall record in the minutes of the meeting the remote location from which the member participated. If participation is approved because of the member's temporary or permanent disability or other medical condition, the Clerk shall also include in the minutes of the meeting the fact that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition that prevented the member's physical attendance. If participation is approved due to a member's personal matter, the Clerk shall also include in the minutes of the meeting the specific nature of the personal matter cited by the member.
- D. If a member's participation from a remote location is disapproved because such participation would violate this Policy, such disapproval shall be recorded in the minutes with specificity.

#### Section 4-6. Order of Business

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

##### AGENDA:

1. Pledge of Allegiance
2. Roll Call - Determination of a Quorum
3. Approval of Minutes
4. Committee Reports
5. Citizens Time
6. New Business - Public Hearings
7. Other Business
8. Adjournment

#### Section 4-7. Procedure

Parliamentary procedure in Commission meetings shall be governed by Robert's Rule of Order, as adapted to small boards, except to the extent that Robert's Rules of Order conflicts with these Rules of Procedure, the City of Manassas Code of Ordinances, or the Code of Virginia of 1950, as amended.

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#### Section 4-8. 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 4-9. Voting

The following actions of the Commission shall be made by roll call vote: amendments to these Rules of Procedure and 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 4-10. 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 except as provided by FOIA.

*State Code References, Code of Virginia § 15.2-2214, § 15.2-2215, §15.2-2217*

## Article 5. Standing and Special Committees and Liaison Members

The following committees and liaison members 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) 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) non-voting members from the public at-large. The Chairperson shall appoint one of the Committee's Planning Commission members as the Committee Chair.



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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) 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 a member of the public at-large 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, unless closed pursuant to FOIA. Non-voting members are not counted in calculating a quorum.

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

## Article 6. Community Development Staff and Other Advisory Sources

### Section 6-1. Staffing

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

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and present special reports as the need arises. Commission members shall take proper precautions to preserve the confidentiality of attorney-client privileged communications.

*Section 6-2. Special Studies*

Upon request of the Commission, the City Council or other public officials may assign 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.

*Section 6-3. Annual Report*

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

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

## Article 7. Special Rules

*Section 7-1. 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 the issue have been heard.

*Section 7-2. 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 7-3. Preparation and Training*

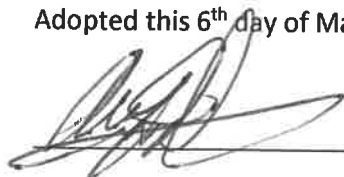
Members are encouraged to attend training sessions in order to more effectively carry out their responsibilities to meet the objectives of the Commission. Members are expected to attend all Commission meetings, regular and special committee meetings, public hearings, workshops and briefings, and become familiar, insofar as possible in advance, with each application that comes before the Commission.

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## Article 8. Amendments

These Rules of Procedure 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<sup>th</sup> day of May, 2020



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Harry J. Clark, Chairperson

Attest: Christen Miller

Christen Miller, Clerk