

**PLANNING COMMISSION OF THE CITY OF FAIRFAX**  
**BYLAWS**

**Article I – Purpose of Planning Commission; Bylaws**

The Planning Commission of the City of Fairfax (“Planning Commission”) exists and serves as an independent body, assisting in the improvement of public health, safety, convenience and welfare of the citizens. To this end, the Planning Commission will consider and advise the City Council as required, on plans for the future development of the city so that residential areas may be provided with healthy surroundings, so that the needs and rights of industry, business, and individual property owners may be recognized, and so that transportation systems; highway, utility, health, educational and recreational facilities and land use in the city may develop in a manner consonant with the efficient and economical use of public funds.

The Planning Commission hereby adopts these Bylaws, in accordance with the requirements of the City Code and Title 15.2, Chapter 22, Article 2 of the Code of Virginia, to set forth certain of the responsibilities and procedures of the Planning Commission, in addition to any other duties, responsibilities, and requirements of applicable law that may govern the Planning Commission. These Bylaws, as adopted, shall remain in effect until amended by the Planning Commission, however, City staff shall, at least every two (2) years, and more often as required by changes to the Code of Virginia and other applicable laws, report to the Planning Commission on any suggested modifications to these Bylaws.

**Article II – Responsibilities**

The responsibilities of the Planning Commission are as follows:

- It shall prepare a Comprehensive Plan;
- It shall prepare a written Annual Report to the City Council and, at the direction of the City Council, present said report to the City Council;
- It shall review the Comprehensive Plan at least once every five (5) years to determine whether it should be revised or amended and shall make recommendations regarding such revisions and/or amendments. Assistance and recommendations on specific features of the Comprehensive Plan may be requested from members of the City staff, but ultimate responsibility for preparing the Comprehensive Plan, and any revisions or amendments thereto, shall remain with the Planning Commission;
- It shall review the locations for new streets and public buildings and infrastructure that add capacity for conformity with the Comprehensive Plan;
- It shall review and make recommendations to the City Council on requests for rezonings, amendments to the zoning and subdivision ordinances, and similar matters having to do with administration of regulatory measures in land development;
- It shall act on subdivision plats in accordance with the provisions in the City Code;

- It shall review the Capital Improvement Program to determine consistency with the Comprehensive Plan and provide recommendations on the budget and projects contained therein; and
- It shall conduct special studies as directed by the City Council and perform such other duties as requested by the City Council and as contemplated by applicable law.

### **Article III – Composition, Qualifications, Officers and Duties**

Section 1 – Composition – The Planning Commission shall consist of seven (7) members appointed by the City Council.

Section 2 – Terms of Office – The term of office for members shall be four (4) years (or for such lesser term as provided in the case of a member filling the remainder of an unexpired term). Such terms shall be staggered so that in the first year of a four-year period, one member's term will expire and in each of the other three years, the terms of two other members will expire. In order to implement the staggering of terms described above, appointments may be made for less than four years.

Section 3 – Qualifications of Members – Persons appointed to the Planning Commission must be City residents and at least four (4) members (a majority of the members of the Planning Commission) shall be owners of real property within the City. Appointees shall be qualified by knowledge and experience to make decisions on community growth and development. Appointees are encouraged to complete the Virginia Certified Planning Commissioners' Program within two years of appointment and/or participate in training opportunities such as conferences or workshops throughout their terms.

Section 4 – Removal of Members/Vacancies – Vacancies on the Planning Commission shall be filled through appointment by the City Council for the unexpired portion of the term of the member who has resigned or who has been removed. Members may be removed by the City Council for malfeasance in office. A member may also be removed by the City Council in the event that a member is absent from any three (3) consecutive meetings of the Planning Commission or is absent from any four (4) regular meetings of the Planning Commission within any twelve (12) month period.

Section 5 – Officers – The officers of the Planning Commission shall consist of a Chair and a Vice Chair, and such other officers as the Planning Commission may deem to be necessary and appropriate (for example, a Secretary).

Section 6 – Chair – The Chair shall be one of the appointed members of the Planning Commission. He/she shall have the privilege of discussing all matters before the Commission and to vote thereon. The Chair shall preside at all meetings and hearings of the Planning Commission and shall have the duties normally conferred by parliamentary procedures of such officers.

Section 7 – Vice Chair – The Vice Chair shall be an appointed member of the Planning Commission. He/she shall perform the duties of the Chair in the absence or incapacity of the Chair.

Section 8 – Absence of Chair and Vice Chair – Should both the Chair and the Vice Chair be absent at any meeting, the Chair shall appoint a temporary Chair to serve at that meeting.

Section 9 – Secretary – The Director of Community Development and Planning shall appoint the Secretary. The Secretary shall provide public notification of all Planning Commission regular meetings as required by law, and keep the minutes and records of the Planning Commission for regular and special meetings. The Secretary shall be an employee of the City of Fairfax.

Section 10 – Joint appointments – The terms and conditions of appointments to boards and commissions are contained within the City Code. Qualified representatives from the Planning Commission shall be designated, as needed, to fulfill any joint membership obligations. Selection of the representatives, which constitute an appointment or recommendation for appointment (as applicable), shall occur by a majority vote of those members present and voting (assuming a quorum) upon a vacancy in the appointment or reappointment.

#### **Article IV — Election of Officers.**

Section 1 – Nomination of Officers – Nominations of officers (Chair and Vice Chair) shall be made from the floor at the first meeting in January of each calendar year by the Planning Commission, and elections shall follow immediately. Elections shall be conducted in accordance with Robert's Rules of Order, with a member receiving a majority vote of those members present and voting (assuming a quorum) being elected as the applicable officer. The officers shall take office immediately following their election.

Section 2 – Election of Officers – Members receiving the majority vote of the Commission for the above offices shall serve one (1) year or until their respective successors take office.

Section 3 – Vacancies of Office – A vacancy in either office shall be filled immediately by regular election procedures for the unexpired term of the office vacated.

Section 4 – Succession – All officers may succeed themselves.

#### **Article V — Motions and Voting.**

Section 1 – Motions and Voting – The privilege of making motions, substitute motions, amendments to motions and voting on all official acts of the Commission shall reside in the members only.

Section 2 – Voice Votes – A voice vote shall be recorded on all official acts of the Commission.

**Article VI— Meetings.**

Section 1 – Meeting Time and Place – Regular meetings of the Planning Commission shall be held at 7:00 p.m. on the second and fourth Mondays of each month in the Fairfax City Hall, provided that there is business to be conducted. If a meeting falls on a City holiday, the Planning Commission shall set an alternate date. Special meetings of the commission may be called by the Chair or by two members upon written request to the Secretary. The Director of Community Development and Planning shall ensure that each member of the Commission is provided a written notice of each meeting not less than five (5) calendar days prior to the meeting. Such notice will include the meeting agenda and all pertinent staff reports required by the members. Notwithstanding the foregoing, the Planning Commission shall hold at least eleven (11) regular meetings each year.

Section 2 – Quorum – A majority of the members of the Planning Commission shall constitute a quorum. No action of the Planning Commission shall be valid unless authorized by a majority vote of those present and voting.

Section 3 – Closed Meetings – Closed meetings may be called for any purpose permitted by the Virginia Freedom of Information Act.

Section 4 – Procedures – Robert’s Rules of Order shall govern parliamentary procedures at Planning Commission meetings. The Chair may set time limits for speakers at public hearings as deemed appropriate, in consultation with the City’s legal counsel as necessary. The Planning Commission may, in addition, establish such ethical guidelines as the Planning Commission, in consultation with the City Council and the City’s legal counsel, deems appropriate for the conduct of the affairs of the Planning Commission.

Submitted:   
Paul Cunningham, Chair

Date: 1-25-2018

Attest:   
Tina Gillian, Secretary

Paul Cunningham, Chair	<u>Aye</u>
Janet Jaworski, Vice Chair	<u>Aye</u>
Mark Angres	<u>Aye</u>
Tom Armstrong	<u>Aye</u>
Tom Burrell	<u>Aye</u>
Joseph Harmon	<u>Aye</u>
Karen Wheeler-Smith	<u>Aye</u>