

PLANNING COMMISSION  
CHARTER 2018

1. **Purpose.** The duties and functions of the Amherst County Planning Commission are to promote the orderly development of Amherst County and its environment. The Commission serves primarily in an advisory capacity to the Board of Supervisors in accomplishing the objectives of §15.2-2210 of the Code of Virginia. This Commission also serves to improve public health, safety, convenience and welfare of County citizens and to plan for the future development of the County to the end that transportation systems be carefully planned; that new community centers be developed with adequate highway, utility, health, educational, and recreational facilities; that the needs of agriculture, industry and business be recognized in future growth; that residential areas be provided with healthy surroundings for family life; that agricultural and forestal land be preserved; and that the growth of the community be consonant with the efficient and economical use of public funds.

2. **Goals.** The goals of the Amherst County Planning Commission are to provide specific, measurable, reasonable and timely information, advice, recommendations and reports on matters requested from the Board of Supervisors or otherwise within its purview. It is authorized to develop its own goals and initiatives to further the County's interests in the area of its purview so long as they do not supersede those of this document or any budgeted funds allotted to it. Other goals include the following:

- 2.1 The commission shall prepare and recommend to the Board a comprehensive plan and any amendments thereto, for the physical development of the county.
- 2.2 The commission may make, or cause to be made, the official map of the county.
- 2.3 The commission may, and at the direction of the Board shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the county for a period not to exceed the ensuing five-year period.
- 2.4 The commission shall prepare and recommend to the Board the subdivision ordinance or any amendments thereto, for the county.
- 2.5 The commission shall, at the direction of the Board, be the final authority for approval and disapproval of subdivision and site plans.
- 2.6 The commission may, and at the direction of the Board shall, prepare a proposed zoning ordinance including a map or maps showing the division of the county into districts and a text setting forth the regulations applying in each district.
- 2.7 The commission shall submit to the Board its recommendations on any amendments to or reenactment of the zoning ordinance for the county.
- 2.8 The commission shall make recommendations and report at least annually to the Board concerning the operation of the commission and the status of planning within the county.

- 2.9 The commission shall, at the direction of the Board, prepare, publish and distribute reports, ordinances and other material relating to its activities.
- 2.10 The commission shall, at the direction of the Board, or as otherwise required by law, assume other duties and responsibilities as allowed under law.

**3. Membership.** The commission shall consist of seven (7) members appointed by the Board of Supervisors as follows:

- 3.1 Five (5) members shall be drawn from the five (5) election districts in the county. Each of the five (5) members shall be resident in an election district distinct from one another, such that at least one (1) resident from each election district holds membership on the commission.
- 3.2 One (1) member shall be drawn from any district in the county.
- 3.3 One (1) member shall be a member of the Board of Supervisors, and shall act as a liaison to the Board. The liaison shall be appointed to the commission annually by the Board at its first organizational meeting in January. The liaison shall not have a vote on matters before the commission. Each member shall take the oath of office as required by law when appointed to the commission.
- 3.4 Each commission member shall be a resident of the county, qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half of the commission members shall own property in the county.
- 3.5 Commission members shall be appointed to four-year terms, except that appointments for vacancies occurring otherwise than by expiration of a four-year term shall be for the unexpired term. A member whose term expires shall continue to serve until a successor qualifies and is appointed.
- 3.6 The Board may by passage of a resolution remove members from the commission for malfeasance in office.
- 3.7 If the Board does not receive an application from a qualified applicant in response to a duly advertised vacancy on the commission for a seat otherwise filled, it may appoint to the commission a person residing in an election district in which a sitting commission member.

**4. Meetings.**

- 4.1 Regular meetings of the Amherst County Planning Commission will be held at the Amherst County Administration Building. Meetings may be located in either the Board of Supervisors meeting room or the School Board Room. The commission shall adopt a set of bylaws consistent with the general laws of the county and the Commonwealth for the conduct of its affairs.

- 4.2 The commission shall elect a chairman, vice-chairman and secretary. The chairman and vice-chairman shall be elected from its own appointed membership, but the secretary may be elected from either its own membership or a member of the administrative staff of the Board. The three (3) officers shall serve annual terms and may succeed themselves. The election of officers shall be held at the first meeting of the commission after July 1 of each year.
- 4.3 The commission shall meet at least once every two (2) months at a time and place determined by the commission, and all meetings of the commission shall be open to the public. Special meetings of the commission may be called by the chairman or by two (2) members upon written request to the secretary. The secretary shall mail or e-mail to all members, at least five (5) days in advance of a special meeting, a written notice fixing the time and place of the meeting and purpose thereof. 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 are present at the special meeting or file a written waiver of notice.
- 4.4 A quorum shall be at least four (4) members of the commission and no action of the commission shall be valid unless authorized by a majority vote of those present and voting. A tie vote among those present and voting defeats the motion, resolution or issue voted upon.
- 4.5 The commission shall keep a full public record of its proceedings and shall be responsible for the custody and preservation of its papers and documents.
- 4.6 Any member of the commission shall disqualify himself/herself to act upon a matter before the commission with respect to property in which the member has an interest. Any member may challenge another to disclose an interest that may be a conflict.
- 4.7 The commission may establish an advisory committee or committees, if deemed advisable.
- 4.8 Regular meetings of the Planning Commission will be held at the County Administration Building. The regularly scheduled meeting time may be changed by unanimous consent of the members of the Planning Commission. Special meetings may be announced and called as needed. Regular meetings will be held, at a minimum semi-annually and as needed as determined by the Chairman, County Administrator or Board of Supervisors Chairman. Summarized minutes will be taken in the format specified by the County Administrator and submitted to the County Administrator no later than 30 days from the date of the meeting. The Agenda for each meeting is determined by the Chairman with the assistance of the Secretary.

## **5. Reports.**

- 5.1 An annual report is required. The Director of Planning and Zoning will direct the format and content of the report. On occasion, the Director of Planning and Zoning may seek specific information, guidance, input or recommendations from the Planning Commission on a matter

being prepared for consideration by the Board of Supervisors. The Director will specify the format of the information sought.

**6. Structure.**

- 6.1 The Planning Commission will be organized pursuant to the Code of Virginia 15.2-2210-15.2-2222. The Planning Commission will elect a Chairman, Vice-Chairman and Secretary at the first meeting of the commission after July 1 of each year.

**7. Staff Support.**

- 7.1 The Planning Commission can expect to receive support directly from the Department of Planning and Zoning where an employee will serve as the Planning Commission's secretary. The County Attorney is also available to answer legal questions. County email accounts will be opened for each member to facilitate communications. Copier, postage and other support can be made available through the Planning Commissions budget.

**8. Authority.**

- 8.1 The Planning Commission may represent the County of Amherst to Region 2000 and its partner organizations with the understanding that most decisions regarding County business resides solely with the Board of Supervisors. The Planning Commission may not represent the County to state, federal, nonprofit or commercial and industrial organizations without coordination with the County Administrator. The Planning Commission, through its Chairman, is expected to keep the Director of Planning and Zoning apprised of any and all activities it undertakes which may have a significant effect upon the County or its interests, especially its budget.

**9. Official Acts.**

- 9.1 Acts of the Planning Commission shall be performed by majority vote and recorded in official minutes. Only the Chairman of the Planning Commission, as an individual, may speak for the body but must be careful not to overstep the bounds of consensus within the Planning Commission.

**10. Virginia Freedom of Information Act.**

- 10.1 The Planning Commission is a "public body" under the Virginia Freedom of Information Act. It is the responsibility of the Chairman, with the assistance of the Secretary to ensure compliance with all facets of this law.

**11. State and Local Governments Conflict of Interests Act.**

- 11.1 Members of the Planning Commission are required to file the annual Financial Disclosure Statement.

**12. Youth Participation.**

- 12.1 It is the intention of the Planning Commission to not only develop the citizenship and political involvement of the youth of the County, but to also obtain their input in as many areas of County leadership as possible. The Planning Commission Chairman is responsible to recruit and involve youth to fulfill their charter. While youth may be recruited from anywhere in the County, the Superintendent of Schools serves as a resource to identify interested and capable youth who are willing to serve. The minimum requirement for youth to participate is that they must be residents of the County and between the ages of 16 and 21 years of age (i.e., 16 to 20 years old).