

PRINCE WILLIAM COUNTY
PLANNING COMMISSION
BY-LAWS AND PARTIAL
PROCEDURES

Adopted May 7, 1958
Revised February 27, 1963
Reprinted October 6, 1965
Revised and Reprinted July 3, 1974
Revised and Reprinted May 19, 1976
Reprinted December 6, 1977
Revised and Reprinted October 10, 1978
Revised and Reprinted May 20, 1993
Revised and Reprinted October 7, 1998
Revised and Reprinted December 18, 2002
Revised and Reprinted February 21, 2007
Revised September 15, 2010
Revised and Reprinted December 21, 2016
Revised and Reprinted March 6, 2019
Revised and Reprinted July 22, 2020
Reprinted March 17, 2021
Revised and Reprinted February 07, 2023

Prince William County Planning Office
Development Services Building
5 County Complex Court
Prince William, Virginia 22192

PLANNING COMMISSION 2023

Cynthia Moses-Nedd, Chair

Woodbridge Magisterial District

Juan McPhail, Vice-Chair

Potomac Magisterial District

Joseph Fontanella, Parliamentarian

Coles Magisterial District

Richard R. Berry

Gainesville Magisterial District

Qwendolyn N. Brown

Neabsco Magisterial District

Thomas Gordy

Brentsville Magisterial District

Patricia Kuntz

At-Large

Raheel Sheikh

Occoquan Magisterial District

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ARTICLE 1 – AUTHORITY AND ESTABLISHMENT

- 1-1. The Commission, established by the Prince William Board of County Supervisors on April 8, 1954, and re-established by the Board of County Supervisors under the County Executive form of government on January 1, 1972, has adopted these Articles in order to facilitate its powers and duties under Title 15.2, Chapter 22, Article 2, Code of Virginia.
- 1-2. The official title of this Commission shall be the “Prince William County Planning Commission.”

ARTICLE 2 – PURPOSE AND OBJECTIVES

- 2-1. The purpose of the Planning Commission is to advise the Board of County Supervisors on all matters related to the orderly growth and development of Prince William County.
- 2-2. The Commission, with the advice and assistance of the Planning Office and the County Attorney, shall:
 - 2-2.1. Prepare and recommend a comprehensive plan for the physical development of the County, and review the plan at least once every five (5) years as required by Section 15.2-2230, VA Code Ann.
 - 2-2.2. Prepare and recommend elements and amendments to the comprehensive plan.
 - 2-2.3. Prepare and recommend amendments to the Zoning Ordinance.
 - 2-2.4. Prepare and recommend amendments to the Subdivision Ordinance.
 - 2-2.5. Prepare and recommend amendments to the Capital Improvement Program.
 - 2-2.6. Review and make recommendations on all amendments to the Zoning Map and Capital Improvement Program as required by the Code of Virginia, and on amendments to Strategic Plan inputs and transportation documents when proper under the Code of Virginia and the County Code, or upon request of the Board of County Supervisors.
 - 2-2.7. Review and make recommendations on all special use permit applications to the Board of County Supervisors.
 - 2-2.8. Review and recommend subdivisions as prescribed by the Subdivision Ordinance.
 - 2-2.9. Approve or disapprove the general or approximate location, character, and extent of any street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility, whether publicly or privately owned, as required by Section 15.2-2232, VA Code Ann., and communicate its findings to the Board of County Supervisors.

- 2-2.10. Carry out all other such matters as may be appropriate pursuant to the Prince William County Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, Design and Construction Standards Manual, and other ordinances of Prince William County and/or the Commonwealth of Virginia, or as directed by the Board of County Supervisors.
- 2-2.11. Establish and maintain standing and special committees as appropriate.
- 2-2.12. Consult with the Commander of any military installation that will be affected by any potential development within the County against adverse effect caused by development.
- 2-3. The Commission, with the advice and assistance of the Planning Office and the County Attorney, may:
 - 2-3.1 Cooperate with other contiguous counties, cities, towns, planning commissions or appropriate bodies of other localities so as to coordinate planning and development activities among the localities.
 - 2-3.2 Appoint Ad-Hoc committees and adopt rules as needed to effect such cooperation.
 - 2-3.3 Request information from departments and agencies, of the Commonwealth that may affect the planning and development of the locality.

ARTICLE 3 – MEMBERS

- 3-1. Appointments to the Planning Commission shall be made by the Board of County Supervisors; one member per Supervisor at their pleasure.
- 3-2. The term of appointment is normally coterminous with the Board of County Supervisors which appointed the member to the commission.
- 3-3. Any vacancy in membership shall be filled by the Board of County Supervisors.
- 3.4 A member of the Commission may be removed by the circuit court from office, for acts or failure to act as set forth in Section 24.2-233 VA Code Ann.
- 3.5. The Board of County Supervisors may provide for the reimbursement of actual expenses and a payment of reasonable compensation for Commission members.
- 3.6. Monetary compensation shall be set at \$800 per month. The Chairman shall receive \$850 per month.
- 3.7. The members shall be residents of Prince William County, qualified by knowledge and experience to make decision on questions of community growth and development; provided, that at least one-half of the members so appointed shall be owners of real property as required by Section 15.2-2212, VA Code Ann.

- 3.8. Members are highly encouraged to attend a Land-Use Training Course within the first year.
- 3.9. Members will be required to provide disclosure statements per the *Conflict Interest Act* §2.2-3110, specifically sections §2.2-3115(G) and §2.2-3115(B).

ARTICLE 4 – OFFICERS AND THEIR SELECTION

- 4-1. The Commission’s officers shall consist of a Chairperson and a Vice Chairperson elected by roll call vote annually from the membership of the Commission.
- 4-2. In the absence of the Chairperson at any meeting, the Vice Chairperson shall preside; and at any meeting where both the Chairperson and the Vice Chairperson are absent, the members shall select from their number by roll call vote, a Chairperson *pro tem* to preside over such meeting and certify the minutes of such meeting.
- 4-3. The Commission may be provided an Executive Secretary from the Planning Office Staff who need not be a member of the Commission. The Planning Director shall approve the Secretary to the Commission.
- 4-4. Nomination of officers shall be made annually from the floor at the first regular meeting in February. Election of officers shall follow immediately thereafter. In accordance with the Freedom of Information Act, a roll call vote shall be taken and recorded in the Commission minutes.
- 4-5. With a quorum, a candidate receiving a simple majority vote of the members present and voting shall be declared elected and shall take office immediately.
- 4-6. Vacancies in office shall be filled immediately by regular commission election procedures.

ARTICLE 5 – DUTIES OF OFFICERS

- 5-1. The Chairperson shall:
 - 5-1.1 Preside at all regular and special Commission meetings.
 - 5-1.2. Appoint committees and be an ex-officio member thereof.
 - 5-1.3. Rule on all procedural questions, subject to majority of the commissioners present.

- 5-1.4. Be informed immediately by the Planning Office of any official communication related to the Commission and report it at the next meeting or sooner at the direction of the Planning Office Director.
- 5-1.5. Carry out other duties as assigned by vote of the Commission.
- 5-2. The Vice-Chairperson shall:
 - 5-2.2. Act in the absence or inability of the Chairperson to act.
 - 5-2.3. Have the powers to function in the same capacity as the Chairperson in cases of the Chairperson's inability to act.
 - 5-2.4. Ensure the basic support of the Planning Office to the Planning Commission.
- 5-3. The Secretary shall:
 - 5-3.1. Prepare and maintain a set of minutes for all regular and special meetings, as well as committee meetings or work sessions, when requested.
 - 5-3.2. Sign all minutes and, at the end of the calendar year, certify that the minutes of the preceding year are a true and correct copy of same.
 - 5-3.3. Keep a written record of all business transacted by the Commission.
 - 5-3.4. Notify all members of all meetings. A copy of the agenda for all regular and special meetings shall be sent to all members, said agenda being closed on the Wednesday preceding the meeting.
 - 5-3.5. Keep a file of all official records and reports of the Commission.
 - 5-3.6. Certify all maps, records and reports of the Commission.
 - 5-3.7. Serve notice of all hearings and public meetings.
 - 5-3.8. Attend to Commission correspondence as hereinafter prescribed.
 - 5-3.9. Prepare and be responsible for the publishing of advertisements relating to public hearings.

ARTICLE 6 – COMMITTEES

- 6.1. For the purpose and terms approved by the Commission, the Chairperson may appoint standing and special committees from its membership. Committee meetings shall be set, and the time and place announced during a regular Commission meeting. Such committee meetings shall be open to the public, and the committee's decision/findings(s) shall be announced during the committee meeting.
- 6-2. The time and place of all committee meetings shall be determined by a majority vote of the committee members or Chairperson thereof.
- 6-3. Minutes shall be prepared for all committee meetings and submitted to the Commission at a regular meeting for acceptance and incorporation into the Commission minutes as consent items.
- 6-4. Standing committee's authorized pursuant to article 6.1. shall be established per resolution and that resolution shall be attached per Planning Commission By-Laws and Procedures.

ARTICLE 7 – HEARINGS AND MEETINGS

- 7-1. Regular meetings of the Commission shall be held on the second and fourth Wednesday of each month except the month of August. When a meeting date falls on a legal holiday, the meeting shall be held on the following day, unless otherwise designated by the Commission.
 - 7-1.1. In addition to those required by law, at its discretion, the Commission may hold public hearings when it decides that such hearings will be in the public interest.
 - 7-1.2. All Commission public hearings dealing with amendments to the Prince William County Zoning Ordinance, whether said amendment concerns the map or the text of the Zoning Ordinance, shall be scheduled at a regular or special meeting. After said public hearing, the Commission shall take one of the following courses of action: 1) it may pass a resolution recommending a course of action at that time; 2) it may defer action on the item until the next regular meeting, to a specific date or to a date uncertain; or 3) the Chairperson may appoint a study committee, or request that the Planning Office staff report back to the Commission at its next regular meeting, or a specific date, with a written report, at which time the Commission shall consider its recommendation to the Board of County Supervisors. All committee reports will be forwarded to the Board of County Supervisors.

If, as a body, the Commission needs more time to review/study the issue under consideration, action may be deferred until any subsequent meeting, provided this delay does not conflict with any time limitations set forth in this document, or in the County or State Codes. After the Commission reaches a decision on its recommendation, the

Secretary shall forward the Commission's recommendation and appropriate explanatory material to the Board of County Supervisors for inclusion on the Board's agenda.

7-1.3. All regular meetings shall begin at 7:00 p.m.

7-1.4. All regular meetings shall be held in the Board of County Supervisors Board Chamber at the James J. McCoart Administration Building, One County Complex Court, Prince William, Virginia. Special meetings and work sessions shall be held at the McCoart Building, or in the place specified by the notice required under paragraph 7.2 hereafter.

Commission Work Sessions shall be scheduled at the pleasure of the Commission Chairperson. Work sessions may be commenced without a quorum present; however, no action may be taken unless a quorum is present. A straw vote may be taken and recorded in the minutes of all work sessions if directed by the Chairperson.

7-2. The Chairperson may call special meetings and work sessions of the Commission, or a special meeting or work session may be called by two of the Commission members upon written request to the Secretary. The Secretary shall deliver to all members, at least five (5) days in advance of a special meeting, a written notice stating the time, place, and purpose thereof. The foregoing written notice to the members of a special meeting is not required, if the time of the special meeting has been established at a regular meeting, or if all members are present at the special meeting, or if a written waiver of notice is filed. Notice shall be given to the public in accordance with the Freedom of Information Act.

7-3. All meetings of the Commission, and all records and accounts thereof, shall be open to the public, except as provided in paragraph 7-4. hereafter.

7-4. The Commission may go into closed session in accordance with Section 2.2-3711 VA Code Ann., to discuss certain matters, but the Commission may not take any official action(s) while in closed session.

7-5. A majority of the Commission's membership shall constitute a quorum, and the number of votes necessary to transact business shall be a majority of the members present and voting. Voting may be by roll call; in which case a record shall be kept as part of the minutes.

7-6. Any person addressing the Commission shall limit their presentation to the time allotted by the Chairperson, unless the Commission extends the time by unanimous consent.

7-7. Repetitive testimony shall be discouraged on any matter. Persons with the same position as previous speakers may simply state their name, address, and the position(s) they agree with.

7-8. Applicant presentation on zoning-related items shall be limited to twenty (20) minutes, which may be divided as the applicant sees fit. Typically, an applicant's time is divided into fifteen (15) minutes for the presentation and five (5) minutes for rebuttal. Speakers,

other than the applicant, may have up to three (3) minutes each for their presentation. A speaker, such as a designated person or officer, representing and speaking on behalf of an organization may have up to five (5) minutes for their presentation. Each organization may have one designated speaker entitled to a (5) minute presentation; other members are limited to up to (3) minutes. For purposes of presentation, organizations are defined as civic associations, homeowners' associations, or any organization formally recognized and current with Internal Revenue Service and/or the Commonwealth of Virginia State Corporation Commission. In all cases, a speaker may not yield time to another speaker.

- 7-9. Only speakers recognized by the Chairperson may speak. All persons in attendance shall refrain from making remarks, unless recognized by the Chairperson. All verbal, written, and graphic presentations shall address issues at hand in a professional and respectful manner. All groups or individuals in the audience shall refrain from creating an atmosphere detrimental, or disturbing, to the conduct of the meeting at the risk of being asked to leave by the Chairperson.
- 7-10. Questions shall be addressed to the Chairperson; answers and follow-up questions by the Commission shall be reserved until the end of the presentation to avoid interrupting the speaker and duplicating ground the speaker may cover.
- 7-11. Discussion and debate by the Commission shall be conducted following the presentation of the pending item. Members shall not speak until recognized by the Chairperson. A member who has spoken shall not be recognized again until each member desiring to speak has had their opportunity.
- 7-12. The Commission shall allow items to be placed on an expedited agenda, upon receipt by the planning office of a written request by the applicant pursuant to the following conditions:
 - Staff and Planning Commissioner for the district in which the application is located recommend approval;
 - Applicant agreement with staff report conditions, or agreement subject to minor amendments recommended by the Planning Commissioner for the district in which the application is located - in these cases, the aforementioned Planning Commissioner shall identify those minor amendments during the hearing, and to the extent practical, pre-coordinate individually with other members of the Commission; and
 - There is no known community opposition at the time of the request or at the opening of a Planning Commission hearing

If a member of the public wishes to speak in opposition to a particular public hearing item, that request shall be heard in the order by which it was originally advertised or at the call of the Chairperson. In addition, any Planning Commissioner may ask that an item be removed from the expedited agenda to be heard in the order in which it was originally advertised.

- 7-13. The Commission shall fix a time and place for meetings not held due to inclement weather or other conditions too hazardous for members to attend as required by Section 15.2-2214, VA Code Ann.

ARTICLE 8 – ORDER OF BUSINESS

- 8-1. The order of business for a regular meeting shall be:
- 8-1.1 Call to order by Chairperson.
 - 8-1.2. Pledge of Allegiance.
 - 8-1.3. Roll call and determination of a quorum.
 - 8-1.4. Consent Agenda. The reading or approval of Official Minutes and Resolutions, approval of Preliminary/Final Site Plans, or review for Determination of Consistency with the Comprehensive Plan for items covering a specified period.
 - 8-1.5. Expedited Agenda. The Planning Commission may forego presentations by the staff and applicant on those items meeting the criteria for expedited items and act on those items recommended for expedited agenda prior to the Regular Agenda and agenda revisions for Public Hearings. Refer to Article 7 – Meetings and Hearings.
 - 8-1.6. Public Comment. The Commission shall offer public comment at the beginning of each regular meeting. During this time, the Planning Commission will receive comment from any citizen on any item not on the public hearing agenda for the evening, without restriction. The Chairperson shall prohibit the use of obscenity or other speech tending to create a breach of the peace. The Chairperson shall allocate time to each speaker in an equitable manner; a speaker shall not be permitted more than five (5) minutes when representing an organization or more than three (3) minutes when representing themselves.
 - 8-1.7. Requests for Deferral. The Planning Commission may forego presentations by the staff and applicant on those items where either the applicant or staff is requesting a deferral to a later date. Refer to Article 7 – Meetings and Hearings.
 - 8-1.8. Public Hearings. Public testimony, Commission discussion and deliberation, and voting on all items advertised and listed on the agenda. Refer to Article 7 – Meetings and Hearings.
 - 8-1.9. Planning Commission Procedures (Old Business and New Business) other than those herein shall be maintained by the Planning Staff. Discussion of Commission-related items, including policies and procedures and request(s) shall be made to the Planning Office for information and action(s).

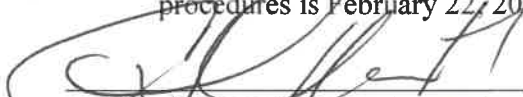
- 8-1.10. Commission Members' Time. On each agenda there shall be a period designated "Commission Members' Time," during which each Commission member shall be entitled to unrestricted use not to exceed five (5) minutes for such purposes as each member deems appropriate. A member may announce his or her intent to seek Commission action but may not make a motion during Members' Time.
- 8-1.11. Departmental Reports. Reports, and discussion thereof, from the Planning Director and Planning Office, including administrative reports, and discussion(s) of a housekeeping nature.
- 8-1.12. Adjournment.
- 8-2. The Chairperson or Secretary shall restate motions before a vote is taken. The names of persons making and seconding motions, as well as roll call voting, shall be recorded in the Commission minutes.
- 8-3. Parliamentary procedures in Commission meetings shall be guided by the adopted rules of order, namely, "Robert's Rules of Order," in all cases not otherwise provided for in these rules.
- 8-4. The Commission shall maintain a set of minutes of all regular and special meetings, and work sessions at the call of the Chairperson and these minutes shall become a matter of public record.

ARTICLE 9 – AMENDMENTS


- 9-1. These rules may be added to, amended, or waived by a recorded majority vote of the entire membership, provided notice of such change is transmitted at least five (5) days before the meeting. In the event said notice of proposed rule change is communicated to each member of the commission at least fifteen (15) days before said meeting, the rule may be changed by majority vote of those present, provided a quorum is in attendance.
- 9-2. The Commission may temporarily suspend any of these rules by a unanimous vote of the members present.

ARTICLE 10 – EFFECTIVE DATE


- 10-1. Nothing in the foregoing by-laws and procedures shall invalidate any official business transacted by the Commission prior to the adoption of these by-laws and procedures.
- 10-2. The foregoing by-laws and procedures shall become effective upon a vote of the majority of the membership of the Commission at a regular meeting.
- 10-3. The effective date of the Prince William County Planning Commission by-laws and procedures is February 22, 2023.


Cynthia Moses-Nedd, Chair

2/22/2023
Date


Juan McPhail, Vice-Chair


2/22/2023
Date


Joseph Fontanella, Parliamentarian

FEB 22, 2023
Date


Richard R. Berry, Member


2-22-2023
Date


Qwendolyn N. Brown, Member


2/22/2023
Date


Thomas Gordy, Member

22 Feb 2023
Date


Patricia Kuntz, Member

2/22/2023
Date


Raheel Sheikh, Member

03/22/23
Date


Aholibama Pena
Clerk to the Commission

2/22/2023
Date