TOWN OF ONANCOCK

PLANNING COMMISSION BYLAWS

CHAPTER 2 - ADMINISTRATION

ARTICLE V – BOARDS, COMMITTEES, AND COMMISSIONS

DIVISION 3 - PLANNING COMMISSION

Sec. 2-250. The name of this Board shall be the Town of Onancock Planning Commission.

Code of Virginia § 15.2-2210. Create local planning commissions and participate in planning districts or joint local commissions. By resolution or ordinance, every locality shall create a local planning commission to promote the orderly development of the locality and its environs. To accomplish the objectives of § 15.2-2200, local planning commissions shall primarily serve in an advisory capacity to governing bodies on land use, zoning, and community development matters. Its primary purpose is to guide orderly growth, protect public interests, and implement the community's vision for development.

Sec. 2-251. Authorization

This Commission was established by a resolution adopted by the Onancock Town Council on April 17, 1961, and with the provisions of the application section(s) of the Code of Virginia.

Sec. 2-252. Membership

The Commission shall consist of five to seven (5-7) members, one of whom shall be a member of the Town Council. The remaining hereinafter referred to as Commissioners, shall be residents of Onancock. At least half of the members shall be real property owners.

In all cases, the Town Council of Onancock shall fill any vacancy in membership, and such appointments, in the case of the appointed members, shall be for the unexpired term. The Town Council of Onancock shall initially appoint two members for one-year terms, two for two-year terms, and two for three-year terms. After these terms, the following Commissioners shall serve for four years with alternating expiration dates of their terms. The Town Council may remove any appointed member for malfeasance in office, provided such removal is made only after a public hearing at which said member appears and addresses the charge against them. The Planning Commission may request the Town Council to replace any member who has missed three (3) meetings within twelve (12) months. All members of the Planning Commission shall serve without compensation.

Sec. 2-253. Officers

1. The officers of the Planning Commission shall consist of a Chairperson and a Vice Chairperson. Their terms of office shall be for one (1) year. Officers may succeed themselves if a majority of the Commission votes in favor.
2. The Chairperson shall preside at all Planning Commission meetings and hearings and shall have the duties usually conferred by parliamentary usage of such office.
3. The Vice Chairperson shall act for the Chairperson in his/her absence.
4. The Town Clerk shall keep the commission's minutes and records. The Town Manager provides notice of all meetings to all Commission members, arranges proper and legal notice of public hearings, attends to the Commission's correspondence, and performs such other duties as necessary.

Sec. 2-254. Election of Officers

* 1. An organizational meeting shall be held during the February meeting of each year. Elections will take place at this time.
  2. Vacancies in office shall be filled immediately. The Commission recommends possible candidates to the Town Council and selects the candidate using regular election procedures, closely following Robert’s Rules of Order as a guide for the process. The Town Council appoints all Planning Commissioners.

Sec. 2-255. Meetings

1. Meetings will be held monthly beginning in January of each year at the town office on the first Monday of each month at 6:00 p.m. in the Council Chambers at 15 North Street, Onancock, or as posted and properly advertised.
2. A majority of the members shall constitute a quorum. No action of the Commission shall be valid unless a quorum is present. A majority vote must authorize action by the commission.
3. Special meetings may be called by the Chairperson or two (2) members upon written request to the Town Manager. In writing, the Town Manager shall notify all members and the general public at least five (5) business days prior to a special meeting. All notices of the special meeting shall include the purpose of the meeting.

Written notice of the special meeting is not required if the time of the special meeting has been fixed at a regular meeting.

1. Remote participation.

A member of Commission may participate electronically if he or she cannot attend due to: (i) a temporary or permanent disability, other medical condition, that prevents the members physical attendance, (ii) a medical condition of a family member that prevents the member's physical attendance or the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held thereby preventing the member's physical attendance; or (iii) a personal matter and the public records (minutes} reflect that fact. The remote location of the Commission member does not need to be open to the public. The minutes shall record the reason for the member's absence and the general location from which the member participated. All persons at the primary meeting location must be able to hear the remote participant. The ability to attend meetings remotely is available equally to all members of the Commission. A member's remote attendance may be disapproved by a vote of the members attending the meeting in person if the remote attendance violates this policy in any material way. The disapproval must be noted in the meeting minutes. An individual may participate electronically in no more than two or 25% of the normally scheduled meetings per year if the reason is for a personal matter. The body must maintain a physical quorum for the meeting. All votes made when a member attends electronically must be by individual roll call.

(Ord. of 10-26-2020(1))

State law reference(s)-Meetings held through electronic communications; situations other than declared states of emergency.,

Code of Virginia,§**2.2-3708.3.**

5. All meetings shall be open to the public.

Sec. 2-256. Order of Business

The order of business at regular meetings may include:

Call to order

Roll call and introduction.

Vote on minutes

Public comment - items not on the agenda

Old business - public comment first, then Commissioners New business - public comment first, then Commissioners Town Manager update

Commissioner comments Adjournment

Sec. 2-257. Hearings

1. The scheduling and advertisement of public hearings required by law comply with the appropriate provisions of the Code of Virginia.
2. In addition to those required by law, the Commission may hold special public hearings when it decides that such hearings are in the public interest.
3. A member designated by the Chairperson presents in summary the issue, given adequate preparation time. Parties of interest shall have the privilege of the floor.
4. No record or statement shall be recorded or sworn to as evidence for any Court of Law without notice to the parties.
5. The Commission shall record all speakers before the hearing. Detailed comments are available by video on the town's website.

Sec. 2-258. Amendments

1. The meeting minutes reflect any proposed by-law amendments.
2. A majority vote of the entire membership of the commission may amend these bylaws.

The Planning Commission adopted this on May 5, 2025.

Attested: Witnessed:

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Chairperson Town Clerk

The Town Council adopted this on July 28, 2025.

Attested: Witnessed:

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Mayor Town Clerk