

# **BYLAWS**

## **GREENVILLE COUNTY PLANNING COMMISSION**

### **Article I Organization**

#### **Section 1. Rules.**

These rules of procedure are adopted pursuant to S.C. Code 6-29-360 for the Greenville County Planning Commission, which consists of nine members appointed by the governing body, Greenville County Council.

#### **Section 2. Officers.**

The officers of the Commission shall be a Chair and Vice Chair elected by the Commissioners for one year terms at the May meeting of the Commission in each calendar year. The Secretary to the Director shall serve as Secretary of the Commission.

#### **Section 3. Chair.**

The Chair shall be a voting member of the Commission and shall:

- a. Call meetings of the Commission;
- b. Preside at meetings and hearings;
- c. Act as spokesperson for the Commission;
- d. Sign documents for the Commission
- e. Transmit reports and recommendations to Council; and
- f. Perform other duties approved by the Commission.

#### **Section 4. Vice Chair.**

The Vice Chair shall exercise the duties of the chair in the absence, disability, or disqualification of the chair. In the absence of the Chair and Vice Chair, an acting Chair shall be elected by the members present.

#### **Section 5. Secretary.**

The Secretary shall:

- a. Provide notice of meetings;
- b. Assist the Director in preparation of agendas;
- c. Keep minutes of meetings and hearings;
- d. Maintain commission records as public records;
- e. Perform other duties normally carried out by a secretary.

### **Article II Meetings**

#### **Section 1. Regular Meetings.**

A regular meeting of the Commission shall be held on the fourth Wednesday of each month, convening at 4:00 p.m. When a regular meeting day falls on a legal holiday as recognized by Greenville County, the meeting shall be held on the following day. The regular meeting in January shall be deemed the annual meeting.

**Section 2. Special Meetings.**

Special meetings may be held at the call of the Chair or of an acting Chair, provided that notice of such meeting shall be given to all members at least twenty-four hours before the hour of which the meeting is called.

**Section 3. Agenda.**

A written agenda shall be furnished by the Secretary to each member of the Commission and the news media and shall be posted at least five (5) days prior to each regular meeting and at least twenty-four (24) hours prior to a special meeting.

**Section 4. Quorum.**

A majority of the members of the Commission shall constitute a quorum. A quorum shall be present before any business is conducted other than rescheduling the meeting.

**Section 5. Rules of Order.**

Robert's Rules of Order shall govern the conduct of meetings, except as otherwise provided by these Rules of Procedure.

**Section 6. Voting.**

A member must be present to vote. Each member shall vote on every question unless disqualified by law. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, give it to the chair in writing, have it placed in the minutes, and refrain from deliberating or voting on the question.

**Section 7. Conduct.**

Except for public hearings, no person shall speak at a Commission meeting unless invited to do so by the Commission.

**Article III  
Committees**

**Section 1. Special Committees.**

The Chair of the Planning Commission may create special committees, without limit as to number of members, to study items that, in his/her judgement, require special attention. The Chair of the Planning Commission shall designate one member to Chair the special committee.

**Section 2. Committee Meetings.**

Any committee shall meet at the call of its Chair. Such meetings shall comply with the rules of notice and agenda requirement of the S.C. Freedom of Information Act.

## **Article IV Public Hearings**

### **Section 1. Notice.**

The Secretary shall give the notice required by statute or ordinance for all public hearings conducted by the Commission. Members of the public desiring to be heard shall give written notice to the Secretary prior to commencement of the hearing.

### **Section 2. Procedure.**

In matters brought before the Commission for public hearing which were initiated by an applicant, the applicant, his agent, or attorney shall be heard first, members of the public next, and staff next. No person may speak for more than five (5) minutes without consent of the Commission. No person speaking at a public hearing shall be subject to cross examination. All questions shall be posed by members of the Commission. In matters not initiated by an applicant, members of the public shall speak in the order in which requests were received, or in such order as the Commission shall determine.

## **Article V Records**

### **Section 1. Minutes.**

The Secretary shall record all meetings and hearings of the Commission on tape, which shall be preserved until final action is taken on all matters presented. The Secretary shall prepare minutes of each meeting for approval by the Commission at the next regular meeting. Minutes shall be maintained as public records.

### **Section 2. Reports.**

The Secretary shall assist in the preparation and forwarding of all reports and recommendations of the Commission in appropriate form. Copies of all notices, correspondence, reports, and forms shall be maintained as public records.

### **Section 3. Attendance.**

The minutes shall show the members in attendance at each meeting and the reason for absence submitted by any member. The Commission's Chair shall contact any member who is absent from three (3) consecutive meetings to determine if they wish to continue serving on the Commission. The Chair shall notify County Council of any circumstances that will cause continuing attendance problems.

## **Article VI Review Procedure**

### **Section 1. Zoning Amendments.**

Proposed zoning text and map amendments shall be considered, and recommendations shall be forwarded to the governing body within thirty (30) days after receipt of the proposed amendments, unless additional time is given by the governing body.

**Section 2. Plats.**

Plats submitted for review pursuant to land development regulations shall be reviewed by designated staff members who may approve for recording plats of existing lots of record, summary plats, and any subdivisions which are exempt from regulation pursuant to S.C. Code 6-29-1110(2). All other plats shall be subject to review and approval by the Commission.

**Section 3. Comprehensive Plan.**

All rezoning and land development regulations shall be reviewed first for conformity with the Comprehensive Plan. Conflicts with the Comprehensive Plan shall be noted in any report to the governing body on a proposed amendment. The elements of the Comprehensive Plan shall be reviewed and updated on a schedule adopted by the Commission and meeting the requirements of S.C. Code 6-29-510(E).

**Section 4. Reconsideration.**

The Commission may reconsider any review when so requested by the governing body, or when an applicant brings to the attention of the Commission new facts, a mistake of fact in the original review, correction of clerical error, or matters not the fault of the applicant that effect the result of the review.

**Article VII  
Director**

**Section 1. General Duties.**

The Director shall be appointed by the County Administrator and serve at his pleasure. The Director shall be responsible to the County Administrator for operating the office; reporting on its operation and maintaining its records; employing personnel for authorized positions; directing, disciplining, and coordinating the activities of employees; and budgeting in accordance with procedures approved by the County Council.

**Section 2. Representation.**

The Director shall, in the absence of the Chair, represent the Commission before the County Council, County Legislative Delegation, or before any other public agency or public officer. Toward this end, the Director shall make official recommendations in accordance with adopted portions of the general plan or in accordance with other action by the Commission on matters that are referred to the Commission for its advice, provided that, when there is an obvious conflict of interest, public controversy, or uncertainty as to the approved plans, policies, or procedures, presentation of the matter shall be made at a meeting of the Commission. The Director shall have the authority, within the limits of policy as formulated by the Commission, to conduct a program of public relations and to execute documents in the name of the Commission in accordance with policy approved by the Commission, including progress reports on governmental grant-in-aid programs, but not including documents that would constitute the acceptance of gifts.

**Article VIII  
Finances**

**Section 1. Budget.**

The Director of the Planning Department shall submit written recommendations to the County Administrator for funding in the annual budget in accordance with the County of Greenville's budget and financial policies.

**Section 2. Personnel.**

The Director of the Planning Department shall employ such staff and consultants as may be authorized and funded by budget, or make recommendations for staff members to be employed by the county. Consultants shall be engaged in accordance with Section 3-208, Professional Services, of the Greenville County Procurement Ordinance.

**Article IX  
Suspension and Amendment**

**Section 1. Suspension of Bylaws**

The Commission may suspend any of these Bylaws by unanimous vote of the members present constituting a quorum.

**Section 2. Amendment of Bylaws.**

These Bylaws may be amended, after consideration and discussion, by the affirmative vote of two-thirds of the appointed members of the Commission.

**Adoption of Bylaws.**

These Bylaws were adopted by vote of a majority of the members of the Commission at a regular public meeting on February 25, 2004.

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Todd Usher, Chair

Amended October 26, 2005, to change the election of Chairman from the January meeting to the May meeting of each year.

Amended August 18, 2006, to change the Amendment of Bylaws by the affirmative vote of two-thirds of the appointed members of the Commission.

Amended April 25, 2007, to reflect the restructuring of the duties of the Commission as reflected in Ordinance Number 4086.

Amended November 28, 2007, to reflect starting time of meeting.

Amended February 24, 2010, to reflect starting time of meeting.