



THE TOWN OF URBANNA, VIRGINIA  
**PLANNING COMMISSION**  
**BYLAWS & RULES OF PROCEDURE**

Adopted September 10, 2025

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## **SECTION 1 – AUTHORIZATION, PURPOSE, & DUTIES**

### **Section 1-1 Authorization**

The Town of Urbanna Planning Commission (the “Commission”) was established by Town Council in 1989 in accordance with the provisions of §15.2- 2210 & §15.2-2212, of the Code of Virginia (1950) as amended.

### **Section 1-2 Purpose & Duties**

The purpose of the Commission is to promote the orderly development of the Town and its environs with the intent to improve the public health, safety, convenience, and welfare of its citizens. The intent is to plan for the future development of communities 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 need for mineral resources and 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. (Code of Virginia §15.2-2210)

To accomplish the objectives, the Commission serves in an advisory capacity to the Town Council (the “Council”) by preparing and presenting plans, ordinances, and other documents to the Council, and by carrying out all activities as designated by the Council. These activities include, but are not limited to:

- Preparing the Town’s Comprehensive Plan in accordance with Code of Virginia §15.2- 2225, including revisions every five years.
- Preparing an annual five-year Capital Improvement Plan for use in conjunction with the Town’s annual budget.
- Recommending amendments to the Town’s Zoning Ordinance.
- Reviewing any application for subdivisions, conditional use permits, special use permits, and zoning variances and making recommendations to Council.

## **SECTION 2 – MEMBERSHIP & OFFICERS**

### **Section 2-1 Membership**

The Commission shall be composed of four citizen members, serving staggered four-year terms, and one member of Town Council, serving a term concurrent with their term on Council, each with equal standing and voting rights. All members are appointed by the Town Council; all shall be residents of the locality, qualified by knowledge and experience to make decisions on questions of community growth and development; and at least one-half of the members shall be owners of real property. The Council shall appoint successors, and the Council shall fill all vacancies. Vacancies shall be filled for an unexpired term only. Members of the Commission shall be eligible for reappointment.

Members of the Commission may be removed by the Council for malfeasance in office or poor attendance. A Commissioner may be dismissed without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission or is absent from any four meetings of the Commission within any twelve-month period.

No one member of the Commission shall direct the Commission, Zoning Administrator, or any Town staff member to take any action on behalf of the Commission without a majority consensus of the Commission.

No Commission member shall unduly burden Town employees with requests or contacts outside of normal working hours or meetings. Email requests made to staff should also be copied to the Zoning Administrator and Chair (at a minimum).

## **Section 2-2 Officers**

The officers of the Commission shall consist of a Chair and Vice-Chair who shall be elected by the membership. Terms of office shall be for one year or until a successor takes office. The Secretary of the Commission shall be the Zoning Administrator. The Chair and Vice-Chair can succeed themselves, however, only two successive yearly terms are allowed. Officers shall take office upon election.

### **2-2a Selection of Officers**

Nomination and election of officers shall be done at the organizational meeting, which shall be the first regular meeting of the Commission annually, normally the second Wednesday of January. The candidate receiving a majority vote of the entire membership of the Commission shall be declared elected. Vacancies in the offices of Chair or Vice-Chair shall also be filled by a majority vote of the Commission.

### **2-2b Duties of Officers**

The Chair shall preside at all meetings and rule on all procedural questions, subject to a reversal by a majority vote of the members present. When presiding at a meeting of the Commission, the Chair may, without vacating the Chair, give reasons for any decision made on any point of order, and such decision shall be made without debate.

The Vice Chair shall assume the full powers of the Chair in the absence or inability of the Chair. Should the Chair and Vice-Chair be absent at any meeting, the Commission shall elect a temporary Chair to serve at the meeting.

The Secretary shall record attendance at all meetings, keep minutes of the Commission and retain in accordance with the Virginia Public Records Act, and give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.

## **SECTION 3 - MEETINGS**

The regular meeting of the Commission shall be held on the second Wednesday of each month at 6:00pm in the Council Chambers of Town Hall, currently located at 390 Virginia Street, Suite B, Urbanna, VA 23175.

When a meeting date falls on a legal holiday, the meeting shall be held the following week unless otherwise designated by the Commission.

If the Chair, or the Vice Chair if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for commission members to attend a regularly scheduled meeting, the meeting shall be continued to the following Wednesday at 6:00pm. Such finding shall be communicated to the members of the Commission and the press and posted on the Town website as promptly as possible. All hearing and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required.

Additional meetings shall be called as needed and required to conduct the business of the Commission.

All meetings, records, and accounts shall be open to the public except those meetings subject to the rules of executive session as set forth in the Virginia Freedom of Information Act.

In accordance with Code of Virginia §15.2-2215, a majority of the members shall constitute a quorum and no action of the Commission shall be valid unless authorized by a majority vote of those present and voting.

The Commission follows the same Policy for Electronic Meetings and Remote Participation as the Town Council in accordance with the Virginia Freedom of Information Act.

## **Section 3-1 Meeting Agendas**

### **3-1a Agenda Preparation**

All requests for inclusion of items on a Commission agenda must be made in writing and must be in the office of the Town Clerk by 12:00 p.m. (Noon) no later than seven calendar days prior to the date of the Commission meeting. A written item summary, along with electronic copies of any other documentation or presentations to be made, must be provided for inclusion in the agenda packet.

Requests received after the deadline may be considered for a proposed amendment to the current agenda or be placed on a future agenda at the discretion of the Commission, either by consensus or by a formal vote of the majority.

### **3-1b Agenda Release**

For all meetings of the Commission, the Town Clerk shall cause to be prepared and provided to each member of the Commission at least five calendar days in advance of such meeting, an electronic copy of the final agenda packet listing all matters to be considered at such meeting. The Clerk shall make the final agenda packet available to the public in the Town Hall and on the Town website at the same time it is provided to the Commission. The Clerk shall have copies of the agenda only available at each meeting.

Any member of the Commission desiring a printed packet of the agenda materials must inform the Clerk by 12:00 p.m. (Noon) at least three calendar days prior to the council meeting. In an effort to conserve resources, the agenda materials will be shown on the screen during each meeting, when possible.

### **Section 3-1.1 Commission Member Agenda Review and Preparation**

Not less than 48 hours in advance of each meeting, Commission members should thoroughly review all matters on the agenda. The addition, deletion, or change of items on the agenda may be offered by motion during the Review and Adoption of Meeting Agenda. Changes to minutes may be offered by motion during the Approval of Minutes. Any item not on the adopted agenda shall not be acted upon at the present meeting unless it is with the unanimous consent of the Commission that the item be put on the floor for action.

## **Section 3-2 Order of Business**

Except as provided herein, no regular, special, or closed meeting or public hearing of the Commission shall continue after 9:00pm, but such meeting or public hearing shall be continued or adjourned to another date, time, and place established by a majority vote of those members present. Any agenda item or public hearing matter under consideration by the Commission at 9:00pm may proceed and be acted upon prior to the adjournment of the meeting or public hearing. After 9:00pm, the Commission may consider and act upon any or all of the matters remaining on the meeting or public hearing agenda but not yet considered upon a majority vote of those members present.

At all regular or called meetings of the Commission, the order of business shall generally be as follows:

1. Call to Order
2. Approval of Participation of Member(s) by Electronic Means (if necessary)
3. Roll Call of Members
4. Review and Adoption of Meeting Agenda
5. Approval of Minutes
6. Scheduled Public Hearings
7. Other Matters (if any)
8. Closed Meeting (if needed)
9. Adjourn or Recess

**Section 3-3            Motions**

No proposition for action by the Commission shall be entertained by the Chair until a motion for the same has been duly made and seconded, except as specifically noted elsewhere.

**Section 3-4            Suspending Rules**

The rules of the Commission may be suspended with the unanimous concurrence of the members present.

**Section 3-5            Robert's Rules of Order**

The proceedings of the Commission, except as otherwise provided in these rules and by applicable State law or Town Charter, shall be governed by the most current edition of Robert's Rules of Order applicable to small bodies, or by standard practices typically followed by town Planning Commissions.

**Section 3-6            Confidential and Privileged Information**

Documents, information, and discussions from a closed session, attorney-client privileged communication, or any other confidential and/or privileged information shall not be disclosed without the approval of the Town Council. In addition, the Council may, in its discretion, sanction or censure a Commission member for improper disclosure of confidential or privileged information. No recording device shall be used during any Closed Meeting of the Commission. Minutes will not be taken during any Closed Meeting of the Commission unless required by law.

**SECTION 4 – PUBLIC HEARINGS**

In addition to those required by law, the Commission may, at its discretion, hold public hearings when it deems that a hearing is in the public interest. Notice of a hearing shall be published in a newspaper having general circulation in the area as set forth in the Code of Virginia. Non legal matters, or informational meetings not covered by the Code of Virginia, but called by the Commission, may be advertised once in any paper deemed appropriate by the Commission for the meeting purpose. A record shall be kept of those speaking before the Commission.

Records or statements shall be recorded or sworn to, as evidence in any court of law, only after notice is given to the interested parties.

**Section 4-1            Public Hearing Order of Business**

The order of business for public hearings shall be:

- staff presentation
- applicant's presentation (if any, in land use matters)
- open public hearing, receive public hearing comments, close public hearing
- applicant's rebuttal (if any)
- commission discussion
- action (if appropriate)

**Section 4-2            Speakers**

Speakers may only address matters pertaining to or germane to the issue for which the public hearing is being held. If any written or printed materials not already included in the agenda packet are presented to the Commission, a copy shall also be submitted to the Clerk for entry into the public record. No speaker is to engage in political statements; personal attacks upon Commission members, Town employees or officials, or any other person; use abusive language; or discuss matters outside the issue for which the public hearing is being held.

Those wishing to speak during Public Hearing comment periods must sign up on the form provided at the meeting site, and the Chair shall verify that all such registration has been completed before beginning the hearing. Speakers will be called in the order

they sign up. All speakers, except as hereinafter provided, shall limit their remarks to five (5) minutes and all remarks shall pertain only to the Public Hearing matter under consideration. Speakers may not yield any unused portion of their speaking time to others. Each speaker shall be limited to one appearance at each public hearing, except at the discretion of the Chair, and only after all other speakers have been given an opportunity to be heard on the subject being considered. Written comments on public hearing matters submitted to the Town Clerk by 12:00 p.m. (Noon) on the day of the meeting will be provided to the Commission at or before the time of the meeting.

#### **Section 4-3 Staff & Applicant Presentations**

Staff presentations on public hearing matters should be concise and normally limited to no more than ten (10) minutes except when necessary to properly inform the public of the issue before the Commission. The applicant in a land use case or their representative(s) shall be allowed a maximum of ten (10) minutes to present their case. If any written or printed materials not already included in the agenda packet are presented to the Commission, a copy shall also be submitted to the Clerk for entry into the public record.

#### **Section 4-4 Commission Member Participation**

Commission members may ask questions of speakers or staff for clarification; however, members shall limit their comments during public hearings to ensure participation by the public can occur without interference.

#### **Section 4-5 Close of Hearing**

When a public hearing shall have been closed by the order of the Chair, no further public comments are in order.

### **SECTION 5 - CORRESPONDENCE AND APPLICATION INFORMATION**

All information from the applicant for a given activity, whether it is for consideration of a rezoning, subdivision, or site plan, shall be submitted to the Zoning Administrator by the first business day of the month preceding the meeting. The Commission may rule that if information is received after the aforementioned date, the information shall not be utilized and the application may be denied or tabled as appropriate. All official papers and plans involving the authority of the Commission shall bear the signature of the Zoning Administrator.

### **SECTION 6 - ADOPTION AND AMENDMENT OF BY-LAWS**

#### **Section 6-1 Adoption**

Upon adoption, the provisions of these rules of order shall supersede any previous rules of order, shall take effect immediately, and shall continue until amended and formally readopted. The full text of these rules shall be made part of the minutes of the meeting at which they were adopted. The Clerk shall provide a copy of these rules and any amendment thereto to all Commission members and the public within thirty (30) days of adoption.

#### **Section 6-2 Amendment**

These bylaws may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days prior notice to membership. Such notice shall include the proposed language for the amendment. Unless otherwise specified, any amendment is effective upon adoption; no amendment shall be made retroactively effective. The full text of an amendment shall be made part of the minutes of the meeting at which they were adopted.

#### **Section 6-3 Savings Clause**

If any provision of these Bylaws and Rules of Procedure be found inconsistent with the provisions of Virginia law, the Town Charter, Town Code, or any other law or statute, it shall be deemed void. In this event, all remaining provisions shall remain in effect.

**Section 6-4 Interpretation and Nature of Bylaws and Rules of Procedure**

These Bylaws and Rules of Procedure are rules of parliamentary procedure and are for the convenience of the Town's Planning Commission members only. They do not have the force of law. Only Commission members or the Parliamentarian have standing to raise a point of order or to challenge a ruling of the Chair or other action of the Commission on the basis of compliance or non-compliance with these Bylaws and Rules of Procedure or, if the questioned action is not expressly covered by these procedures, by Robert's Rules of Order as provided in Section 3-14. In no event may questions over compliance herewith be raised judicially. Non-compliance with these Bylaws and Rules of Procedure must be raised at the time of the noncompliance, prior to continued debate or a vote. If a challenge is raised in a timely manner, the only relief shall be the correction of the error in conformance with the Bylaws and Rules of Procedure. If a challenge is not timely made, the right to challenge the noncompliance is waived. In no event will a violation hereof result in the voiding or overturning of any action of the Planning Commission. Failure to comply with these Bylaws and Rules of Procedure or Robert's Rules of Order shall not invalidate Commission action otherwise valid by law.