



**PLANNING COMMISSION
RULES OF PROCEDURES
TOWN OF SURFSIDE BEACH, SOUTH CAROLINA
April 2, 2012**

ARTICLE I. ORGANIZATION

Section 1. Rules. These rules of Procedures are adopted pursuant to SC Code §6-29-360 for the Town of Surfside Beach, South Carolina, Planning Commission which consist of seven (7) members appointed by council.

Section 2. Officers. The officers of the commission shall be a chairman and vice-chairman elected for one-year terms at the first meeting of the commission in each calendar year. The town clerk shall serve as secretary for the commission.

Section 3. Chairman. The chairman 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 speaker for the commission;
- d. Sign documents on behalf of the commission; and
- e. Perform other duties approved by the commission.

Section 4. Vice-Chairman. The vice-chairman shall exercise the duties of the chairman in the absence, disability or disqualification of the chairman. In the absence of the chairman and vice-chairman, an acting chairman shall be elected by the members present.

Section 5. Secretary. The secretary shall take minutes of all meetings and hearings of the commission, and maintain records pursuant to Article IV section 1.

Section 6. Planning, Building & Zoning Director, or Designee. The Planning, Building & Zoning Director, or Designee shall:

- a. Transmit reports and recommendations of the commission to council;
- b. Assist the chairman on preparation of agenda, and provide meeting notices for all meetings;
- c. Maintain commission records as public records;
- d. Attend to commission correspondence;
- e. Submit monthly report to commission on ongoing projects/issues pertaining to Planning issues.



ARTICLE II. MEETINGS.

Section 1. Time and Place. An annual schedule of meetings shall be published and posted pursuant to the Freedom of Information Act SC Code §30-4-80(a) and (c). Special meetings may be called by the chairman upon 24 hours notice, posted, and delivered to all members and local news media. Meetings shall be held at 6:30 P.M. unless otherwise notified and shall be held at the place stated in the notice. All commission meetings shall be open to the public.

Section 2. Agenda and Notice. A written agenda shall be furnished 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 24 hours prior to a special meeting. Items may be added to the agenda at a meeting by majority vote.

Section 3. Agenda Items. Requests to be placed on the agenda must be received by the Planning, Building & Zoning Director, or designee on Tuesday by 5:00 P.M. before the next regular meeting. The order of proceedings for regular meetings shall be as follows:

1. Call to Order
2. Pledge of Allegiance
3. Public Hearing, as applicable
4. Agenda Approval
5. Minutes Approval
6. Public Comments – Agenda Items
7. Business
8. Public Comments - General
9. Commission Comments
10. Executive Session, as applicable
11. Adjournment

Section 4. Quorum. A majority of the members of the commission shall constitute a quorum. A quorum shall consist of four (4) commission members. 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 Newly Revised* 10th Edition, shall govern the conduct of meetings except as otherwise provided by these Rules of Procedures.

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 chairman in writing, have it placed in the minutes, and refrain from deliberating or voting on the question. Recusal statements are available from the secretary and must be completed prior to leaving the meeting in which a member recuses.

Section 7. Conduct. Except for public hearings, no person shall speak at a commission meeting unless invited to do so by the commission.

Section 8. Public Comments.

- (a) Public comments—Agenda business items. Any citizen of the municipality or guest may speak on agenda business items at a regular Planning Commission meeting upon being recognized by the Chairman during the public comments - Agenda business items portion of the meeting. Comments are limited to three (3) minutes per speaker, and must be relevant to agenda business items.
- (b) Public comments—General. Any citizen of the municipality or guest may speak at a regular meeting on a matter pertaining to planning and/ or zoning matters, upon being recognized by the Chairman during the public comments—General portion of the meeting, regardless of whether the citizen or guest has already spoken during the public comments-Agenda business items portion of the meeting. Citizens' and guests' comments are limited to five (5) minutes per speaker, with not more than three (3) speakers discussing the same subject.

Section 9. Executive Session. The Commission shall only enter into executive session or “closed meetings” to receive legal advice. No voting or formal action may be taken in executive session. All requirements of the South Carolina Freedom of Information Act shall be adhered to.

ARTICLE III. HEARINGS.

Section 1. Notice. The Planning, Building & Zoning Director, or Designee shall give notice as 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 5 minutes prior to meeting called to order.

Section 2. Procedure.

Public Hearing: The public is invited to address the commission during public hearings to comment on the hearing subject. Speakers may be allowed reasonable time to state their comments during hearings; however, the chairman, within his sole discretion, reserves the right to request that the speaker conclude comments, and limit the number of speakers when appropriate. In matters not initiated by an applicant, members of the public shall speak in the order in which requests are received or in such order as the commission shall determine.



Applicant Hearing: In matters brought before the commission for public hearing initiated by an applicant, the applicant, his agent, or attorney shall be heard first; members of the public next, when appropriate, and staff next. The applicant shall have the right to reply last. 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 commission members.

ARTICLE IV. RECORDS.

Section 1. Minutes. The secretary shall record all meetings and hearings of the commission on audio 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 Planning, Building and Zoning Director or Designee 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 pursuant to SC Code 30-4-80(a) and (c).

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 shall recommend to the governing body the removal for cause of any member who is absent from three (3) consecutive meetings without adequate reason.

ARTICLE V. REVIEW PROCEDURE.

Section 1. Zoning Amendments. Proposed zoning text and district amendments shall be considered and recommendations shall be forwarded to the governing body within 30 days after receipt of the proposed amendments, unless additional time is given by Town Council. When so authorized, the planning commission shall conduct any required public hearing prior to making a recommendation.

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, minor subdivisions of land which meet all zoning requirements, and subdivisions which are exempt from regulations pursuant to SC Code §6-26-1110(2). The commission shall be informed in writing of all staff approvals at the next regular meeting, and a public record of such actions shall be maintained. All other plats shall be subject to review and approval by the commission.



Section 3. Comprehensive Plan. All zoning and land development regulation amendments shall be reviewed first for conformity with the comprehensive plan. Conflicts with the comprehensive plan shall be noted in any report to Town Council on a proposed amendment. The elements of the comprehensive plan shall be reviewed and updated on a schedule adopted by the commission, meeting requirements of SC Code §6-29-510(E).

Section 4. Reconsideration. The commission may reconsider any review when so requested by the Town Council, or when an applicant brings to the attention of the commission new facts, a mistake of fact in the original review, corrections of clerical error, or matters not the fault of the applicant which affect the result of the review.

ARTICLE VI. FINANCES.

Section 1. Budget. The commission may submit written recommendations to the Town Council for funding in the annual budget. If the commission makes recommendations, these recommendations shall include an explanation and justification for proposed expenditures. The commission's budget shall be administered by the Building, Planning and Zoning Director through the Building, Planning and Zoning budget.

Section 2. Expenditures. Budgeted funds shall be expended only for approved purposes incurred in the performance of official duties approved in advance by the commission and the building, planning and zoning director, upon submission of travel expense reports and supporting receipts.

Section 3. Personnel. The commission shall utilize such staff as may be authorized and funded by budget or make recommendations for staff members to be utilized by the Town.

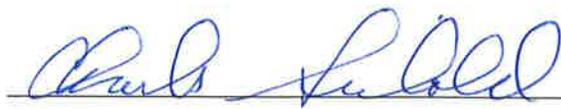
ARTICLE VII. ADOPTION AND AMENDMENT.

Section 1. Amendment. These rules may be amended at any regular meeting of the commission by majority vote of the members of the commission at least seven (7) days after the written amendment is delivered to all members.

Section 2. Adoption These rules were adopted by vote of a majority of the members of the commission at a regular public meeting on April 2, 2012.

Attest


Secretary


Chairman