

# 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 Administrative Coordinator or an Assistant to the Assistant County Administrator 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 Assistant County Administrator or his/her designee in preparation of agendas;
- c. Keep minutes of meetings and hearings;
- d. Maintain commission records as public records;
- e. Maintain an attendance record of all commissioners.
- f. 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 4:30 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, unless an alternative date and/or time is announced and approved by the Commission in advance. 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 forty-eight hours before the hour of which the meeting is called along with all required public notice and agenda requirements.

### **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 forty-eight (48) 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 be eligible to 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 judgment, 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. A majority of the members of the Committee shall constitute a quorum. Committee meetings shall comply with the notice and agenda requirements 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, staff shall be heard first, members of the public will be heard next, and then the applicant or his/her representative. Speaking times shall be ten (10) minutes in favor and ten (10) minutes in opposition unless otherwise set or limited at the discretion of the Chair. 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 electronically, which recording 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. The Chair shall contact any member who is absent from three (3) meetings to inquire about the absences and determine if the member wishes 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 Ann. 6-29-1110(2), as amended. Unless otherwise designated by the Commission, 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 Ann. 6-29-510(E), as amended.

### **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 affect the result of the review. In the event an applicant is requesting reconsideration of a plat that has been denied by the Commission, the request must be made in time for the reconsideration to be included on the published agenda for the next regular Commission meeting after the meeting where the plat was denied.

## **Article VII Assistant County Administrator**

### **Section 1. General Duties.**

The Assistant County Administrator shall be appointed by the County Administrator and serve at his pleasure. The Assistant County Administrator and the Planning 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 Assistant County Administrator or his/her designee (Planning 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 Assistant

County Administrator or his/her designee (Planning Director) shall make official recommendations in accordance with adopted portions of the Comprehensive 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 Assistant County Administrator or his/her designee (Planning 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 Assistant County Administrator in conjunction with the Planning Director shall submit written recommendations to the County Administrator for funding in the two-year annual budget in accordance with the County of Greenville's budget and financial policies.

### **Section 2. Personnel.**

The Assistant County Administrator and Planning Director 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 the provisions of the Greenville County Procurement Ordinance.

### **Section 3. Commissioner Service.**

In accordance with Greenville County policy, members of the Commission shall serve without compensation.

### **Section 4. Training.**

Commissioners are required to attend an established number of certified training hours each year. Commissioners are eligible for reimbursement of expenses incurred in attendance at authorized training opportunities in accordance with budgeted funds and County reimbursement policies.

## **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 the affirmative vote of two-thirds of the appointed members of the Commission at a regular public meeting on March 27, \_\_\_\_\_ 2019.

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Jay Rogers, 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.

Amended January 22, 2014, to reflect starting time of meeting being 4:30 p.m.

Amended March 27, 2019 as follows:

- To clarify when a regular meeting date may be changed.
- To clarify the public notice for special meetings.
- To clarify that all members are eligible to vote.
- To clarify that committee meetings in which a quorum of Commissioners are present must comply with the S. C. Freedom of Information Act.
- To revise the procedure for public hearings at Planning Commission meetings to reflect actual practice.
- To clarify that the Secretary will make electronic recordings of all meetings.
- To clarify attendance requirements for Commissioners.
- To clarify the process for reconsideration.
- To add Article VIII, Sections 3 and 4, Commissioner Service and Training.
- To update role of Assistant County Administrator and staff.