

FREDERICK COUNTY PLANNING COMMISSION
ROLES AND RESPONSIBILITIES

Adopted by the Planning Commission
January 7, 2015

This document has been prepared to assist Frederick County Planning Commissioners in understanding what their role and responsibilities are in the myriad of activities that they accept as a member of the Planning Commission. This compilation is a companion document to the Commission's By-Laws.

APPLICATION COMMUNICATIONS

There are three primary sources of information gathered by and weighed by the Planning Commission in order to make quality planning recommendations to the Board of Supervisors. They are ex-parte communications, staff reports and public input.

Ex-Parte Communications:

Individual meetings between Commissioners and an applicant/developer regarding a specific application shall follow the Virginia Freedom of Information Act. During this discussion or at any other time prior to action taken by the Commission on the application, a Planning Commissioner should make no commitments or endorsements.

Any new written materials provided by the applicant to any one Commissioner shall be made available to all commissioners and staff by the applicant prior to the application appearing on the agenda. To not do so may result in the application being tabled at the Planning Commission public hearing.

Staff Application Briefings/Work Sessions:

Prior to the first public hearing being held, staff will hold a briefing for the Planning Commissioners, with an invitation extended to the Board of Supervisors to participate, regarding any application deemed sufficiently complicated / controversial to warrant detailed explanation. The purpose is to apprise the Commissioners regarding the details of the application, both those items that meet the ordinance and those that do not. This provides the opportunity for the Commissioners to have a common understanding of the application prior to the public hearing. The decision to hold a briefing on a specific application will be made jointly by the Director of Planning and the Chairman of the Planning Commission. In addition to complexity, the application shall be basically complete prior to scheduling the briefing.

The Planning Commission may request a work session for an application which, after the first public hearing is concluded, is subsequently tabled. The purpose of the work session is to discuss amongst each other and with staff details of the application, any revised proffers provided or anticipated by the applicant, and other improvements which could be made to the application.

For either a briefing or a work session:

- The applicant should attend, but will not have an active role.
- The format of a Planning Commission work session as identified in paragraph 8-3-10 of the Commission's By-Laws will be used.
- In no case will the legal timeline for consideration before the Planning Commission be changed.

Public Hearing/Meeting:

Efficient and effective public hearings are an essential part of enabling the Commission to make reasoned recommendations to the Board of Supervisors.

Every attempt will be made to obtain focused and broad representation of opinion or information from the public. When possible, specific time limitations will not be used. However, both rules of order as well as time constraints most appropriate for the specific application will be implemented when there is either large interest in or controversy regarding an application.

One constant during this process on both the part of the public, the applicant and the Commission itself is civility and respect for information offered or a differing opinion. Deviation from this behavior is unacceptable.

COMMISSIONER DEVELOPMENT:

Each Commissioner shall be committed to preparing for and keeping knowledge current in order to do the most effective job for the community.

New initial appointees should strive to obtain Planning Commissioner certification from an acceptable training program within the first year of appointment. This training is supported by the Planning Department budget.

Further continuing education through many offerings should be pursued and will be supported by the Planning budget as possible. These opportunities should be shared

amongst the number of Commissioners who are serving. Examples include PlanVirginia annual meeting, other special offerings as well as the American Planning Association's readings and meetings. A library is maintained by the Planning office.

COMMISSIONER ATTENDANCE

Commissioners are expected to participate in 80% of the regularly scheduled meetings per year. Members who cannot attend a meeting due to illness, business, and other governmental or family reasons should notify the Commission Chairman and/or staff Administrative Assistant prior to the scheduled meeting in order for the absence to be noted. It may affect quorum considerations.

Especially essential is preparation and readiness for each of the Commission's meetings in order to use not only the Commission's but the staff's and public's time wisely.

COMMISSION COMMITTEE ASSIGNMENTS:

Appointments to a Commission committee or liaison assignments are made by the chairman and shared by the membership. Generally, they involve a once per month meeting.

CONFLICT OF INTEREST:

Each Commissioner needs to be familiar with Commonwealth of Virginia information on conflict of interest. If a Commissioner is unsure if there is conflict, the County Attorney is the correct resource.

Upon determination that there is or might be perceived to be a conflict, the Commissioner should state immediately after the agenda item is read that recusal action is necessary (with, preferably, stating the reason) then step down from the dais until the item is concluded.

PUBLIC REPRESENTATION:

Commissioners are citizens, too. If there is a public item that is of interest, the Commissioner should participate, but not identify themselves as members of the Frederick County Planning Commission unless acting in an official capacity and directed to do so. Implied endorsements by the Commission should be avoided.