



**ROUND HILL PLANNING COMMISSION
REGULAR MEETING AGENDA**

March 7, 2017

7:00 p.m.

- 1. Call to Order, Roll Call, and Quorum Determination**
- 2. Pledge of Allegiance**
- 3. Public Comment**
- 4. Disclosures and Commissioners' Comments**
- 5. Approval of the Agenda**
- 6. Approval of the Minutes**
- 7. Business Items:**
 - a. Short Term Rentals Amendment
- 8. Action Items**
 - a. Planning Commission Election of Officers
- 9. Town Planner Report**
- 10. Next Planning Commission Meeting**
 - a. Schedule Possible Work Session – March 28, 2017 at 5:30 pm
 - b. April 4, 2017
- 11. Adjournment**

**Town of Round Hill
Planning Commission Meeting
February 7, 2017
7:00 p.m.**

A regular meeting of the Town of Round Hill Planning Commission was held Tuesday, February 7, 2017, at 7:00 p.m. at the Town Office – 23 Main Street, Round Hill, Virginia.

PLANNING COMMISSION MEMBERS PRESENT

Michael Hummel, Vice-Chairman
Lori Minshall
Jean Daly

PLANNING COMMISSION MEMBERS ABSENT

Manuel Mirabal, Chairman
Stephan Evers

STAFF MEMBERS PRESENT

Melissa Hynes, Town Planner/Zoning Administrator

MEMBERS OF THE PUBLIC PRESENT

Mary Anne Graham, Vice-Mayor, Town of Round Hill

IN RE: CALL TO ORDER

Vice-Chairman Hummel called the meeting to order at 7:02 p.m. Roll call was held, and, with three of the five Planning Commission Members present, it was determined there was a quorum.

IN RE: PLEDGE OF ALLEGIANCE

Commission Member Minshall led those present in the Pledge of Allegiance.

IN RE: PUBLIC COMMENT

Vice-Mayor Graham welcomed the new members of the Planning Commission.

IN RE: DISCLOSURES AND COMMISSIONERS' COMMENTS

There were no Disclosures and Commissioners' Comments.

IN RE: APPROVAL OF AGENDA

Town Planner/Zoning Administrator Hynes requested that discussion of the By-Laws be tabled until the March meeting, due to the absence of two Planning Commission Members. Commission Member Daly then moved **that the Agenda be approved as amended**; Commission Member Minshall seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Jean Daly	Aye
Stephan Evers	Absent
Michael Hummel	Aye
Lori Minshall	Aye

IN RE: APPROVAL OF MINUTES

a. January 12, 2017

There was brief discussion of tabling the Approval of the Minutes due to Planning Commission absences; however, Town Planner/Zoning Administrator Hynes recommended moving forward with the motion and vote. Vice-Chairman Hummel then moved **that the minutes of the Planning Commission meeting of January 12, 2017 be approved**; Commission Member Minshall seconded the motion. A vote was held; the motion was approved 3-0, with Chairman Mirabal and Commission Member Evers absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Manuel Mirabal	Absent
Jean Daly	Aye
Stephan Evers	Absent
Michael Hummel	Aye
Lori Minshall	Aye

IN RE: BUSINESS ITEMS

a. Pre-Application ZMAP-2017-01: 8 East Loudoun Street

Town Planner/Zoning Administrator Hynes reported that she recently met with the owner of the property at 8 East Loudoun Street, and recommended that she proceed with this pre-application. Ms. Hynes noted that there is a somewhat tight timeline, as the owner's lease at the current site of her business expires in July of this year. The Town Planner/Zoning Administrator also noted that the updated Comprehensive Plan supports the proposed commercial use of this property. Ms. Hynes explained the reasons for the inclusion of this use in the Comprehensive Plan, as well as the restrictions included. Vice-Chairman Hummel asked to clarify if a Comprehensive Plan Amendment would be required for the application to be approved; Town Planner/Zoning Administrator Hynes stated that an amendment would be required. Town Planner/Zoning Administrator Hynes then provided background on the business seeking to move to the 8 East Loudoun Street property – Savoir Fare, a catering company, and explained the proposed use of the property. It was noted that the owner intends to protect the integrity of the house, and that most of the work would take place in buildings located to the rear of the house. Discussion ensued regarding how restrictions on the uses allowed there would be put in place. Town Planner/Zoning Administrator Hynes noted that the owner will file the pre-application within the next month. The Town Planner/Zoning Administrator asked if Commission Members had any questions, or wished to voice any concerns, regarding this issue. Additionally, Ms. Hynes explained the buffers which will be required at the property, and listed the specific uses named in the Comprehensive Plan for the property. It was noted that all intense uses must be located on the west side of the property, toward other existing commercial properties.

Vice-Chairman Hummel asked for the time limit, once the pre-application is filed; Town Planner/Zoning Administrator Hynes stated that she is not certain, but will check on that information. Commission Member Daly asked how many parking spaces will be required; Town Planner/Zoning Administrator Hynes explained the method used to determine the number of spaces needed, and stated that this additional parking will help with the difficult parking situation in the Central Commercial District of Round Hill. The Town Planner/Zoning Administrator also noted that she would like a plaque to be installed on the building, to show its significance. Town Planner/Zoning Administrator Hynes explained that a rezoning comes with proffers, and explained that the newly enacted proffer law places restrictions on proffers for residential development, but not on commercial development. Ms. Hynes also stated that, in the event of any rezoning, the interests of the neighbors to the property must be considered. Commission Member Minshall asked if limitations will be placed on the hours the proposed business will be allowed to operate, as is the case for the nearby gas station; Town Planner/Zoning Administrator Hynes stated that the owner will proffer hours of operation. Ms. Hynes also noted, in response to a question from Commissioner Minshall, that the property will be zoned B-1. Ms. Hynes further noted that it is hoped the Zoning Ordinance will be updated in the future, so that it may be a more useful tool for the Town. Discussion ensued regarding uses allowed in a B-1 zoning district, with it being noted that both by-right uses and uses requiring a special exception may be included in the district. It was noted that a special exception usually is easier to negotiate. Additionally, Town Planner/Zoning Administrator Hynes noted that proffers go with the land, and must be met by any future owners. Vice-Chairman Hummel explained that a Public Hearing will be required for consideration to be given to rezoning the property. Town Planner/Zoning Administrator Hynes explained the documents required to move the process forward. Ms. Hynes noted that this will be a learning exercise for the newest members of the Planning Commission, with Vice-Chairman Hummel noting that there have only been a few of these requests for a rezoning made to the Town. Town Planner/Zoning Administrator Hynes stated that she will update the Planning Commission on this issue, as it takes thirty days for review of the application.

b. Town Council Adopted 2017 Action Plan

(Note: During this discussion, the remaining Business Items were discussed, as well. Those items include *Town Council Adopted Intent to Amend Resolution, Zoning Ordinance Diagnostic, Planning Commission 2017 Action Plan, and Short Term Rentals.*)

Town Planner/Zoning Administrator Hynes explained how the 2017 Action Plan was devised, and noted that this is the first time this has been done. Ms. Hynes noted that there are items in the Action Plan which affect the Planning Commission, notably determining housing goals, ensuring compliance with State Code, and dealing with issues surrounding non-conforming commercial properties in Round Hill. In response to a question from Vice-Chairman Hummel, Town Planner/Zoning Administrator Hynes explained that the Town Council prioritized commercial non-conforming properties over residential non-conforming properties, for this year. Ms. Hynes also explained that the Town Council may be open to requests from the Planning Commission. Town Planner/Zoning Administrator Hynes discussed legislation which is expected to be passed by the General Assembly regarding short-term rentals (Airbnb-type rentals), and noted that the Mayor has requested an update of the short-term rental portion of the Zoning Ordinance, prior to July 1, 2017,

the date when the expected legislation will be in force. Discussion ensued of the 7 Main Street property, which is currently in use as a short-term rental, as well as the current Zoning Ordinance regulations for this type of rental. Town Planner/Zoning Administrator Hynes explained that anyone who rents out his/her home must obtain a Business License. Commission Member Minshall asked what the greatest concerns are in relations to these short-term rentals; Town Planner/Zoning Administrator Hynes explained that concerns include protecting both renters and neighbors. Ms. Hynes stated that uses for these properties should be thought of in terms of uses that would be seen if a family of five were living there; further, Ms. Hynes noted, she is not comfortable with the possibility of renting out single rooms. The Town Planner/Zoning Administrator noted that Town Attorney Gilmore recommends designating these short-term rentals as home-based businesses. In response to a question from Commission Member Daly, the differences between Airbnb and a Bed and Breakfast business were discussed, with Town Planner/Zoning Administrator Hynes suggesting that a B&B be thought of as a mini-hotel. There was also discussion of B&B's which are managed versus B&B's where the owner lives on-site. Commissioner Daly asked if Virginia tourism officials have an opinion on this short-term rental legislation; Ms. Hynes explained that many tourism officials in the State are not in favor of the short-term rental legislation being proposed. Commission Member Minshall put forth some of the positive aspects of allowing short-term rentals. Town Planner/Zoning Administrator Hynes noted that the rules put in place for these rentals must be followed, or the permit for the use will be revoked. It was noted that the Town Attorney has recommended Arlington County's Zoning Ordinance be used as a guide in updating the short-term rental portion of Round Hill's Zoning Ordinance. Town Planner/Zoning Administrator Hynes stated that she would also like the Planning Commission to review assisted living facilities, daycare facilities for children, and temporary health structures in its update of the Zoning Ordinance. Discussion ensued regarding temporary health structures (called "granny pods"), with it being noted that these are currently being built in Blacksburg, Virginia, which is in the lead in implementing the use of these structures. Town Planner/Zoning Administrator Hynes briefly discussed issues surrounding the use of these accessory dwellings in Round Hill. Town Planner/Zoning Administrator Hynes explained that the update of the short-term rental portion of the Zoning Ordinance must be completed by May 4, 2017. The Intent to Amend Resolution adopted by the Town Council allows for work to take place on the first of these issues; the Planning Commission will receive further Intent to Amend Resolutions which will direct its work on the other issues. There was brief discussion of an upcoming rezoning for a property on Yatton Road. Town Planner/Zoning Administrator Hynes explained that she will create a better timeline and list of pending items for the Planning Commission's next meeting, and will create a Planning Commission Work Plan in consultation with Chairman Mirabal. The Town Planner/Zoning Administrator also discussed concerns raised regarding accessory dwellings.

IN RE: TOWN PLANNER REPORT

Town Planner/Zoning Administrator Hynes presented the following items:

- 1) Phase I of Sleeter Lake Park was approved today, and can now go out to bid.
- 2) The Floodplain Ordinance was approved.

- 3) The County Comprehensive Plan is under review; the Towns will send representatives to the meetings.
- 4) The adoption of the Work Plan, and its use, will aid in future updates of the Town's Comprehensive Plan, which is nearing completion.

Town Planner/Zoning Administrator Hynes welcomed the new members of the Planning Commission.

IN RE: NEXT PLANNING COMMISSION MEETING

Vice-Chairman Hummel explained that, due to his appointment to serve on the Town Council, he will resign his position on the Board of Zoning Appeals, as required. Therefore, a new Planning Commission representative to the BZA must be appointed. Additionally, Mr. Hummel noted, the Planning Commission will need to appoint a new Vice-Chairman. Commission Member Hummel recommended that Chairman Mirabal be reappointed as chair of the Commission. Mr. Hummel suggested that this be considered at the next Planning Commission meeting, so that all the members of the Commission may be present. Vice-Chairman Hummel noted that the Planning Commission Vice-Chairman position, and appointment to the Board of Zoning Appeals, are not usually work-intensive; Mr. Hummel also provided an overview of work done by the BZA, which consists mainly of dealing with appeals of the Zoning Administrator's determinations, and with approval/disapproval of variance requests.

a. Next Planning Commission Meeting

The next meeting of the Planning Commission is scheduled for March 7, 2017, at 7:00 p.m.

Town Planner/Zoning Administrator Hynes reported that Commission Members Daly and Minshall will attend the Planning Commissioner training being offered in Purcellville.

IN RE: ADJOURNMENT

Commission Member Minshall made a motion **that the meeting be adjourned**; Commission Member Daly seconded the motion. The meeting was adjourned by Vice-Chairman Hummel at 8:20 p.m.

Respectfully submitted,

Michael Hummel, Vice-Chairman

Debra McDonald, Recording Secretary



Staff Report

TO: Planning Commission
FROM: Melissa Hynes, Town Planner & Zoning Administrator
DATE: March 3, 2017
SUBJECT: Short Term Rentals, Home Occupations & Accessory Homestays

PURPOSE:

To review and discuss a Short-Term Rentals use and text amendment to the Zoning Ordinance.

Staff proposes short term rentals to be considered home occupations because home occupations are already a "by-right use" in residential districts with a set of criteria.

TIMELINE:

The proposed legislation needs to go to Planning Commission Public Hearing by May 2, 2017. It is the goal of the Town Council to adopt the new legislation by June 15, 2017 before the State legislation goes into effect on July 1, 2017.

BACKGROUND:

The review of this issue was prompted by the 2016 and 2017 Virginia General Assembly's consideration of legislation that would limit local governments from regulating this use, bringing state-wide attention to consideration of how short-term residential rental services are or should be regulated. It would also have kept the identity of short-term rental properties hidden and precluded local governments from collecting and auditing Transient Occupancy Taxes, as they would for any other lodging property.

For the Town of Round Hill the intent of the proposed regulations is to:

1. Protect the character of Round Hill's neighborhoods;
2. Reduce barriers for those who are, or intend to, use their homes through online services for short-term rental (e.g. Airbnb, Craigslist, etc.) in a legal and responsible manner;

3. Implement safety requirements to ensure that a short-term residential rental property complies with zoning, building, fire and other safety codes that are designed to protect public health and safety, property values and neighborhood character; and
4. Provide a mechanism for enforcement of this type of use if problems arise.
5. Not preclude a condominium or homeowners' association from establishing its own rules about allowing (consistent with Town/County regulations), further restricting, or prohibiting this type of activity.

PROPOSED USE:

Accessory Homestays allow residents to host overnight guests for stays of less than thirty (30) days in residential dwelling units that they reside in as their primary residence. Accessory Homestays are a means for residents to utilize online booking platforms such as Airbnb, Craigslist or Vacation Rentals by Owner (VRBO).

An Accessory Homestay is a special type of home occupation that allows the occupant of a residential dwelling unit to host short-term overnight guests.

Home Occupations are also known as home based businesses. Home Occupations are permitted by-right uses in all Residential Zoning Districts.

A Home Occupation is an occupation conducted as an accessory use in or from a residential dwelling or its accessory building by persons whose principal residence is on the premises. The use has no more effect on adjacent property than normal residential use.

KEY PROPOSED REGULATIONS:

1. Issuance of an Accessory Homestay Permit from the Zoning Administrator. (Note: This permit must be renewed on an annual basis. Permit renewal is the responsibility of the owner of the dwelling.)
2. The applicant for the Accessory Homestay Permit must occupy as their primary residence the dwelling unit for which the permit is being sought. The dwelling unit must be occupied for at least 185 days per year by the primary resident. If you want to know more about the number of days, consider this number as the equivalent of 6 months and would be useful for "snow-birds" or retired Town residents who live elsewhere half of the year. (Note: Proof of residency must be submitted with the permit application. Acceptable documents demonstrating residency include copies of a drivers' license, voter registration card, or an executed lease [for renters].)

3. All rented bedrooms must be in the main building of the dwelling. No Accessory Homestay Permits will be issued for a detached accessory building. (This is to prevent garages or sheds to be converted into dwellings).
4. The maximum permitted occupancy is 6 lodgers or 2 lodgers per bedroom, whichever number is greater. Under no circumstances shall occupancy exceed what is permitted under the Virginia Uniform Statewide Building Code (VUSBC).
5. Any dwelling being used for an accessory homestay must contain working fire extinguishers, smoke detectors, and Carbon Monoxide (CO) detectors (if required as part of the original building).
6. Commercial meetings (including banquets, luncheons, parties, weddings, etc.) are not permitted under an Accessory Homestay Permit.

PROPOSED ZONING ORDINANCE TEXT AMENDMENT:

The following is the proposed text amendment to the Zoning Ordinance. It would fall under a new section called Use Regulations & Standards and under the Definitions. Each residential zoning district would not need to be amended because home occupations are already listed under permitted uses.

The proposed text amendment is as follows:

Accessory homestay is allowed subject to the home occupation provisions in xxx and subject to the provisions below. For the purposes of this xxx, the term resident shall mean either the owner or a tenant.

A. Standards

1. Accessory use. Accessory homestay shall be accessory only to household living use as defined in xxx, and shall be allowed only where:

(a) The dwelling unit is used by the resident of the dwelling unit as his/her primary residence, which means that he or she resides there for at least 185 days during each year; and

(b) The bedroom(s) rented to overnight lodgers shall be within the main building of the dwelling unit that the resident occupies as his/her primary residence and shall not be in a detached accessory building.

2. Maximum number of overnight lodgers. The maximum number of overnight lodgers on any night of an accessory homestay shall be determined based on the greater of six lodgers, or two lodgers per number of bedrooms in the dwelling, provided, however, under no circumstances shall the number of lodgers exceed that allowed by the Loudoun County Building Code.

3. An accessory homestay shall have working fire extinguishers, smoke detectors and, if applicable, carbon monoxide detectors, and all such equipment shall be accessible to all overnight lodgers of the homestay at all times.
4. Any sleeping room used for an accessory homestay shall have met the requirements for a sleeping room at the time it was created or converted per Loudoun County Building Code.
5. Commercial meetings, including luncheons, banquets, parties, weddings, meetings, charitable fund raising, commercial or advertising activities, or other gatherings for direct or indirect compensation are prohibited pursuant to an accessory homestay permit.
6. An accessory homestay shall comply with requirements of the applicable version of the Virginia Uniform Statewide Building Code, as determined by the Loudoun County Building Official.

B. Accessory homestay application.

The following shall be filed with the zoning administrator with the application for an accessory homestay permit:

1. Contact information for a responsible party. If the resident is not the responsible party who will be available during use of the accessory homestay, then the responsible party shall be identified and must sign the application.
2. Proof of the applicant's permanent residence of, the property that is the subject of the application. Acceptable proof of permanent residence includes: applicant's driver's license or voter registration card or U.S. passport showing the address of the property, or other document(s) which the zoning administrator determines provides equivalent proof of permanent residence by the applicant at the property that is the subject of the application.

C. Accessory homestay permit.

Use of an accessory homestay shall require an accessory homestay permit issued by the zoning administrator. The resident of the accessory homestay shall operate the accessory homestay under all conditions of the accessory homestay permit, and subject to the following:

1. An accessory homestay permit shall be valid for one year from date of issuance.
2. It is the responsibility of the resident to renew the permit upon expiration, by submitting an updated application, as required in § ___ above.

3. The accessory homestay permit requires the resident, and responsible party if the responsible party is not the resident, to agree to abide by all requirements of this zoning ordinance, and all other applicable federal, state and local laws and regulations.

4. With his/her signature on an application for accessory homestay, the resident authorizes the zoning administrator and his/her designee to enter the dwelling unit upon reasonable advance notice in response to a complaint(s), to verify that the accessory homestay is being operated in accordance with the provisions of this xxx and the home occupation provisions in xxx, and all conditions of the accessory homestay permit.

5. An accessory homestay permit may be revoked by the zoning administrator as set forth below; an applicant whose accessory homestay has been revoked pursuant to this paragraph shall not be eligible to receive any new accessory homestay permit for one year:

(a) In the event that there are three or more violations recorded by the Town within a one year period; or

(b) For failure to comply with the regulations set forth in this xxx, the home occupation provisions in xxx and any permit conditions; or

(c) For refusal to cooperate with the Town in a complaint investigation, including allowing the Zoning Administrator or his/her designee to enter the dwelling unit upon reasonable advance notice in accordance with xxx above.

Part 2 - PROPOSED ZONING ORDINANCE TEXT AMENDMENT:

Since Accessory Homestays are going to be considered a subset of Home Occupations, the definition of Home Occupation should also be amended:

HOME OCCUPATION: An occupation conducted in a dwelling unit, provided that:

- a. With the exception of accessory homestay, no person other than members of the family residing on the premises shall be engaged in such occupation.
- b. With the exception of accessory homestay, the use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25 percent of said floor area if conducted in an accessory building, shall be used in the conduct of the home occupation.
- c. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than

one sign, in accordance with Article 12 of this Ordinance.

- d. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
- e. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises. ~~Boarding and rooming houses, tourist homes, and private educational institutions shall not be deemed home occupations.~~

Use Regulations for Home Occupations:

A. Home occupations which are conducted as limited by xxx, below, and which have the general character of the following uses are permitted:

1. Accessory homestay, subject to the provisions of this xxx and xxx.
2. Artist, photographer, sculptor.
3. Author, composer, editor, translator, writer.
4. Contractor or service business, provided that all requirements of this section are met as well as the following additional requirements:
 - (a) Not more than one commercial vehicle, as defined in Article xx, shall be parked on the property and then only in accordance with applicable regulations of xxx.
 - (b) No contracting equipment or materials shall be stored on the premises, except in a commercial vehicle used for transporting said equipment and materials between jobs, and no loading or unloading shall be done on or in the vicinity of the premises.
 - (c) The dwelling is not an accessory dwelling.
5. Tailors, milliners, seamstresses, dressmakers and upholsterers.
6. Home crafts such as lapidary work, macramé, model making and weaving.
7. Office of an ordained minister of religion.

8. Office of an accountant, architect, bookkeeper, broker, clerical service, computer programmer, consultant, dentist, doctor, engineer, instructor in the arts and crafts, insurance agent, land surveyor, landscape architect, lawyer, musician, real estate broker or telephone service.
9. Office of a salesman, sales representative or manufacturers' representative.
10. Repair services, such as musical instruments, watches and clocks, small household appliances, and toys or models.

B. Home occupations not permitted include those with the general characteristics of the following:

1. Animal care facilities, veterinary clinics, animal hospitals and grooming services
2. Antique shops;
3. Barber shops or beauty salons;
4. Boarding houses or rooming houses
5. Chapels
6. Funeral homes;
7. Gift shops;
8. Hospitals
9. Kennels or other boarding of animals.
10. Medical or dental offices or clinics;
11. Nursing homes;
12. Motor vehicle repair or sales;
13. Nursery schools;
14. Repair or testing of internal combustion engines;
15. Restaurants or tearooms;

**TOWN OF ROUND HILL
PLANNING COMMISSION**

BYLAWS

Amended and Re-Adopted March 11, 2008

THE TOWN OF ROUND HILL PLANNING COMMISSION BYLAWS

Amended and Re-Adopted March 11, 2008

The Town of Round Hill Planning Commission (“Commission”) is a public body appointed under authority of the Code of Virginia whose duties include maintenance and improvement of a comprehensive plan, zoning and subdivision ordinances, and capital improvement programs.

Responsibilities of the Commission include:

1. Acts as a means of informing the governing body of citizen’s recommendations regarding growth and development of their community.
2. Serves as a catalyst to the governing body by presenting new ideas and promptly calling attention to community problems or areas where policy direction is needed.
3. Initiates and achieves intergovernmental cooperation between jurisdictions.
4. Evaluates the long-range impact of government actions and demonstrates awareness of the community’s tradition and heritage and place in future development.
5. In its advisory capacity to the governing body, the Commission has great responsibility in shaping the physical development and land uses of the community, and to maintain the historic and architectural integrity of Round Hill’s history and character.

The Commission consists of members of the community who are considered to be qualified by knowledge and experience to make objective advisory decisions toward recommendations on community growth and development, without regard to political considerations.

ARTICLE 1 – OBJECTIVES

- 1-1 This Commission, established in conformance with the resolution adopted by the Round Hill Town Council on January 6, 1972, has adopted the following Articles in order to facilitate its powers and duties in accordance with the current provisions of the Code of Virginia, as amended.
- 1-2 The official title of this Commission shall be the “Town of Round Hill Planning Commission”.

ARTICLE 2 – MEMBERS

- 2-1 This Commission shall consist of five (5) member positions. One member may be a representative of the Town Council. All members, including the Chairman, shall have one vote.

- 2-2 The term of the representative from the Town Council shall be at the pleasure of the Town Council. The other members are appointed for terms of four (4) years by the Town Council. Any vacancy in the membership shall be filled by the Town Council and shall be for an unexpired term only. Any member of the Commission shall be eligible for reappointment.
- 2-3 Any member may be removed by the Town Council for inefficiency, neglect of duty, or malfeasance in office.
- 2-4 Town Council may provide for the payment of expenses incurred by Commissioners in the performance of their official duties.
- 2-5 The term of a Commission member shall expire immediately prior to the beginning of the regular January meeting at which his successor's term of office shall begin.
- 2-6 All members shall reside in town, and at least one-half of the members so appointed shall be owners of real property in town.
- 2-7 A quorum shall be defined as three members of the Commission in attendance.

ARTICLE 3 – OFFICERS AND THEIR SELECTION:

- 3-1 The officers of the Commission shall consist of a Chairman, a Vice-Chairman and may include a secretary.
- 3-2 Nomination of officers shall be made from the floor at the first regular January meeting each year. Election of officers shall follow immediately.
- 3-3 A candidate receiving a majority vote of the quorum of the Commission shall be declared elected. He shall take office immediately and serve for one (1) year or until his successor shall take office.
- 3-4 Any vacancies in office shall be filled immediately for the unexpired portion of the term in the same manner as the officers are originally chosen.

ARTICLE 4 – DUTIES OF OFFICERS:

- 4-1 The Chairman shall be a property-owning member of the Commission and shall:
 - 4-1-1 Preside at all meetings of the Commission, and any other meetings set by the Commission that relate specifically to planning issues concerning the Town of Round Hill.
 - 4-1-2 Appoint committees, special and/or standing.
 - 4-1-3 Rule on all procedural questions (subject to a reversal by a majority vote of the quorum of the members present).
 - 4-1-4 Be informed immediately of any official communication and report same at the next regular meeting.

- 4-1-5 Carry out other duties as agreed to by the Commission.
- 4-1-6 Certify all documents involving the authority of the Commission.
- 4-1-7 Certify all minutes of meetings of the Commission as true and correct copies.

- 4-2 The Vice-Chairman shall be a property-owning member of the Commission and shall act in the absence or inability of the Chairman to act, with the full powers of the Chairman.
 - 4-2-1 Carry out other duties as agreed to by the Commission.

- 4-3 The Secretary or designee may:
 - 4-3-1 Record attendance at all meetings, and prepare minutes for members' review.
 - 4-3-2 Keep a written record of all business transacted by the Commission.
 - 4-3-3 Notify all members of all meetings.
 - 4-3-4 Keep a file of all official records and reports of the Commission.
 - 4-3-5 Certify all maps, records and reports of the Commission.
 - 4-3-6 Give notice of all hearings and public meetings.
 - 4-3-7 Attend to the correspondence of the Commission.
 - 4-3-8 Prepare and be responsible for the publishing of advertisements relating to public hearings.
 - 4-3-9 Carry out other duties as agree to by the Commission.
 - 4-3-10 Draft, update and maintain Town Planning Documents.
 - 4-3-11 Conduct a Commission orientation once a year and as needed.

ARTICLE 5 – STANDING AND SPECIAL COMMITTEES:

- 5-1 Standing committees may be appointed by the Chairman to serve as needed.

- 5-2 Any committee necessary to the function of the Commission shall be appointed by the Chairman, who will specify its purpose and tenure, subject to majority approval of the quorum.

- 5-3 The Chairman shall be an ex-officio member of every committee.

- 5-4 Special Committees may be appointed by the Chairman for purposes and terms approved by the Commission.

ARTICLE 6 – MEETINGS:

- 6-1 Meetings of the Commission shall be held at least once per month on a regular day and time to be determined by the Commission.

- 6-2 Special meetings shall be called at the request of the Chairman, or at the request of the majority of the quorum.

- 6-3 All regular meetings, hearings, records and accounts shall be open to the public.

- 6-4 The number of votes necessary to transact business shall be a majority of the quorum. Voting may be by roll call, in which case a record shall be kept as part of the minutes.

ARTICLE 7 – ORDER OF BUSINESS:

- 7-1 The order of business for a regular meeting shall be determined by a majority of the Commission:
- 7-1-1 Call to order by Chairman.
 - 7-1-2 Roll call.
 - 7-1-3 Determination of a quorum.
 - 7-1-4 Pledge of Allegiance
 - 7-1-5 Public Comment
 - 7-1-6 Approval of Agenda
 - 7-1-7 Approval of minutes.
 - 7-1-8 Report of Secretary (if available)
 - 7-1-9 Committee Reports.
 - 7-1-10 Unfinished business.
 - 7-1-11 New business.
 - 7-1-12 Prepare draft agenda for next meeting
 - 7-1-13 Adjournment.
- 7-2 The provisions of Roberts Rules of Order shall govern the Commission in their meetings, except insofar as such provisions are inconsistent with the Bylaws of the Commission.
- 7-3 The Commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.

ARTICLE 8 – HEARINGS:

- 8-1 In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.
- 8-2 Notice of a public hearing shall be published in accordance with the Code of Virginia, as amended.
- 8-3 The Chairman shall summarize the matter before the Commission, allow interested parties to address the Commission, and accept written statements and other documentation pertinent to the matter before the Commission.
- 8-4 An accurate, written record shall be made of the proceedings of a public hearing and maintained as a part of the Commission's files.

ARTICLE 9 - AMENDMENTS

9-1 These Bylaws may be amended by a majority vote of the quorum.

ARTICLE 10 - ETHICS

The Commission is an arm of local government and deals with matters of importance and concern to local citizens. Activities of the Commission come under close scrutiny. It is, therefore, vitally important that the Commission perform all of its activities fairly and openly without any hint of unethical conduct.

Standards governing the conduct of planning commissioners with regard to conflicts of interest are contained in the State and Local Government Conflict of Interest Act (Sections 2.2-3100 through 2.2-3131). Members of the Commission should be familiar with the provisions of this Act, particularly those sections dealing with disclosures of material financial interest and real estate holdings.