

**TOWN OF PINE RIDGE  
PLANNING COMMISSION  
RULES OF PROCEDURE**

**Section 1. Establishment.**

The planning commission is established by Pine Ridge Town Council. S.C. Code §6-29-320.

**Section 2. Rules.**

The Commission is adopting these rules of procedure by Resolution in accordance with the South Carolina Local Government Comprehensive Act of 1994. S.C. Code §6-29-360(B).

**Section 3. Membership.**

- A. Appointment. The Commission shall consist of five (5) members appointed by Town Council. A vacancy in membership must be filled for the unexpired term by Town Council appointment. Commission members shall serve without compensation. No member of the Commission shall hold any other public office or elected position in the Town, other municipalities within Lexington County, or Lexington County.
- B. Officers. The Chair and a Vice-Chair shall be elected by a majority for a one-year term at the first meeting of the commission in each calendar year.
1. The Chair shall be a voting member of the commission and shall:
    - i. call meetings of the commission;
    - ii. preside at meetings and hearings;
    - iii. act as spokesperson for the commission;
    - iv. sign documents for the commission;
    - v. transmit reports and recommendations to council; and
    - vi. perform other duties approved by the commission.
  2. 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, and acting Chair shall be elected by a majority vote of members present.
- C. Secretary. The zoning administrator shall serve as secretary of the planning commission and shall perform the following duties:
1. prepare annual calendar of scheduled meetings;
  2. provide notice of meetings;
  3. prepare the agendas;
  4. keep minutes of meetings and hearings;
  5. maintain commission records as public records;
  6. attend to commission correspondence; and
  7. perform other duties normally carried out by a secretary.

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- D. Removal. A member shall notify the Secretary of an absence at least 24 hours before the scheduled meeting. The commission shall recommend to the governing body the removal for cause of any member who is absent from three consecutive meetings without adequate reason.

**Section 4. Educational Requirements.**

Commission members and staff liaisons are required to attend mandatory annual training in accordance with the South Carolina Local Government Comprehensive Act of 1994, S.C. Code §6-29-1340.

- A. New Members and New Staff Liaisons. No earlier than one hundred and eighty days prior to and no later than three hundred and sixty-five days after the initial date of appointment or employment, attend a minimum of six hours of orientation training.
- B. Existing Members and existing Staff Liaisons. Annually, after the first year of service or employment, but no later than three hundred and sixty-five days after each anniversary of the initial date of appointment or employment, attend no fewer than three hours of continuing education.
- C. Prior Appointment or Employment. An appointed official or professional employee who attended six hours of orientation training for a prior appointment or employment is not required to comply with the orientation after a break in service, with proof of attendance. Member or Staff Liaison must comply with the annual requirement of attending no fewer than three hours of continuing education no later than three hundred and sixty-five days after each anniversary of the initial date of appointment or employment.
- D. Exemptions. Exemptions from education requirements in accordance with S.C. Code §6-29-1350:
1. Certification by the American Institute of Certified Planners;
  2. A masters or doctorate degree in planning from an accredited college or university;
  3. A masters or doctorate degree or specialized training or experience in a field related to planning as determined by the State Advisory Committee;
  4. A license to practice law in South Carolina.

Commission members and staff liaisons must file a certification form and documentation of his/her exemption as required by S.C. Code §6-29-1360 no later than the first anniversary date of his/her appointment or employment.

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**Section 5. Ethics.**

- A. Ethics Reform Act. The Commission shall adhere to the South Carolina Ethics Reform Act. S.C. Code of Laws, Title 8, Chapter 13.
  
- B. Disqualification. The question of disqualification shall be decided by the member affected, who shall announce the reason for disqualification, provide the Secretary with a completed Recusal Form, have it placed in the minutes, and refrain from deliberating or voting on the question in any way.
  
- C. Ex Parte Contact. An ex parte contacts with applicants, opponents, or other parties of interest in a matter to come before the Commission shall be reported at the earliest opportunity to the Chair. It shall be considered the duty of Commission members to conduct themselves in a manner that will discourage such contact.
  
- D. Expressions of Bias. Commission members shall avoid all situations and circumstances that may lead to bias or prejudice in matters presented to the Commission. No Commission member shall offer expressions of individual opinion regarding any matter of consideration by the Commission prior to the meeting.

**Section 6. Meetings.**

- A. Rules of Order. The current edition of Robert's Rules of Order shall govern the conduct of meetings except as otherwise provided by these Rules of Procedure.
  
- B. Meeting Schedule. Pine Ridge Town Council shall adopt an annual schedule of regular meetings, will shall be published and posted in the lobby in December of each year. Special meetings may be called by the chair upon 24 hours notice, posted and delivered to all commission members and local news media. Meetings shall be held at the Pine Ridge Town Hall located at 2757 Fish Hatchery Road. Meetings may begin at 6:30 pm and shall be open to the public. Meetings may be canceled by the Secretary if there is no business before the Commission.
  
- C. Agenda. The Secretary shall post the meeting agenda at least 5 days prior to each regular meeting by notice delivered to the local news media, interested citizens and posting at Town Hall. Special meetings may be held at the call of the Chair or a majority of the Commission upon 24 hours by notice to the local news media, interested citizens and posting at Town Hall. Agenda items must be received at least 2 weeks in advance of the next regularly scheduled meeting. Items may be added to the agenda at a meeting by a majority vote.
  
- D. Applicant Attendance. The applicant or any party in interest must appear in person or by agent or attorney. The Commission may postpone or proceed to dispose of a matter on the records before it in the absence of an appearance of the applicant, agent or attorney.

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- E. Conduct of Meeting. Except for applicants on the agenda or public hearings, no person shall speak at the commission meeting unless invited to do so by the commission. In matters brought before the Commission for public meeting, the normal order to hear the agenda item, subject to modification by the Chair, shall be:
1. Statement of matter to be heard;
  2. Presentation by Staff;
  3. Presentation by Applicant;
  4. Staff Remarks;
  5. Commission comments and questions;
  6. Public comment on the current agenda item;
  7. Final staff remarks;
  8. Final applicant remarks; and
  9. Motion, debate and vote of the Commission.
- F. Public 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.
- G. Recess. A recess may be called by the Chair or by a majority vote of members present and qualified to vote. The Chair shall state the duration of the recess and time the meeting will recommence before the recess begins. The recess start and end time shall be recorded in the minutes.
- H. Executive Session. The Commission may enter Executive Session as set forth in the S.C. Code §30-4-70. The Commission may request the attendance of non-members as they deem appropriate. All proceedings of Executive Sessions are confidential and attendees are honor bound not to divulge the proceedings.
- I. Workshops. The Commission may periodically hold workshops to discuss issues and general policies and procedures to determine the necessity for future action. No formal action shall be taken at the workshop. Workshop sessions shall be open to the public.
- J. New Items after 9:00 pm. The Commission will not hear new items after 9:00 pm unless authorized by a majority vote of members present and qualified to vote. Items not heard before 9:00 pm may be continued to the next regular meeting or a special meeting date as determined by the Commission.
- K. Minutes. The secretary shall record all meetings and hearings of the commission on tape which shall be reserved 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.

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- L. Reports. The secretary shall assist in the preparation and forwarding of all reports and recommendations of the commission in appropriate form. All final decisions of the Commission must be in writing which may include recommendations forwarded to governing body. Copies of all notices, correspondence, reports and forms shall be maintained as public records.

**Section 7. Voting/Quorum.**

- A. 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 chair in writing, have it place in the minutes, and refrain from deliberating or voting on the question. The Commission may be deliberate and make final disposition of a matter by a majority vote of members present and qualified to vote. Deliberating and voting shall be done in public.
- B. 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 a meeting.

**Section 8. Review Procedure.**

- A. 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 by the Planning Commission, unless additional time is given by the governing body. Amendments shall follow Zoning Ordinance Article 13 guidelines. The Commission shall not conduct a public hearing unless requested by the governing body.
- B. 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 regulation pursuant to S.C. Code §6-29-1110(2).
- C. 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 the governing body on a proposed amendment. The Commission shall review the comprehensive plan as often as necessary, but not less than once every five years to determine whether changes in the amount, kind, or direction of development of the area or other reasons make it desirable to make additions or amendments to the plan. The comprehensive plan, including all elements of it, must be updated at least every ten years by the Commission pursuant to S.C. Code §6-29-510(E).

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**Section 9. Administrative Appeals**

- A. Applicability. In accordance with S.C. Code §6-29-1150(c), the Commission shall hear appeals from administrative decisions for Land Development Plans.
  
- B. Filing. The Notice of Appeal must be received within ten (10) days of the decision becoming public record by issuance or denial of a permit, or the filing of a written decision by the Zoning Administrator. The Notice of Appeal submission must cite the Ordinance(s) upon which the request is based, the decision being appealed, a narrative stating the grounds of the request, a detailed plat and/or plan of the property(s) involved, any additional materials on which the decision being appealed is based, and all fees paid in full. The Commission or Staff may request additional information deemed necessary. Failure to submit adequate information may be grounds for dismissal.
  
- C. Withdrawal of Appeal. An appeal or application may be withdrawn by written notice to the Secretary prior to action by the Commission.
  
- D. Decisions. In exercising the above power, the Commission may reverse or affirm, wholly or in part, or may modify the order, requirements, decisions, or determination, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Commission must act on the appeal within sixty days, and the action of the planning commission is final.
  
- E. Rehearing. The Commission may grant a rehearing of an application, which has been dismissed or denied upon written request filed with the secretary within fifteen (15) days after delivery of the order accompanied by new evidence which could not reasonably have been presented at the hearing, or evidence of a clerical error or mutual mistake of fact affecting the outcome.

**Section 10. Appeals of Commission Decisions.**

Appeal to Circuit Court. A person having a substantial interest in a decision of the Commission regarding Land Development Plans, may appeal to circuit court by petition for review on grounds that the decision is contrary to law, filed with the clerk of court and secretary of the board within thirty (30) days after the decision of the board is mailed.

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**Section 11. Amendment and Adoption.**


- A. 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 days after the written amendment is delivered to all members.
  
- B. Adoption. These rules were adopted by vote of a majority of the members of the Commission at a regular public meeting on April 26, 2016.

Respectfully submitted,



Viki M. Miller, Town Administrator

APPROVED:

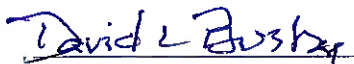
  
Chairman

Date: April 26, 2016

Submitted to Town Council on May 17, 2016.


Mayor Pro-tem Davis made a motion to approve the Planning Commission's Rules of Procedure as submitted. Councilman Wells seconded the motion, which was unanimously approved by Town Council.

APPROVED:

  
David L. Busby, Mayor

Date: May 17, 2016

ATTESTED:

  
Viki M. Miller, Town Administrator

Date: May 17, 2016