



# CITY OF COLUMBIA

## PLAN COMMISSION BYLAWS

### **Part 1: Commission Establishment and Purpose**

- A.** The City of Columbia Plan Commission is established by Ordinance #615 of the City Council, incorporated as Section 2.32.010 of the City of Columbia Municipal Code, as amended.
- B.** The primary function of the Plan Commission is to serve in an advisory capacity to the City Council for matters concerning Columbia's growth and development. The Plan Commission shall have the powers and duties delegated to it as set forth by City ordinance and applicable provisions of Illinois state statutes and Federal law.
- C.** The Plan Commission is the principal steward of the Comprehensive Plan, Zoning Code, and Subdivision Code, including amendments and supplements thereto. The specific objectives and purposes of the Commission are those outlined in said documents and in the Municipal Code. The Commission shall recommend to the City Council those changes necessary to maintain the Comprehensive Plan as a viable tool to guide the development of Columbia and the surrounding community. The Commission is also responsible for helping to implement the Comprehensive Plan through the Subdivision and Zoning Codes. The Commission shall review necessary code amendments and staff reports for all proposed developments, zoning changes, and special uses, making recommendations to the City Council.

### **Part 2: Membership and Terms**

- A.** The Plan Commission shall consist of 9 members over the age of 18 years, who shall reside in Columbia, or within 1 ½ miles of the municipal corporate boundaries, but not closer to another city than to Columbia. At any given time, no more than 3 members shall reside outside of Columbia city limits. Ideally, membership should include at least 1 Commissioner from each of Columbia's aldermanic wards.
- B.** Plan Commissioners shall be appointed by the Mayor and approved by the City Council. No member of the Commission shall hold any elected office of the City of Columbia. However, the Mayor and City Clerk may serve as ex-officio members of the Plan Commission, without a vote on the Commission. Compensation, if any, shall be set by ordinance.
- C.** Plan Commissioners shall be appointed to 3-year terms, staggered such that the terms of 3 members shall begin each year on the first day of May to coincide with the City's fiscal year. Members shall serve a maximum of 3 terms, which may be served consecutively or non-consecutively. The Mayor may waive the 3-term limit and allow a member to serve 1 additional term, if there are no qualified candidates when said member's third term expires. Ex-officio members shall serve only for the terms of their elected offices.
- D.** When a position on the Plan Commission is vacated mid-term, the Chairperson shall request that the Mayor nominate a qualified replacement. The new appointee shall serve out the remainder of the vacated term and may be reappointed to serve his or her own term(s). The vacated partial term served shall not count against the 3-term limit.

### **Part 3: Administration, Officers, and Duties**

- A.** The election of officers shall take place during the first regular Plan Commission meeting of each City fiscal year. A Chairperson, Vice-Chairperson, and Secretary shall be nominated from within the Commission and elected by Commission members according to normal voting procedures established herein.

- B.** Officers shall be elected to 1-year terms. Sitting officers may be elected to consecutive terms for as long as they are eligible to serve on the Plan Commission. In the event an officer position becomes vacant, a successor shall be elected at the next regular meeting of the Commission to serve the remainder of the original term of office.
- C.** Any officer elected by the Commission may be removed at any time without cause by the affirmative vote of  $\frac{2}{3}$  of the entire membership of the Commission (6 of 9 Commissioners).
- D.** The duties of officers shall be as follows:
  - Chairperson:** The Chairperson shall supervise the affairs of the Plan Commission, preside at all meetings of the Commission, and appoint committees necessary to carry out the purpose of the Plan Commission.
  - Vice-Chairperson:** The Vice-Chairperson shall perform such duties delegated by the Chairperson. In the absence or disability of the Chairperson, the Vice-Chairperson shall perform the duties and exercise the powers of the Chairperson.
  - Secretary:** The Secretary shall be responsible for maintaining records of attendance, votes, and minutes for all Plan Commission meetings. The Secretary shall maintain a permanent record of all such items, which shall be available for public inspection in the City Clerk's office.
- E.** The Director of Community Development shall serve as the City staff liaison to the Commission and shall be responsible for providing necessary information, documentation, reports, and recommendations to the Commission.
- F.** The City will provide administrative assistance to prepare and post agendas, publish notices of public hearing, and generally support the Secretary of the Plan Commission in carrying out the duties of office.
- G.** The City Clerk shall furnish the Commission with copies of all pertinent documents, including ordinances, Comprehensive Plan, Zoning Code, Subdivision Code, plans, and data relevant to carrying out the responsibilities of Plan Commission.
- H.** The Plan Commission may prepare reports and recommendations for the consideration of the City Council for any matter reasonably related to its responsibilities, including capital improvements.

#### **Part 4: Plan Commission Meetings**

- A.** Regular meetings shall be held once per month on the second Monday of each month. Meetings shall be held in the Auditorium of Columbia City Hall at 208 South Rapp St., unless otherwise decided by the Plan Commission. An agenda listing the meeting location and items to be discussed shall be posted at City Hall and on the City's official website no later than 1 week prior to the scheduled meeting.
- B.** Special meetings may be called by the Chairperson, or by any 3 members, with no less than 48 hours notice to each member.
- C.** All meetings or portions of meetings shall be open to the general public, except those that may be closed per Illinois state statutes.
- D.** A quorum shall consist of a majority of all appointed members of the Commission. No final action shall be taken on any measure before the Commission without a quorum being present. The Chairperson shall vote with other Commission members.
- E.** All members shall have equal voting rights and the individual vote of each member shall be counted as 1 vote. A tie vote will be judged to be a negative action by the Plan Commission.
- F.** No member shall vote on a matter before the Commission wherein such member has any personal or business interest. In such circumstances, the affected member shall not participate in any Plan Commission discussions or deliberations on the matter. See also **Part 7: Ethics and Rules of Conduct**.

- G.** Plan Commission meetings shall be conducted according to the latest edition of *Roberts Rules of Order*, except as otherwise provided in these bylaws.
- H.** Unless otherwise provided by law applicable to a specific vote or action, a majority vote of all Commissioners present shall constitute the recommendation or action of the Commission. This shall apply to motions either for or against an application. If such motion fails to receive a majority vote, the Commission may entertain a new motion. A tie vote, or the failure to obtain a majority vote, shall constitute a denial or "failure to recommend" as may be applicable.
- I.** All members of the public attending any Plan Commission meeting shall be allowed to address the Commission on any matter appearing on the agenda or any other business of the Commission. This shall not apply to public hearings, which are outlined in **Part 5: Public Hearings**.
  - 1.** Individuals wishing to speak on items not appearing on the agenda shall be given an opportunity to comment during the "Input from Residents" section of the agenda.
  - 2.** Individuals wishing to speak on a specific agenda item shall be given an opportunity to comment prior to the conclusion of said item, but before the Commission votes, if applicable.
  - 3.** After being recognized by the Chairperson and invited to speak, each commenter shall be allowed 5 minutes to speak, which may be extended for an additional 3-minute period at the sole discretion of the Chairperson. Members of the Commission shall be allowed the opportunity to ask follow-up questions of any individual addressing the Commission.
  - 4.** Audience members shall refrain from making any comments until being recognized by the Chairperson and invited to speak. The Chairperson may request any person who disrupts a Plan Commission meeting or speaks out of turn to leave the meeting. Individuals who disobey the Chairperson's request to leave may be forcibly removed by an officer of the City of Columbia Police Department.
- J.** The normal order of business for regular Plan Commission meetings shall be:
  - 1. Call to Order
  - 2. Roll Call & Establish Quorum
  - 3. Approval of Minutes
  - 4. Input from Residents
  - 5. Public Hearings
  - 6. New Business
  - 7. Old Business
  - 8. Committee Reports
  - 9. Staff Reports and Communications
  - 10. Adjournment

## **Part 5: Public Hearings**

- A.** The Plan Commission will hold public hearings as required by City ordinance. The Director of Community Development shall ensure a public notice is published in accordance with applicable provisions of the City of Columbia Municipal Code.
- B.** An applicant may appear on his or her own behalf or be represented by counsel or agent.
- C.** Unless otherwise required by law, the Plan Commission may exclude from consideration any irrelevant, immaterial, incompetent, or unduly repetitious testimony or other evidence.

- D. Those wishing to speak during the public hearing, either for or against the proposed action, shall sign-in on the sheet provided by City staff. This requirement may be waived at the sole discretion of the Chairperson.
- E. Public hearings before the Plan Commission shall be conducted according to the following order of business and procedures:
  1. The Chairperson will call the agenda item, including a description of the requested action.
  2. Commissioners wishing to abstain from voting will declare their intent and the Chairperson will declare a quorum.
  3. Commissioners will report any verbal or written ex parte communications received prior to the public hearing.
  4. The Chairperson will validate the publication of public notice in accordance with applicable provisions of the Municipal Code.
  5. The Director of Community Development or designee will present the staff report and recommendation. Commissioners will then have the opportunity to question staff regarding the information presented.
  6. The applicant or applicant's agent will present their request and outline the reason for the proposed action. Commissioners will then have the opportunity to question the applicant regarding the information presented.
  7. The Chairperson will explain the public hearing process to those in attendance.
  8. The Chairperson will open the public hearing and recognize speakers in the order listed on the sign-in sheet. If the sign-in requirement is waived, the Chairperson will recognize speakers by a show of hands.
  9. After being recognized by the Chairperson and invited to speak, each commenter shall be allowed 5 minutes to speak. Individual speakers may speak on behalf of or represent groups, organizations, or other entities. Commissioners will be allowed the opportunity to ask follow-up questions of each speaker.
  10. Speakers are expected to refrain from making irrelevant, immaterial, or unduly repetitious testimony.
  11. Audience members shall refrain from making any comments until being recognized by the Chairperson and invited to speak. The Chairperson may request any person who disrupts a Plan Commission meeting or speaks out of turn to leave the meeting. Individuals who disobey the Chairperson's request to leave may be forcibly removed by an officer of the City of Columbia Police Department.
  12. After hearing from all speakers, the Chairperson will ask staff for a report of any written or verbal comments that need to be recorded in the minutes.
  13. The Chairperson will call for any final comments from the public and close the public comment portion of the public hearing upon the conclusion of final comments.
  14. The applicant or applicant's agent will have the opportunity to present a rebuttal to questions and concerns raised by the public. Commissioners will be allowed the opportunity to ask follow-up questions of the applicant.
  15. The Plan Commission will then deliberate and vote.
  16. At any time prior to voting, the public hearing may be adjourned to a future Plan Commission meeting (tabled) by motion, second, and majority vote.
  17. The Chairperson will close the public hearing. A copy of the minutes and recommended action will be forwarded to the City Council for consideration.

## **Part 6: Committees**

**A.** The Chairperson may create Committees of the Plan Commission and refer certain research or other necessary tasks to these Committees, which may include but not be limited to:

**Subdivision Committee:** The Subdivision Committee may review proposals to develop land and applications to subdivide land within the City of Columbia and within 1 ½ miles of the city limits.

**Zoning Committee:** The Zoning Committee may review proposals to change the zoning of property within the City of Columbia, including special use applications. When these proposals are made in conjunction with the establishment of a subdivision the two committees will work together. If requested by the City Council, the Zoning Committee may review annexation proposals for zoning implications.

**Comprehensive Plan Committee:** The Comprehensive Plan Committee continuously reviews the plan in light of the constantly changing environment and proposes changes to keep the plan a viable tool to support the present and future development or redevelopment of the city.

**Ad Hoc Committee(s):** One or more Ad Hoc Committees may be appointed to assist in the development and implementation of special topic plans prepared to supplement the Comprehensive Plan. Examples of special topic plans may include transportation, parks/open space, downtown, specific neighborhood/district, economic development, historic preservation, infrastructure/utilities, or other topics relevant to the long-term growth and development of Columbia.

**B.** Each committee shall consist of 3 Plan Commission members, who shall elect a Chairperson, determine a meeting schedule, and generally operate according to the same rules as established for the Plan Commission. Committee meeting agendas shall be posted and meetings shall be open to the public. A quorum shall consist of 2 committee members.

## **Part 7: Ethics and Rules of Conduct**

**A.** Commission members should not miss more than 2 consecutive meetings, nor 4 or more meetings in any 12-month period. If either situation should occur, the Commission officers may discuss it with the affected Commission member. If sufficient improvement in attendance does not occur within a reasonable time, the Chairperson may recommend to the Mayor and City Council that the affected Commission member be removed from office. Commission members should call or email the Community Development Department and Chairperson prior to any meeting at which they expect to be absent or tardy.

**B.** On all matters in which a Commission member has a direct financial interest and/or on matters involving property in which a member has an ownership interest, that member shall abstain from discussion and voting on the matter. Members abstaining shall disclose, except where it violates a confidence, the general nature of the conflict, and the minutes shall so record the conflict and abstention.

**C.** On other matters which could involve a conflict of interest, members shall disclose all pertinent facts relating to the potential conflict, except where it violates a confidence, which facts shall be included in the minutes of the proceedings. The member may then abstain from discussion and voting on the matter.

**D.** If a question is raised under this section at any Commission meeting concerning the eligibility of a member of the Commission to vote on any matter, such questions shall be finally determined by the concurring vote of at least 5 members of the Commission, not including the member with the potential conflict.

**E.** Commission members shall refrain, to the extent practical, from engaging in verbal or written ex parte communications regarding any matter upon which the Plan Commission will be asked to take action. All ex parte communications shall be disclosed before voting on the matter. Oral communications shall be disclosed by naming the person spoken to and nature

of the information discussed. This information shall be recorded in the meeting minutes. Written communications shall be submitted to the Chairperson to be read into the meeting minutes and a copy retained for the record. Upon reporting ex parte communications, the reporting Commissioner may vote on the matter.

- F.** A Commission member may submit a petition and appear on his or her own behalf before the Commission, provided said member shall not vote or participate in Commission deliberations regarding the matter.
- G.** A Commission member, when speaking to individuals, groups or organizations, shall indicate representation of the Commission. When speaking for personal purposes, the Commission member shall indicate that the stated opinions and beliefs are not necessarily the opinions and beliefs of the Commission as a whole.
- H.** The Commission and/or its individual members shall not intrude into the management of the Community Development Department or into those matters that are best handled administratively within City Hall.
- I.** Commission members shall not engage in any employment or endeavor, or in any business transaction, wherein the membership on the Commission would be a qualification for such employment or endeavor, or a significant reason for the business transaction.
- J.** Commission members shall not accept gifts or other favors from applicants, their representatives, or other persons and institutions concerned with matters which have been, are now, or which might come before the Commission.
- K.** Commission members shall conduct themselves at Commission meetings in a fair, courteous, and respectful manner.

### **Part 8: Adoption and Amendments**

- A.** Prior to becoming effective, these bylaws shall be approved by a resolution of the City Council after a review by the Plan Commission and an affirmative vote of  $\frac{2}{3}$  of the entire membership of the Commission (6 of 9 Commissioners). Amendments or revisions hereto shall follow the same procedure.
- B.** The Plan Commission shall review these bylaws annually and recommend any necessary changes to the City Council.