

# **BYLAWS OF THE JEFFERSON COUNTY, MISSOURI, PLANNING COMMISSION**

Effective Date: August 10, 2023

## **Article 1.     Existence; Name.**

By majority vote of the voters of Jefferson County, Missouri, county planning was adopted, and the Jefferson County Commission created by its order a county planning commission, all pursuant to Sections 64.800 through 64.880 RSMo. In 2008, the Home Rule Charter of Jefferson County, Missouri (hereinafter the "Charter") and the Unified Development Order (hereinafter the "UDO") were adopted. The adoption of these documents recognized the continuing existence of the Jefferson County Planning Commission (hereinafter the "Planning Commission"), while ultimately altering the powers and membership of the Planning Commission.

## **Article 2.     Purposes**

In accordance with the Charter, the UDO, and the Revised Statutes of the State of Missouri, the purposes of the Planning Commission shall be as follows;

1. to prepare and recommend to the Jefferson County, Missouri, Council (herein "Council") the adoption, amendment, repeal or extension of an official master plan and comprehensive zoning plan for Jefferson County;
2. to prepare, for the Council adoption, amendment, repeal or extension, regulations governing subdivision of land in unincorporated areas of Jefferson County;
3. to consider and approve or disapprove plats of subdivisions in Jefferson County; and
4. to recommend to the Council the adoption, amendment, or repeal of zoning regulations.

## **Article 3.     Powers.**

This Planning Commission shall have all of the powers granted to it by the Charter, the UDO, and the Revised Statutes of the State of Missouri, including such powers as are incidental or necessary to the forgoing powers or to the accomplishment of the purposes of the Planning Commission in accordance with applicable law. To the extent that the provisions of the UDO are more specific than, or are inconsistent with the Revised Statutes of the State of Missouri, the provisions of the UDO shall be controlling.

## **Article 4.     Members.**

1. The Planning Commission shall consist of nine (9) members to be appointed by the County Executive with consent of the County Council as follows: one (1) member shall be appointed from each Council District, and two (2) members shall be appointed from the County at-large. The two (2) at-large members must be residents of the unincorporated area of Jefferson County.
2. The term of each appointed member shall be no more than three (3) years, or as is set forth in the Executive Order appointing each member. The initial terms of appointed members shall be staggered and may be for less than three (3) years as set forth in the Executive Order appointing each member.
3. Vacancies shall be filled for the unexpired term by appointment as described in Subsection (1).

4. All members of the Planning Commission shall serve without compensation, except that an attendance fee as reimbursement for expenses may be paid to the appointed members of the Planning Commission in an amount, as set by the County Council, not to exceed twenty-five dollars (\$25.00) per meeting.
5. Members may be removed from the Planning Commission by the County Council for just cause. Just cause shall include being absent from three (3) or more meetings in any calendar year.

Article 5. Meetings; Quorum; Voting

1. Regular Meetings. Regular meetings of the Planning Commission shall be held on the second and fourth Thursday of each month, except for holidays or days on which nothing appears on the agenda of the Planning Commission for discussion or consideration. A regular meeting may be canceled by action of the Planning Commission at its immediately preceding regular or special meeting if there is nothing on the agenda for the canceled meeting to be discussed or considered. A copy of the agenda for each regular meeting shall be sent to each member of the Planning Commission at least 72 hours before the date and time of the meeting. Otherwise, no notice of a regular meeting shall be required to be given to any member of the Planning Commission.
2. Special Meetings. Special meetings of the Planning Commission may be called by the Chairperson of the Planning Commission or any three members of the Planning Commission. Notice of each special meeting, together with a copy of the agenda for the meeting, shall be sent to each member of the Planning Commission at least 24 hours before the date and time of the meeting.
3. Starting Time of Meetings. Every meeting of the Planning Commission shall commence at 6:30 p.m., if a quorum is then present. If a quorum is not then present, the starting time of the meeting shall be extended until there is a quorum, but not later than 6:45 p.m.
4. Quorum for Action. A simple majority of the serving members of the Planning Commission shall constitute a quorum. No action shall be taken at a meeting of the Planning Commission in the absence of a quorum, except that the meeting may be adjourned to a subsequent date and time by majority vote of the members of the Planning Commission present at the meeting.
5. Required Vote for Action. Except as otherwise required by law or these bylaws, any action by the Planning Commission may only be pursuant to a motion made and duly seconded and that is approved by a majority of members of the Planning Commission present at a meeting at which a quorum is present.
6. Member Voting; Recusal. Each member of the Planning Commission who attends a meeting of the Planning Commission shall be entitled to cast one vote on all matters and resolutions brought to a vote; but if any member of the Planning Commission has a financial or other interest in a matter to be considered by the Planning Commission, such member shall disclose the existence of such interest and shall recuse himself or herself from consideration and discussion of the matter, and shall be disqualified from voting upon the matter. The minutes of the meeting shall record such disclosure and recusal and that no vote was cast by such disqualified member on the matter.
7. Agendas. An agenda shall be prepared for each meeting and delivered to each member of the Planning Commission. Every agenda shall contain a brief description of all matters to be considered or discussed at the meeting, which shall include the following in the order listed:
  - a) Roll Call (to determine if a quorum is present)

- b) Approval of the agenda (for the meeting)
- c) Approval of minutes (of previous meeting)
- d) Introduction of Evidence
- e) Old Business (being all matters considered or discussed at a previous meeting on which no action has been taken or which have been continued to the current meeting)
- f) New Business (being all matters to be considered or discussed that are not Old Business)
- g) Report to the Planning Commission by Staff (on such matters deemed appropriate or as the Planning Commission may direct from time to time)
- h) General Comments from the Public
- i) Adjournment

The Planning Commission may take action at each regular and special meeting only on those matters appearing on the agenda for that meeting and, provided that the applicable requirements of Section 610.020 RSMo have been met, such other matters to which two-thirds of the members of the Planning Commission present at the meeting consent by affirmative vote.

Article 6. Hearings and Deliberation.

1. Public hearings to be conducted at meetings. All public hearings conducted by the Planning Commission regarding a zoning text amendment, rezoning to a non-planned district, rezoning to a planned district, conditional use permit, development plan, revised development plan (major revision), or variance request and adoption, repeal or extension of the official master plan and comprehensive zoning plan or the UDO shall be held coincident with meetings of the Planning Commission.
2. Rules for public hearings. The following rules shall apply to the taking of testimony and evidence in each public hearing at a meeting of the Planning Commission;
  - i. All persons who testify or present evidence, other than members of the planning staff, shall be sworn. All documents submitted as evidence shall be marked with sequential identifying numbers or letters.
  - ii. The first persons to be heard shall be the Planning Division staff, who shall explain the matter to the Planning Commission.
  - iii. When the Planning Division staff has finished their presentation and report, the members of the Planning Commission shall have the opportunity to ask questions of the staff about the matter.
  - iv. When the members of the Planning Commission have no further questions of the planning staff, the applicant and the applicant's representatives (if present) shall have ten minutes to testify and present evidence to the Planning Commission concerning the matter.
  - v. When the applicant and the applicant's representatives have finished their testimony and presented their evidence, or when their time has elapsed, the members of the Planning Commission shall have the opportunity to ask them any matter relevant to the matter being considered.
  - vi. When the members of the Planning Commission have no further questions for the applicant and the applicant's representatives, members of the public present at the meeting shall have a total of twenty-five minutes to present testimony and evidence concerning the matter being

considered. Time shall be apportioned as follows: a total of five minutes shall be allowed for those members of the public who are in favor of the matter; and a total of twenty minutes shall be allowed for those members of the public who are opposed to the matter, with a three minute limit for any one speaker. The applicant and/or the applicant's representatives shall not be allowed to speak during the time allotted for public comments.

- vii. When the members of the public have finished their testimony and presented their evidence, or when their time has elapsed, members of the Planning Commission shall have the opportunity to ask them any matter relevant to the matter being considered.
- viii. When the members of the Planning Commission have no further questions for members of the public who testify or present evidence, the applicant and the applicant's representatives shall have five minutes to rebut the testimony and evidence presented by members of the public.
- ix. When the applicant and the applicant's representatives have finished their rebuttal, or when their time for doing so has elapsed, the Planning Commission shall deliberate and take action on the matter and in the course of doing so may further question the planning staff, the applicant and the applicant's representatives and the members of the public.

The foregoing rules may be changed with respect to any matter being considered at a meeting by the vote of a majority of the members of the Planning Commission present at the meeting.

- 3. Deliberation on actions. Deliberations on any proposed action on a matter being considered at a meeting of the Planning Commission, including deliberations after a public hearing, shall be conducted in accordance with such rules for debate and deliberation as the Planning Commission may prescribe from time to time as being necessary for a full and fair consideration thereof.

#### Article 7. Officers.

- 1. Election. The officers of the Planning Commission shall consist of a Chairperson and Vice-Chairperson, who shall be elected from among the appointed members of the Planning Commission at the second regular meeting in June of each year by majority vote of the members of the Planning Commission present at the meeting. Each officer shall serve for a term of one year and until a successor is elected or such officer dies, resigns, or ceases to be a member of the Planning Commission as provided in these bylaws.
- 2. Duties. The duties of the officers of the Planning Commission shall be as follows:

##### Chairperson

The Chairperson shall preside at all meetings of the Planning Commission and enforce its rules for hearings and deliberations.

The Chairperson shall be an *ex officio* member of every committee established by the Commission.

The Chairperson shall sign documents on behalf of the Planning Commission or to evidence action by the Planning Commission.

##### Vice-Chairperson

During the absence of the Chairperson, the Vice-Chairperson shall perform all the duties of the Chairperson.

3. Recording Secretary. The Planning Commission shall designate a member of the planning staff as its Recording Secretary. The Recording Secretary shall keep all minutes of meetings of the Planning Commission in a separate minute book as an official record of meetings, hearings, deliberations and actions of the Planning Commission. The Recording Secretary shall keep all evidence submitted to the Planning Commission on a matter with the minutes of the meeting at which the evidence was submitted or in a separate file to which such minutes refer. The Recording Secretary shall give all notices and deliver all agendas for meetings as required by law or these bylaws. The Recording Secretary shall be the official custodian of all records of the Planning Commission.
4. Death or Resignation. If an officer of the Planning Commission dies, resigns, or ceases to be a member of the Planning Commission, the Planning Commission may elect a successor by majority vote at any regular meeting or at a special meeting called for that purpose and at which a quorum is present. The successor shall be one of the members of the Planning Commission and shall serve out the unexpired term of such officer and until another successor is elected.

Article 8. Committee.

The Planning Commission may appoint special committees of its members for such purposes as the Planning Commission determines. The proceedings of all such special committees shall be conducted as required by applicable law and in accordance with such rules as the Planning Commission may prescribe. Any special committee appointed by the Planning Commission may be dissolved by it at any time and shall automatically dissolve upon the expiration of such time or on such date as the Planning Commission may prescribe.

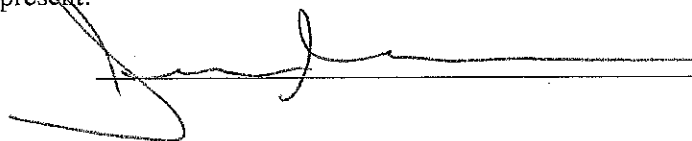
Article 9. Amendments.

These bylaws may be amended at any regular meeting of the Planning Commission or at a special meeting of the Planning Commission called for that purpose as provided in these bylaws. A copy of any proposed amendment shall be given to each member at least five days prior to the meeting. The affirmative vote of at least two-thirds of all the serving members of the Planning Commission shall be necessary for the amendment of these bylaws.

Article 10. Statutory References.

All references in these bylaws to statutory sections are references to those sections in RSMo. 2000, as amended.

The undersigned Chairperson of the Jefferson County Planning Commission hereby certifies that the foregoing are the bylaws of the Jefferson County Planning Commission as adopted by the Planning Commission by majority vote of its members present at a meeting on July 27, 2023 at which a quorum was present.

, Chairperson