



TOWN OF SYKESVILLE PLANNING COMMISSION RULES OF PROCEDURE

1. PURPOSE.

These Rules of Procedure are issued as a guide to assist the Sykesville Planning Commission in the orderly and efficient conduct of all matters that the Commission considers by law or custom so as to effectively exercise its powers and duties set forth in the applicable sections of the Maryland Annotated Code, Land Use Article, as may be amended from time to time, and the Charter and Code of the Town of Sykesville.

The Commission may excuse strict compliance with these Rules so as not to delay or prejudice an applicant from receiving a fair and valid decision or action of the Planning Commission.

2. POLICY.

It is the policy of the Planning Commission to preserve and promote fairness and public confidence and trust in all proceedings that the Planning Commission conducts.

Though this Commission recognizes that its powers and responsibilities within the Town do not extend to land outside the Town, the Commission will, when required or appropriate, assist and coordinate its activities with Carroll County and its planning and zoning agencies.

3. DEFINITIONS

“Commission” shall refer to the Town of Sykesville Planning Commission, and consists of the Members.

“Member” shall mean one of the seven members appointed by the Mayor with confirmation by the Town Council, one of whom is a Town Councilmember to serve in an ex officio capacity concurrent with his/her elected term, and one of whom is designated as an alternate who shall serve in the absence or recusal of any member of the commission, except that the alternate shall be considered a “Member” only in the

absence or recusal of another Member. Members, with the exception of the ex officio member, serve five year terms.

4. OFFICERS.

The Commission shall, at its first meeting of the year, elect a Chair and Vice-Chair. There is no limit to the number of consecutive years that a member may serve as chair or vice-chair.

The Chair or in the Chair's absence, the Vice-Chair, shall preside at all meetings or hearings of the Commission. In the absence of an officer, the member with the most current continuous Planning Commission service shall preside. The presiding officer shall decide all points of order and procedure subject to these rules, unless otherwise directed by a majority of the Commission, in which case the process outlined in the most recent version of Robert's Rules of Order shall prevail.

The Commission shall elect one of its members to fill the position of Chair or Vice-Chair if at the expiration of their term the member is not re-appointed to the Commission or in the event of resignation or removal.

5. MEETINGS

Regular meetings shall typically be held on the first Monday of each month. Observed holidays, or other conflicts, may on occasion alter the regular course of Commission meetings. All public meetings shall be conducted in accordance with the Maryland Open Meetings Act and shall be public and open, except that closed sessions may be held for the purposes set forth in the Maryland Open Meetings Act and deliberations as permitted by law. Special meetings may be called as the need arises by Town staff in consultation with the Chair. Any meeting of the Commission may be held virtually at the discretion of the Chair so long as all Members, applicants, and the public have adequate notice.

The Planning Commission meeting agenda shall be prepared by Town staff who will consult with the Chair on such matters of the agenda as may be appropriate. Applications and other matters shall be placed on the agenda of the Planning Commission within a reasonable time following final Planning and Zoning staff review. Applications submitted less than two weeks prior to a scheduled meeting shall be placed on the following regular meeting agenda.

Applications shall be made on forms provided by the Town. If an applicant is not the owner of record of the property to which an application applies, at least one owner of record shall sign the application indicating consent to the application. Applications and other relevant materials submitted for Commission consideration shall be in digital form along with three (3) hard copies unless additional copies are requested by Town staff.

It shall be the duty of each member to attend all meetings. A member is required to contact Town staff or the chair or vice-chair, to notify them of a planned absence unless extenuating circumstances do not permit.

6. MEETING PROCEDURES.

Applications appearing before the Commission shall be taken in the order in which the applications were received with the exception of items requiring a Public Hearing. Public Hearings shall be scheduled first on the meeting agenda.

Anyone may appear on their own behalf or be represented by an agent at a Commission meeting. In the absence of any appearance by or on behalf of the Applicant, the Commission may proceed to dispose of the matter before it or the Commission may postpone the item and it will be placed on the following meeting agenda.

The order of presenting an application at the Commission meeting shall be as follows, but may vary from time to time at the discretion of the presiding officer:

- Staff report and recommendation,
- Applicant presentation,
- Public comments (when a public hearing is required by law),
- Questions from the Commission, and
- Action of the Commission.

The Commission shall base its findings and recommendations on the information presented and the standards set forth in the Town's Zoning and Subdivision regulations. The Commission may require any additional relevant planning materials in the form of maps, charts, reports, and studies, in order to reach a decision. The Commission may postpone to a time certain any case due to lack of a quorum or for further study and information as determined by the Commission but in no event shall decisions take longer than six (6) months, except where otherwise provided by law.

The disposition of all formal applications and requests before the Commission shall be in the form of a letter or memorandum of recommendation. In all matters, the Applicant shall be notified by letter of the action taken by the Commission.

7. VOTING.

A quorum shall consist of four members of the Commission. No official business can be conducted without the presence of a quorum. Questions put to a vote are decided by a majority of the members present and voting. A tie vote by the Commission shall be interpreted as a failure to approve the motion upon which the vote was taken.

To be eligible to vote, a member should attend all relevant meetings or review the audio, video or transcript of any meetings from which the member was absent. It is the member's obligation to be familiar with the proceedings of all prior meetings on a topic that comes to the Commission for a vote.

Members recusing themselves from a Commission matter shall do so at the call of the matter and leave the meeting for the time the matter is being considered. Members are encouraged to consult with the Town Attorney as to the propriety of their voting on any matter which may involve an actual or perceived conflict of interest.

8. RECONSIDERATION

The Commission may reconsider its decision on an application when there is a clear showing that the action of the Commission on the application did not conform to relevant law, these Rules, or that the action resulted from an irregularity or clerical error.

The Commission may reconsider its decision on an application when there is a clear showing that certain pertinent and significant new evidence relevant to the Commission's decision on the application could not reasonably have been discovered by an applicant in advance of the meeting before the Planning Commission and the applicant made a reasonable effort to discover the evidence in advance.

In all cases, reconsideration shall occur no later than the Commission's next meeting following the date when the original decision was made.

9. WORK SESSIONS.

A Commission member may make a request to Town staff for a work session on any matter pending or about to be pending before the Commission. Town staff shall inform the full Commission of a request including the proposed application in question or matter to be discussed. The Commission may grant a request for a work session to elicit, in an informal setting, ideas and suggestions related to a proposed application.

The Commission shall make no decisions or binding commitments at a work session. Members of the public may attend a work session to observe only, unless the Chair decides to allow members of the public to comment. In that event, the Chair may place reasonable limits on public comment.

10. COMMISSION – STAFF

The Town Planner or his/her designee is the normal contact for all routine communication between Commission members and staff. The Planner is also the normal contact for preliminary/final plats and site plan agenda items. Commission members take no part in the daily routine or administration of regulations and research of matters of fact, although they do participate in field trips and discussions pertaining to the more significant matters to be considered at Commission meetings.

11. AMENDMENTS

Amendments to these rules of procedure may be introduced at any meeting and recorded in the minutes. The Commission will vote on any such amendments at a regular meeting with passage requiring majority vote of the membership.

12. CONFLICT.

Whenever any conflict occurs between the Annotated Code of Maryland and these Rules, the Annotated Code of Maryland shall govern. In the event of a conflict between the Town of Sykesville Charter or Town Code and these Rules, the Charter or Town Code shall govern.