

BRENTWOOD PLANNING COMMISSION

Rules of Procedure

The Planning Commission of the City of Brentwood, pursuant to the provisions of Tennessee Code Annotated (T.C.A.) Title 13, Chapter 4, hereby adopts the following rules for conducting its business and exercising its responsibilities:

1. **Election of Officers.** The Planning Commission shall elect from its appointed membership a Chair and a Vice-chair. The terms of office for the Chair and Vice-chair shall be for one year each, with eligibility for reelection. In the event a vacancy occurs for the position of Chair or Vice-chair before the current term is over, the Planning Commission shall elect a new Chair or Vice-Chair to serve for the remainder of the term. Elections for the offices of Chair and Vice-chair shall be held annually at the June meeting. The Planning Director shall serve in the capacity of Secretary to the Planning Commission. In the event the Planning Director is absent or the position is vacant, the City Manager or another person designated by the City Manager shall serve as the Acting Secretary to the Planning Commission.
2. **Regular Meetings.** Regular meetings shall be held on the first Monday of each month except when the first Monday falls on a national holiday, or when the Planning Commission otherwise determines the meeting should be held on an alternate day, in which case the meeting will be held on another date chosen by the Planning Commission. In November of each year, the Planning Commission shall adopt a calendar for submittal deadlines and meeting dates for the coming calendar year. All meetings will be held at 7:00 p.m. in the City Commission chambers, or such other place as the Planning Commission shall designate. The Chair, after consulting with the City Manager and the Planning Director, may postpone a meeting if inclement weather or other events cause unsafe travel conditions or will otherwise affect the ability of Planning Commission members or the public to attend the meeting.
3. **Informational Meetings.** An informational meeting will be held on the Thursday morning prior to the regular meeting date, unless the Planning Commission cancels the informational meeting or schedules it for another date. At the informational meeting, staff shall issue a report summarizing agenda items for consideration by the Planning Commission.
4. **Special Meetings.** Whenever the Chair, the City Manager or any three (3) members determine that the welfare of the city demands it, the Secretary shall call a special meeting of the Planning Commission, provided that notice must be sent to each member at least 48 hours in advance of the special meeting and delivered to the public in accordance with applicable open meetings laws. Each call for a special meeting shall set forth the character of the business to be discussed at such meeting and no other business shall be considered at such meeting.
5. **Quorum.** A quorum shall consist of six (6) members, and no business shall be conducted without the presence of a quorum.
6. **Governance.** All meetings shall be conducted under the provisions of Robert's Rules of Order, except where those provisions are in conflict with these rules or with the provisions of Tennessee law, the Brentwood Municipal Code or other applicable laws, rules or regulations.
7. **Procedure for Agenda.** It shall be the duty of the Planning Department to prepare an agenda listing the items to be considered by the Planning Commission. In order for items to be considered at a regular meeting, they shall be submitted to the Planning Department as follows:

- a. Applicants wishing to present items to the Planning Commission shall contact the Planning Department to determine if a pre-application conference is necessary. If a pre-application conference is held, the applicant will be advised of the details of the review procedure and the type of information required in the submission. It shall be the responsibility of the applicant to become familiar with the pertinent regulations, policies and procedures of the City.
- b. Items shall be submitted to the Planning Department by twelve o'clock noon on the Monday at least four weeks prior to the next regularly scheduled Planning Commission meeting. Items not submitted by this time will not be placed on the agenda for the next monthly meeting. Notwithstanding the foregoing, the Planning Director shall have the discretion to place additional items on the agenda after the published deadline for items requiring minimal review time or when it is in the best interest of the City to expedite consideration of the item.

The Planning Department shall make all reasonable efforts to review all items submitted by the deadline date and to return staff review comments to the applicants within 14 days of the submittal deadline. If the Planning Department is unable to adequately review all of the items submitted due to an unusually large number or complicated requests, then the Department may advise applicants that additional review time is needed. If a submission cannot be adequately reviewed and considered by the Planning Department due to time constraints or complexity of the project, the Planning Director may defer the item to the next regularly scheduled meeting. It shall be the responsibility of the applicant to make any necessary identified corrections to comply with the applicable regulations and to submit the required number of corrected plans to the Planning Department at least seven days prior to the Planning Commission meeting for which consideration of the application is scheduled.

- c. In order for an item to be placed on the agenda, the submission must be complete and in accordance with the City of Brentwood Zoning Ordinance, City of Brentwood Subdivision Regulations and other applicable laws, rules and regulations. The Planning Director may defer any item from the agenda that does not comply with applicable laws, rules and regulations. In such instances, the applicant shall be provided a checklist of staff comments outlining omissions, corrections, or other deficiencies noted by staff during its final review.

8. **Consent Agenda.** When items on the agenda are considered routine and noncontroversial, the Planning Commission shall use a "Consent Agenda" as a method of expediting routine business matters which do not require discussion.

The following procedures/guidelines will be followed by the Planning Commission on use of the Consent Agenda:

- a. Planning Department staff will indicate on the agenda presented at the informational meeting held prior to the regular meeting the items recommended for the Consent Agenda.
- b. Once all agenda items are reviewed at the informational meeting, the Chair (or Vice-chair in the absence of the Chair) will review the proposed Consent Agenda and recommend it as presented or propose additions and/or deletions.

- c. If no objections are raised by those Planning Commissioners present, staff will prepare a final agenda for the regular meeting that includes the previously proposed Consent Agenda items. An explanatory note will appear on the agenda with the following language:

“All matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Planning Commission member so requests, in which case the item will be removed from the Consent Agenda and considered separately. Additionally, any citizen or agenda applicant present may request that consideration be given by the Planning Commission to remove any item from the Consent Agenda so that discussion may be held on the item.”

- d. At the regular meeting, the Chair (or Vice-chair in the absence of the Chair) will propose that the Consent Agenda be approved as submitted unless another Commissioner or citizen requests removal of an item. The Chair (or the Vice-chair in the absence of the Chair) will read the captions of each item on the Consent Agenda so that the public is aware of the items being approved.
- e. The Consent Agenda is voted on as the first item of regular business. Following passage of the Consent Agenda, discussion of any items removed from it will be held and separate motions made and votes taken on each of the removed items. The Commission will then proceed with the rest of the agenda items.

9. **Continuation or Reconvening of Meeting.** If a meeting of Brentwood Planning Commission extends until 11:00 p.m., a $\frac{3}{4}$ vote of the Commission members present will be required to continue the meeting beyond 11:00 p.m.. In instances where the meeting is not continued beyond 11:00 p.m. and the remaining items on the agenda have not been heard at the meeting, the Planning Commission shall reconvene to consider any remaining items on the following night at 7:00 p.m. or at such other time as the Chair shall announce.

10. **Required Representative.** In order for any item to be considered by the Planning Commission during a meeting, a representative must be present at the meeting. The representative must be able to address any issues related to the item that may be raised by the Commission. Should such a representative not be present, the item will be deferred.

11. **Public Comments.** Public comments will be allowed for all regular agenda items and items removed from the consent agenda. Upon being recognized by the Chair, any person wishing to speak shall state his/her name and address and shall limit comments to the agenda item being discussed. A speaker representing a business, institution or organization may give the address of the business, institution or organization rather than the speaker's home address. The Chair, in his/her discretion, may:

- a. Establish time limits for speakers and an overall time limit for all comments on an agenda item.
- b. Direct speakers to cease comments that are irrelevant, repetitive or disruptive in nature.

12. **Disclosures.** A Planning Commissioner who has a personal interest in a measure to be voted on shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the Commissioner's vote on the measure. In addition, the

Commissioner may recuse himself/herself from voting on the measure. "Personal interest," as used herein, shall be as defined in the City's Code of Ethics. (See Brentwood Municipal Code, Section 2-227.)

13. **Recusal.** If a Planning Commissioner intends to recuse himself/herself from voting on a matter, that Commissioner shall announce his/her intention to do so prior to the discussion of the matter and shall not participate in the discussion or vote on the matter. A Planning Commissioner who wishes to recuse himself/herself from voting on an item which is on the Consent Agenda may do so before the vote is taken on the Consent Agenda and without removing the item from the Consent Agenda. When a Planning Commissioner has recused himself/herself from voting on an item on the Consent Agenda, the Planning Commissioner may vote on the remaining items on the Consent Agenda.
14. **Planning Commission Record.** As required by T.C.A. Section 13-4-102, the Planning Commission shall make findings of fact, statements of material evidence and reasons for each action taken. A record of all resolutions, transactions, motions, actions and determinations of the Planning Commission shall be kept by the Secretary and shall be open to the public.

ADOPTED: 03/05/1990
AMENDED: 11/02/1992
AMENDED: 08/01/1994
AMENDED: 05/06/1996
AMENDED: 05/29/2001
AMENDED: 06/06/2005
AMENDED: 09/02/2014