

**BY-LAWS  
KINGSPORT REGIONAL PLANNING COMMISSION**

**ARTICLE I**

Objective

The objectives, powers, duties, and membership of the Kingsport Regional Planning Commission shall be as set forth in Sections 13-3-102 thru 13-3-104 and 13-4-101 thru 13-4-103 of the Tennessee Code Annotated, and amendments and supplements thereto.

The Planning Commission shall act in accordance with the above mentioned laws and such other laws as are applicable.

**ARTICLE II**

Officers

Section 1. The officers of the Planning Commission shall be Chairman, Vice Chairman, and Secretary. The Chairman and Vice-Chairman shall be appointive members of the Commission. The Development Services Director or his/her designee shall serve as a non-voting Secretary of the Commission.

Section 2. The Chairman shall preside at all meetings and hearings and shall have the duties common to parliamentary usage of that office. The Chairman may vote on and enter the discussion on all matters before the Commission.

Section 3. The Vice Chairman shall act for the Chairman in his/her absence.

Section 4. The Secretary shall validate the minutes and records of the Commission and perform other duties common to this office. Should the Secretary be unavailable, the Chairman shall perform all duties of the Secretary.

Section 5. Officers shall be elected by majority vote at the annual organization meeting in July of each year. Nominations may be made by a committee of three Planning Commission members appointed by the Chairman in June of each year, or nominations may be made from the floor.

Section 6. The Chairman and Vice Chairman shall be elected for one year terms and may succeed themselves up to five (5) consecutive terms. Vacancies in office shall be filled immediately for the unexpired term by regular election procedure. A Chairman vacancy may be filled by a previous Chairman for an interim period of up to one (1) year.

**ARTICLE III**

### Meetings

Section 1. Regular meetings shall be held on the third Thursday of each month. Work sessions shall be held on the Monday prior to the regular meeting. Public comment will not be received during any of the work session meetings.

Section 2. Five members of the Planning Commission shall constitute a quorum. A quorum must be present for any business to be transacted.

Section 3. All meetings and hearings shall be open to the public.

Section 4. Robert's Rules of Order shall govern meetings. However, the Commission shall establish procedures of the Planning Commission which shall delineate how the business of the Commission shall be conducted, other than Robert's Rules of Order.

Section 5. Special meetings may be called by the Chairman. In addition, the Chairman will call a special meeting when requested to do so in writing by a majority (5) of the Planning Commission members. The staff shall attempt to notify all members at least five (5) days in advance of the proposed meeting. The notice shall specify the purpose(s) of the meeting and no other business will be considered except by unanimous consent of the members in attendance.

## ARTICLE IV

### Amendments

These BY-LAWS may be amended by the affirmative vote of 2/3 of the entire Planning Commission membership.

## **PROCEDURES OF THE PLANNING COMMISSION**

### **I. Special Meetings**

All required data and/or plans submitted in proper order shall be in the hands of the Planning staff before the meeting is called.

Meetings will normally be called only in these circumstances:

- a. For the convenience of the Planning Commission.
- b. As a favor to developers or others with a pressing need where delay to the regular meeting would create undue hardship.
- c. When the Planning Commission has added requirements to a previously properly submitted request.

No special meeting will be held the week before the regular meeting except in very extreme circumstances.

### **II. Order of Business**

The Order of Business of all meetings of members shall be determined by the presiding officer, unless otherwise determined by vote of a majority of the members present.

### **III. Establishment of Agenda**

The Planning Manager shall present a tentative agenda to the Chairman of the Planning Commission consisting of:

- I. INTRODUCTION AND RECOGNITION OF VISITORS
- II. APPROVAL OF AGENDA
- III. APPROVAL OF MINUTES
- IV. CONSENT AGENDA - Consent items are those items brought before the Planning Commission which have been reviewed by the Planning Commission in previous meetings or work sessions.
- V. PUBLIC COMMENT
- VI. UNFINISHED BUSINESS FROM PREVIOUS MEETINGS
- VII. REGULAR AGENDA
  - A. New Business
  - B. Committee Reports
- VIII. OTHER BUSINESS
- IX. ADJOURNMENT

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After the Planning Manager has submitted a Tentative Agenda, at the conclusion of the Agenda Review Work Session the Chairman of the Commission shall set the agenda for the next regularly scheduled Commission meeting.

Subdivision considerations shall be placed on the Tentative Agenda subsequent to all the necessary documentation/information being submitted to the Planning division prior to the first of the month in which the item is to be considered.

Zoning issues shall be placed on the Tentative Agenda provided all the necessary documentation/information has been provided to the Planning Division the 15th of the month preceding the Planning Commission meeting.

Any item that has received a negative vote or been previously denied by the Planning Commission will not be reconsidered by the Planning Commission within one year of denial action unless, in the opinion of the Planning Manager, the item has substantially changed. However, the owner, agent or representative shall have the privilege of petitioning the Planning Commission to appeal the Planning Manager's decision.

On all agenda items other than those on the Consent Agenda, the owner, agent, or representative must attend the Planning Commission meeting to present and/or answer questions concerning that agenda item. If no owner, agent, or representative is present, the Planning Commission may elect not to consider the agenda item.

Tentative agenda items may be withdrawn at any time by the owner, agent, or representative. Once the agenda has progressed from the Tentative Agenda stage to the final stage, items may be withdrawn by the owner, agent or representative, at the regular meeting of the Planning Commission.

The Planning Commission Chairman shall adhere to the following strict protocol:

- Receive staff presentation, written and oral, with inquiries or clarification from the Commission.
- Receive presentations from those in favor of the request, with questions from the Commission at this point.
- Receive presentations from those opposed to the request, with questions from the Commission.
- Establish and note the clear delineation that all the facts have been

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presented, then the Chairman closes the discussion and input and the Commission deliberates, give due consideration, and makes a decision.

IV. Suspension of the Rules

The rules of the Planning Commission shall not be suspended except for a definite purpose, and by a 2/3 vote.

V. Rules

The Planning Commission is a deliberative body which meets to make decisions on matters affecting Kingsport. Unless amended by the Planning Commission, Roberts Rules of Order is the parliamentary authority for meetings of the Commission.