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1 AUTHORITY, PURPOSES & INTENT, and creation of the Planning Commission

1-A AUTHORITY AND ENACTMENT

This Ordinance, to be cited as the Zoning Ordinance of the Town of Boyce, is hereby ordained, enacted and published by the Town Council of Boyce, pursuant to the provisions of Title 15.2, Chapter 22, Article 7, Code of Virginia, 1950, and amendments thereto.

1-B PURPOSES AND INTENT

- 1-B-1 This Ordinance, insofar as is practicable, is intended to be in accord with and to implement the Comprehensive Plan of the Town of Boyce adopted pursuant to the provisions of Title 15.2, Chapter 22, Article 3, Code of Virginia, 1950, as amended, and has the purposes and intent set forth in Title 15.2, Chapter 22, Article 7.
- 1-B-2 This Ordinance is for the general purpose of promoting the health, safety or general welfare of the public and of accomplishing the objectives of Section 15.2-2200 and Section 15.2-2283 of the Virginia Code. To these ends, this Ordinance is designed:
 - 1-B-2-a To provide for adequate light, air, convenience of access, and safety from fire, flood and other dangers;
 - 1-B-2-b To reduce or prevent congestion in the public streets and roads;
 - 1-B-2-c To facilitate the creation of a convenient, attractive and harmonious community;
 - 1-B-2-d To facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, and other public requirements;
 - 1-B-2-e To protect against destruction of, or encroachment upon, historic areas;
 - 1-B-2-f To protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health, or property from fire, flood, panic or other dangers;
 - 1-B-2-g To encourage economic development activities that provide desirable employment and enlarge the tax base;
 - 1-B-2-h To protect and stabilize the rural agricultural, forestal, and open space areas that are essential to maintaining the County's heritage, character and economy;
 - 1-B-2-i To protect approach slopes and other safety areas of licensed airports, including United States government and military air facilities; and
 - 1-B-2-j To promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality as well as a reasonable proportion of the current and future needs of the planning district within which the locality is situated.

- 1-B-3 This ordinance may also include reasonable provisions, not inconsistent with applicable State water quality standards, to protect surface water and ground water as defined in the Code of Virginia Section 62.1-255

1-C CREATION OF THE PLANNING COMMISSION

- 1-C-1 The Planning Commission for the Town of Boyce is hereby created to promote the orderly development of the Town and its environs as provided for in Section 15.2-2210 et seq. of the Code of Virginia, as amended. In accomplishing the objectives of Section 1-B of this ordinance, the Planning Commission shall serve primarily in an advisory capacity to the Town Council. Upon the resolution of the Town Council, the Town may participate in a planning district commission in accordance with the Section 15.2-4200 et seq., of the Code of Virginia, as amended, or a joint local commission in accordance with Section 15.2-2219 of the Code of Virginia, as amended.
- 1-C-2 The Planning Commission may cooperate with local planning commissions or legislative and administrative bodies and officials of other localities so as to coordinate planning and development among the localities. The Planning Commission may appoint committees and may adopt rules as needed to effect such cooperation. The Planning Commission may also cooperate with state and federal officials, departments and agencies. The Planning Commission may request from such departments and agencies, and such departments and agencies of the Commonwealth shall furnish, such reasonable information that may affect the planning and development of the locality.
- 1-C-3 The Planning Commission shall consist of not less than five nor more than fifteen members, appointed by the Town Council. Members of the Planning Commission shall be residents of the Town, qualified by knowledge and experience to make decisions on questions of community growth and development. At least one-half of the members of the Planning Commission shall be owners of real property. Each member of the commission shall take an oath of office before the Town Clerk to perform their duties to the best of their ability. One member of the commission may be a member of the Town Council, and one member may be a member of the administrative branch of government of the Town. The term of each of these two members shall be coextensive with the term of office to which he or she has been elected or appointed, unless the Town Council, at the first regular meeting each year, appoints others to serve as their representatives. The remaining members of the commission first appointed shall serve respectively for terms of one year, two years, three years, and four years, divided equally or as nearly equal as possible between the membership. Subsequent appointments shall be for terms of four years each. The Town Council may establish different terms of office for initial and subsequent appointments including terms of office that are concurrent with those of the Town Council. Vacancies shall be filled by appointment for the unexpired term only. Members may be removed for malfeasance in office. The Town Council may provide for compensation to commission members for their services, reimbursement for actual expenses incurred, or both.
- 1-C-4 A member of the Planning Commission may, with the consent of the Town Council and the Clarke County Board of Supervisors, serve as an advisory member of the Clarke County Planning Commission.
- 1-C-5 The Planning Commission shall fix the time for holding regular meetings. The commission shall meet at least once each year. Special meetings of the commission may be called by the chairman or by two members upon written request to the commission secretary. The secretary shall mail to all members, at least five days in advance of a special meeting, a written notice

fixing the time and place of the meeting and the purpose thereof. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting, or if all members are present at the special meeting or file a written waiver of notice.

- 1-C-6 A majority of the members shall constitute a quorum and no action of the Planning Commission shall be valid unless authorized by a majority vote of those present and voting.
- 1-C-7 The Town Council shall provide the Planning Commission with facilities for the holding of meetings and the preservation of plans, maps, documents and accounts, and may appropriate funds needed to defray the expenses of the commission.
- 1-C-8 The Planning Commission shall elect from the appointed members a chairman and a vice-chairman, whose terms shall be for one year. As authorized by the Town Council, the commission may (a) create and fill such other offices as it deems necessary; (b) appoint such employees and staff as it deems necessary for its work; and (c) contract with consultants for such services as it requires. The expenditures of the commission, exclusive of gifts or grants, shall be within the amounts appropriated for such purpose by the Town Council. The commission shall adopt rules for the transaction of business and shall keep a record of its transactions that shall be a public record. Upon request of the commission, the Town Council may assign or detail to it any members of the town staff for the purpose of special surveys under the direction of the commission. The Town Council may direct any town employee to make for the commission special surveys or studies requested by the local commission.
- 1-C-9 To achieve the purposes and intent this ordinance, the Planning Commission shall:
- a. Exercise general supervision of, and make regulations for, the administration of its affairs;
 - b. Prescribe rules pertaining to its investigations and hearings;
 - c. Supervise its fiscal affairs and responsibilities, under rules and regulations as prescribed by the Town Council;
 - d. Keep a complete record of its proceedings; and be responsible for the custody and preservation of its papers and documents;
 - e. Make recommendations and an annual report to the Town Council concerning the operation of the commission and the status of planning within its jurisdiction;
 - f. Prepare, publish and distribute reports, ordinances and other material relating to its activities;
 - g. Prepare and submit an annual budget in the manner prescribed by the Town Council; and
 - h. If deemed advisable, establish an advisory committee or committees.
- 1-C-10 The Planning Commission may expend, under regular local procedure as provided by law, sums appropriated to it for its purposes and activities. The Town may accept gifts and donations for commission purposes. Any moneys so accepted shall be deposited with the Town Council in a special non-reverting commission fund to be available for expenditure by the commission for the purpose designated by the donor. The Town Treasurer may issue warrants against such special fund only upon vouchers signed by the chairman and the secretary of the commission.