

Annual Report of the Planning Commission

City of Waynesboro, Virginia

September 1, 2000

Through

August 31, 2001

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**Waynesboro Planning Commission
Members & Terms of Office
2000-2001**

Lemuel E. Irvin (Council Liaison)	09/01/00 –08/31/02
Jack E. Plummer	09/01/00 - 08/31/04
Harold B. Stepp	09/01/96 - 08/31/01*
William C. Moulton (Chair)	09/01/96 - 08/31/01*
Randolph W. McGann, Jr.	09/01/97 - 08/31/02
Portia Bass	09/01/98 - 08/31/03
C. Webber Payne	09/01/99 - 08/31/04

*reappointed 09/01/01 for four-year terms

Planning Department Staff

Joseph B. Yount III, City Attorney/Director of Planning
D. James Shaw II, AICP, City Planner
Kay C. Roetto, Administrative Secretary
Charles F. Downs, A.D.A. Coordinator

Clarette Yen, 2000-2001 Legal Intern**
Vanessa Horbaly, 2001-2002 Legal Intern**

** Third-year students, University of Virginia School of Law

**Waynesboro Planning Commission
Meeting Dates
September 1, 2000 - August 31, 2001**

September 11, 2000 ***

September 11, 2000 **

September 11, 2000 *

September 19, 2000

September 19, 2000 ***

October 9, 2000 *

October 17, 2000

November 13, 1999 *

November 21, 2000

January 8, 2001 *

January 16, 2001

April 9, 2001 *

April 17, 2001

May 14, 2001 ***

May 14, 2001 *

May 22, 2001

July 9, 2001 *

July 17, 2001

August 13, 2001*

August 27, 2001**

* Joint public hearings

** Special meetings

*** Joint work session

INTRODUCTION

Established by the City Council, the Waynesboro Planning Commission is responsible for forwarding planning activities which will best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the city's inhabitants.

Statutory Basis, Terms. Section 6 of the City Charter, Article X Chapter 2 of the City Code, and Section 15.2, Article 3 of the Code of Virginia set forth the ways in which Planning Commissions shall function as the official body planning for the future growth and development of a locality. Planning Commissions must have between five and fifteen members appointed by the governing body. There are seven members of the Waynesboro Planning Commission, all of whom are registered voters of the City and one of whom is a member of the Council.

Effective February 25, 2000, Planning Commissioners are eligible to serve two consecutive four-year terms. Previous Commissioners were limited to one five-year term. Those serving on February 25, 2000, were thus eligible for reappointment to a four-year term when their current terms expired after that date.

The relevant sections of City Code (Sections 2-41 and 2-341 through Section 2-346) are attached as APPENDIX # A. The Council member appointee is appointed for a two-year term at the biennial reorganizational meeting of the City Council.

Responsibilities. The responsibilities of the Waynesboro Planning Commission include (1) preparing a Comprehensive Plan and Amendments to the Plan, subject to approval by the City Council; (2) advising City Council on proposed subdivision and zoning ordinances and amendments; (3) advising City Council on proposed subdivisions; (4) considering and advising City Council on other items relating to the development of the City; and (5) submitting an annual report to the City Council.

All current members of the Commission have completed or are enrolled in the Virginia Certified Planning Commissioners Program to receive further training in pursuing their planning responsibilities to the City.

REVIEW OF YEAR'S ACTIVITIES

COMMISSION COOPERATION AND LEADERSHIP

Commissioners participated openly and with good faith in electing the Chair and Vice-Chair for the year. The discussion preceding the election reflected unanimous desire to provide the Commission with the best possible leadership and demonstrated the high level of cooperation and collegiality among the members of the body.

NEW SUBDIVISION ORDINANCE

The year's first major task was to review staff's proposed new subdivision ordinance. The Commission held two joint work sessions with City Council and devoted much of two Commission meetings to making its recommendations to Council on the proposed ordinance. The Zoning Administrator/Building Inspector and the Director of Public Works participated in the work sessions.

The Commission, staff, and Council all recognized that the vintage 1948 existing subdivision ordinance was woefully inadequate. It fell far short of realizing the Comprehensive Plan recommendations on land use and subdivisions. Likewise, it failed to reflect the actual practice in effect insofar as the successive steps a developer followed in subdividing real property in the City.

In revising the ordinance, the Commission sought to rectify these inadequacies, as well as to address planning needs and environmental safeguards and provide a framework within which the legitimate property rights of the owner could be appropriately balanced with the corporate and individual needs of the community and citizen. References to the city's newly revised Public Works Manual and related administrative regulations were referenced in the code for the first time.

At the same time the Commission agreed that the City should continue its longtime practice of considering all minor subdivisions as legislative acts properly made by Council after public hearing and Commission recommendation. The widespread practice of leaving such decisions to be made administratively without public hearings or Planning Commission or City Council involvement was deemed not appropriate for Waynesboro.

In the course of their deliberations, the Commission received and considered detailed concerns from developers and surveyor-engineers, as well as from the citizenry. Subdivisions then under review were processed under the prior ordinance.

Questions of mapping, improvements to such things as street lighting and sidewalks, waste material disposal, and other environmental concerns were considered. Staff had recommended broad provisions for tree preservation and planting requirements. Ultimately the Commission differed within its ranks on the extent to which tree preservation should be

required of developers. The primary difference in the two proposals was that the original draft required developers to plant trees up to a 20% canopy cover as well as street trees, and the alternative simply requires that 20% of existing trees be retained and still requires street trees. Staff supported, the original proposal, as did three of the five voting Commissioners. The minority endorsed the alternative view. Otherwise the Commission was unanimous in supporting the staff proposal as amended by the Commission.

After receipt of the Commission's recommendation, Council adopted the new subdivision ordinance as recommended with the original provision with respect to trees.

ENCOURAGING PUBLIC PARTICIPATION

Every action taken by the Commission during the year was planned with the goal of increasing and encouraging citizen participation in an open, public process. This objective was constantly considered and reviewed.

In reviewing such major legislation as the new subdivision ordinance, the Commission insisted that all parties generally involved in land subdivision within the city and all those currently processing a subdivision request be kept fully informed as to the code changes being considered. The Commission required copies of proposed ordinance revisions to be available for review at the Waynesboro Public Library and likewise posted on the City's web site.

Consultants and regional officials named elsewhere herein were invited to address the Commission at well-advertised public meetings for which broad citizen participation was solicited. Conceptual items under active consideration by the government but not yet before the Commission were explored at such meetings. The city-wide greenway project and planned historic districts received this treatment in an effort to spur public participation in community-building public-private endeavors.

A number of specific requests were denied by the Commission after consideration of the impact of such proposals on their respective neighborhoods. In most of these cases the Commission was given the benefit of intelligent, well-reasoned argument from staff and concerned citizens. In general, where a rezoning could allow inappropriate or unsightly uses in an established neighborhood, the Commission was swift to object.

Late in the year when an unusual combination of serious illness and important business rendered it impossible for the Commission to muster a quorum for a regular meeting, the Commissioners quickly scheduled a special meeting in order to keep the matters under consideration on the same timetable for Council consideration as previously.

In reviewing the subdivision ordinance Commission endorsed the inclusion of language mandating on-site signage notice for all proposed subdivisions prior to Commission or Council hearing or consideration. They further indicated they desired similar requirements to be incorporated in the new zoning ordinance, all the while recognizing that such signage is a current practice and standing policy but not a legal requirement under the present code.

INTERACTION WITH REGIONAL PLANNERS AND VISIONING

Ms. Bass represented the Commission at the Central Shenandoah Planning Commission's economic development strategic planning workshop and arranged for its senior planner, Mr. Darryl Crawford to present the resulting "Central Shenandoah Valley Region Strategic Initiatives" before a public meeting of the Waynesboro Planning Commission. The local representatives on the CSPDC board and the Shenandoah Valley Partnership had adopted these initiatives.

The Waynesboro Commissioners strongly endorsed these regional initiatives and urged City Council to do the same, a result occurring at the next council meeting largely as a result of the favorable publicity and endorsement given the matter by the Commission.

Continuing this liaison with the regional body, Ms. Bass, by then Vice Chair of the local Commission, reported from time to time on items emphasized by the regional planners.

Simultaneously the Commission received and reviewed the 1993 local document, "A Community of Choice, 1993 – 2013," which served as a source for portions of the Comprehensive Plan and was deemed by staff to be germane to the Commission's long-term outlook.

The City Attorney/Director of Planning briefed the Commission on a Local Government Attorneys seminar he had attended entitled "Growth Management – Do Virginia Local Governments Have the Tools They Need?" The Chair asked Commissioners to review the material and present their ideas on how they might provide future initiatives for the Commission.

SUPPORTING THE GREENWAY PROJECT

The greenway project began in earnest with intense activity by staff and the hired consultants to develop the plan for this important measure deemed by Council and the Commission as critical to Waynesboro's renaissance. Public meetings were held by the City to engender increased public awareness, support, and input for the project.

Realizing that the final plan will be referred to the Planning Commission for its recommendation prior to final action by Council, members of the Commission regularly supported these public sessions and informally endorsed the progress to date.

The Commission itself was briefed formally on proposals for community and regional bicycle trails and recommended further planning on these and related aspects of the greenway project. Commissioners recognized the important role of the city planner, Mr. Shaw, in heading the greenway project team for the City.

HISTORIC DISTRICT SURVEY WORK

During the year the City received approval from the Virginia Department of Historic Resources for Waynesboro's Downtown Historic District (in conjunction with the Virginia Main Street Program project and active rehabilitation starting in that area) and work was completed on applications for similar designation of the city's historic Tree Street and Port Republic Road neighborhoods.

Landmark Associates' Ms. Leslie Giles, the city's consultant in preparing these three applications, was invited to use the Commission's regular November meeting as the time and place for its formal preliminary report to the public on the historic district survey work.

The City Manager spoke at this meeting, the Commission's best attended of the year, and endorsements were received from the local Historical Commission, as well as many citizens. Councilman Irvin, the governing body's liaison with the Planning Commission, urged broadening the project to include such landmarks as the city's historic Basic United Methodist Church, and Commissioners informally recommended that a future cost share grant be sought to survey this and other potential landmark designations outside the three target neighborhoods.

REZONINGS AND CONDITIONAL USES

The Commission reacted to rezoning and conditional use requests with a remarkable blend of stability, conservatism, and vision for the future.

Self storage facilities were encouraged in a commercial district where terrain rendered a more productive use unlikely. Buffering was required to separate the site from adjacent office and nearby industrial uses. The Commission applauded the juxtaposition of the structure with the landscape and its unique architectural design, all of which sought to harmonize the visual impact of the use within sight of the major interstate corridor dissecting the city.

A revision of an eastside subdivision was endorsed because it proposed a built-out density considerably lower than might have been built by right. Another subdivision was approved over neighborhood opposition after the developer agreed to a plan that would provide better ingress and egress into the neighborhood in question without subjecting it to becoming a dangerous thoroughfare.

Mixed residential and commercial use was allowed in a commercial structure downtown in keeping with the stated goals of the Comprehensive Plan and in keeping with efforts of Waynesboro Downtown Development, Inc., and the Main Street program to encourage people to live in the downtown area. In two instances a charitable organization and a government agency were encouraged to provide housing opportunities for deserving families in separate areas of the city characterized by residential development but zoned commercial.

The Commission rejected a request to place an initial manufactured home in a long-established residential area. A highly unobtrusive use, classified by the existing ordinance as a manufacturing use but wholly appropriate for the commercial site in which it was located, was

granted a permit to continue, and staff was instructed to consider the dichotomy in drafting the forthcoming zoning ordinance.

A custom gun repair shop was permitted as a home occupation subject to proffered conditions and licensing requirements and on the strong recommendation of the nearby neighbors. Likewise, an existing home occupation barbershop was allowed to continue at another site when the applicant moved his residence.

The Commission discussed on a recurring basis the need to insure enforcement of conditions placed on a conditional use permit or proffered in a rezoning. While the city's present program is generally effective, the Commission recognizes that such enforcement is currently handled on a complaint basis only due to limited staff and budget in the building inspections department.

FLOODPLAIN AND ENVIRONMENTAL CONSIDERATIONS

In a year when City Council implemented a state-federal partnership program to acquire and destroy flood prone residences, the Commission was vigilant in considering requests for development in the City's floodplain, scrupulously withstanding any effort to increase multi-family uses in that area and holding the uses it permitted to strict adherence to local, state, and federal codes. The Commission only recommended construction of a parking lot and drive-through teller facility and a salt storage facility requested by the City itself when it was assured that construction would not increase the threat from flooding on other properties.

The Public Works Department wholly endorsed a Commission recommendation that a compensating wetlands/green space enhancement project in the South River watershed at the City's industrial park be adopted to serve as a model for future applicants proposing development in the floodplain.

Recognizing the potential need for restrictions on use of private wells and sanitary systems in areas of the city where groundwater contamination might be found to exist, the Commission strongly endorsed amending the zoning ordinance to create a "Groundwater Management District" classification.

CITIZEN COMPLAINTS

The Commission welcomed citizen complaints as readily as public praise. The fact that most such complaints required rerouting to the City Manager or City Council did not diminish the fact that the Commission's public image was sufficiently favorable to encourage an aggrieved individual to use Planning Commission meetings as a forum for seeking redress. Matters as diverse as the improper conduct of business in residential areas, unlawful parking of oversized vehicles in such neighborhoods, signage perceived to be violative of the sign ordinance, and alleged failure of the City to prevent sewage backup during periods of heavy rain were all aired from time to time during the citizens' comments portion of the

Commission's agenda. In every case the citizen was treated courteously and appropriately with every effort given to find a solution to the problem in question when one was available.

NEW ZONING ORDINANCE

The Commission recognized that many of the immediate zoning and subdivision problems highlighted in the 1998 Comprehensive Plan had been addressed immediately thereafter by the Commission and Council by a policy of holding the line on further multi-family development in the flood plain and adopting city-wide interim zoning restrictions on in-fill development to protect established residential neighborhoods. Likewise, the Commission took cognizance of the 1999 approval by Council of three new Tree Street zoning districts, as recommended by the Commission for the protection of that historic area, and the progress made by staff on related downtown and greenway redevelopment strategies envisioned in the Comprehensive Plan.

Nonetheless, the need for a total rewriting of the entire zoning ordinance, as envisioned by the Comprehensive Plan, led the Commission's staff to address this project as a major priority once the new subdivision ordinance had been completed.

The Planning Department's participation in an internship program with the University of Virginia School of Law yielded the assignment of third-year student Ms. Clarette Yen to the office one-day a week for the 2000-2001 school year and the present assignment of Ms. Vanessa Horbaly for the current school year on the same basis. Their work has focused primarily on assembling the legal and comparative research material needed to complete this monumental revision, and staff has generally scheduled weekly work with the interns on this project.

A dividend of this concentrated effort, finally edited and distributed by the City Planner, was a carefully focused questionnaire, sent in advance to Commission and Council members, designed to ascertain in advance of final drafting the specific emphasis these officials desired to see included in the new zoning ordinance.

Following collation of these completed questionnaires, a joint work session of the Commission and Council was held to discuss the questionnaire and such other matters relating to the zoning ordinance redrafting as might be presented.

As the Commission ended its year on August 31, most of the preliminary work on the new zoning ordinance had been accomplished. A thorough review of exemplary local codes, court cases, and our own experiences, as well as careful consideration of the Comprehensive Plan provisions, placed staff in position to undertake the actual rewriting of the chapter over the coming months with the reasonable expectation that it might be available for adoption in early 2002.

The length of time it has taken to accomplish this work is due to staff's intention of wholly rewriting the present awkward and incomplete text to make it more comprehensive and easier to use. The stopgap revisions to the existing code outlined in an earlier section of this

report have effectively forestalled most of the immediate problems the city faced at the time the Comprehensive Plan was adopted. Likewise, the subdivision ordinance revision and the assignment of staff to various high priority projects in the interim have denied staff the time that would have been required to achieve an earlier completion date.

CONDITIONAL USE PERMIT APPLICATIONS 2000-01

1. Hugh F. Larew, contract purchaser, to allow for construction and operation of rental garages/mini-warehouses, Lot 3, Block 2, Mondomaine Unit 1, 2224 West Main Street; application #C-00-11. Denied.
2. Pelham Partners, contract purchaser, for the Seville Group, owner, to allow construction of a self storage facility in a C-2 (General Business) district, 940 Shenandoah Village Drive, application #C-00-12. Approved.
3. DuPont Community Credit Union, contract purchaser, for Jeffrey L. Hutchens, owner, to allow construction of a parking lot and drive-through teller facility in the floodplain, 208 East Broad Street, #C-00-13. Approved.
4. City of Waynesboro, owner, to construct a salt storage facility in an area adjacent to Waynesboro City Shops, tract of 1.83 acre; application #C-00-14. Approved.
5. Eldridge F. Via and Diana R. Via, owners, to allow mixed commercial and residential use of a commercial structure in a C-2 (General Business) district, 200 East Main Street #C-00-15. Approved.
6. Christian Housing by Gail S. Hite, contract purchaser, and the Estate of W. D. Quesenbery, owner, to allow construction of a single family dwelling in a C-2 (General Business) District, 1100 North Avenue, Waynesboro, Virginia; application #C-01-1. Approved.
7. William O. Rothacker, for Lenore Rothacker, owner, to allow placement of a manufactured home, 640 North Bath Avenue; application #C-01-2. Denied.
8. Waynesboro Redevelopment and Housing Authority, contract purchaser, for James Edwin Wetzel, owner, to allow construction of a single-family residence in a C-2 (General Business) District, 635 North Delphine Avenue; application #C-01-3. Approved.
9. J. G. Suits, President, A Better Way, Inc., for S. W. Argenbright Builders, Inc., owner, to allow continuation of an existing packaging and shipping operation in a C-2 (General Business) district, 401-A North Poplar Avenue; application #C-01-06. Approved.
10. Don C. Wimmer, to allow a home occupation of gun repair shop at 308 North Magnolia Avenue; application #C-01-4. Approved.
11. George E. Cromer, to allow conduct of barber shop as a home occupation at 1501 Park Road; application #C-01-8. Approved.
12. William F. and Nickie E. Aldridge, owners, to allow a bed and breakfast establishment to be operated within an existing residence in an RA-4 (Tree Street Dwelling) District , 421 Walnut Avenue; application #C-01-9. Approved.

13. William F. and Nickie E. Aldridge, owners, to reduce required off-street parking spaces for a bed and breakfast establishment to be operated in an existing residence in an RA-4 (Tree Street Dwelling) District, 421 Walnut Avenue, #C-01-10. Approved.

PRELIMINARY SUBDIVISION PLATS 2000-01

1. Shields Construction Co., Inc., residential subdivision (Hillcrest Forest); application #S-00-2. Approved.
2. Timothy Jay Snyder, residential subdivision (Pelham East); application #S-00-4. Approved.

REZONING APPLICATIONS 2000-01

1. Hugh F. Larew, contract purchaser, from C-1 (Local Business) District to C-2 (General Business) District, Lot 3, Block 2, Mondomaine Unit 1, 2224 West Main Street; application #R-00-1. Denied.

ZONING ORDINANCE AMENDMENTS 1999-00

1. In July 2001, the Commission recommended to City Council approval of an amendment to Chapter 98, Zoning, to add new Article II-A, "Groundwater Management District".

OTHER ACTIONS 1999-00

1. In September 2000, the Commission approved making a formal request to the City Council that all public hearing items be placed, on a regular basis and as a regular policy, immediately after approval of minutes on Council's agendas.
2. October 2000: The Commission recommended approval to the City Council of the amended Subdivision Ordinance (Chapter 74 of the City Code).

SUMMARY

In previous annual reports the Planning Commission has reiterated its determination to provide citizens and interested members of the public with the opportunity to express their views in person or in writing on any matter that may appropriately come before the Commission.

The Commission hears this public input, gives it fair and balanced consideration, and considers it of major importance in evolving its own recommendations to City Council and instructions to staff.

Other critical factors that influence the Commissioners' decisions include staff background reports and their own individual judgment and experience. Paramount in what they do is the desire to meet the public need by applying the legal parameters and all elements of good zoning and subdivision practice in making recommendations to the City Council.

The Waynesboro Planning Commission believes that it understands its mission and is meeting it effectively. Nonetheless, it will continue to do its utmost to stimulate public interest in the matters before it. The greater the citizen participation in the Commission's activities, the more likely its decisions will truly reflect the needs of the community and the public will.

PLANNING COMMISSION GOALS 2001-2002

1. REVISE ZONING ORDINANCE AND ZONING MAP

Staff targets February 2001 as definite date for delivery of proposed revised zoning ordinance and zoning map. Commission will review same and make final recommendations to City Council.

2. INTERIM REVIEW OF COMPREHENSIVE PLAN

The planning staff will soon prepare a summary of comprehensive plan considerations that have arisen since the adoption of the last comprehensive plan. The Commission will review and edit this report. After receipt of updated statistical and other information from staff, including data from 2000 census, planning Commission itself should take responsibility under code for interim review of the Comprehensive Plan. Public involvement should be encouraged by public work sessions and ward meetings.

3. CONTINUING EDUCATION

The Planning Commission will continue to urge all members to complete their training and development, availing themselves of continuing planning education offered by the Virginia Chapter of the American Planning Association, the Virginia Citizens Planning Association, the Virginia Cooperative Extension at Virginia Tech, and other appropriate agencies.

4. CITIZEN CONCERNS

Serving the people of Waynesboro is the Commission's primary goal. Every effort will be made to notify the public of matters the Commission is considering and to give the public maximum opportunity to make its collective and individual feelings heard.

5. COMPREHENSIVE PLAN

The Comprehensive Plan will continue to guide the Commission as it deliberates on applications for conditional use permits, rezonings and subdivisions. Likewise, the Comprehensive Plan will guide Commission decisions as staff proceeds with further recommendations for zoning ordinance and map revisions to bring the code into closer conformity with the strategies and goals of the Plan.

6. COOPERATION

The Commission stands ready to accept any referrals it may receive from City Council or to work cooperatively with other agencies of city government to protect the quality of life, promote the economic viability, and preserve the environmental and historical assets of Waynesboro through responsible attention to public planning.

7. GREENWAY/DOWNTOWN DEVELOPMENT

The Commission will cooperate with City Council, the Waynesboro Downtown Development, Inc., and other interested public and private elements in furthering efforts to establish the city's greenway and downtown projects.

8. REVIEW PROCEDURE

As the new Subdivision and Zoning ordinances are adopted, the Planning Department staff, as coordinator, will continue to work with the Zoning Administrator, Public Works, and Engineering Department to modify new procedures so as to insure that developers and applicants continue to have an efficient, one-stop method for initial survey of proposed developments and subdivisions.



Sec. 2-41. Volunteer advisor term limits.

- (a) Except as otherwise further limited by provision of state code or city charter, or where explicitly required by state law or city charter to the contrary, no individual appointed by city council to a volunteer advisory board, commission, authority, or agency shall be eligible to serve on such body for more than two consecutive four-year terms in addition to less than one-half of a complete term in the instances when an individual has been appointed to fill a vacant portion of a term (the portion filled to run as of the date of said appointment).
- (b) Consecutive full terms completed or in progress at the effective date of this section shall each be deemed as single terms (for the purpose of determining whether or not an appointee has completed one-half or more of a term), whether or not their length under previous code or other provisions were four years, more, or less.

(Ord. No. 2000-7, 2-14-00)

**ARTICLE X. PLANNING
COMMISSION***

 ***Charter reference(s)**--Comprehensive plan authorized, approval and recordation of subdivision plats, § 5(7); zoning commission, § 6(6); city plan, advisory city planning commission, § 66.

Cross reference(s)--Subdivisions, ch. 74; zoning, ch. 98.

Sec. 2-341. Composition; appointment of members.

The number of members of the city planning commission shall be seven, all of whom shall be appointed by the council, one of whom shall be a member of the council, and the remaining members shall be qualified voters of the city.

(Code 1964, § 2-101)

Sec. 2-342. Appointment and term of members.

The terms of office of the members, other than the member of the council shall be four years. On or before September 1, 2000, the appointment to fill the vacancy expiring on August 31, 2000, shall be made for a term of four years, beginning September 1, 2000, to expire August 31, 2004. On or before September 1, 2001, the appointments to fill the vacancies expiring on August 31, 2001, shall be made for a term of four years, beginning September 1, 2001, to expire August 31, 2005. On or before September 1, 2002, the appointment to fill the vacancy expiring on August 31, 2002, shall be made for a term of four years, beginning September 1, 2002, to expire August 31, 2006. On or before September 1, 2003, the appointment to fill the vacancy expiring on August 31, 2003, shall be made for terms of four years, beginning September 1, 2003, to expire August 31, 2007. Thereafter, all terms shall run for four years beginning on the September 1st which is the effective date of appointment.

Vacancies occurring on the commission shall be filled by council for the unexpired portion of the term.

(Code 1964, § 2-102; Ord. No. 2000-7, § 11, 2-14-00)

Sec. 2-343. Removal of members.

Any member, other than the member of the council, may be removed for inefficiency, neglect of duty or malfeasance in office.

(Code 1964, § 2-103)

Sec. 2-344. Vacancies.

Any vacancy occurring in the membership of the city planning commission shall be filled by the council for the unexpired term as provided in section 2-341.

(Code 1964, § 2-104)

Sec. 2-345. Officers.

The members of the city planning commission, at the first meeting of such commission held after September 1 of each year, shall elect from the members, excluding the member of council, a chairman and a vice-chairman, who shall serve annual terms as chairman and vice-chairman, respectively, until their successors are duly elected and qualified.

(Code 1964, § 2-105)

Sec. 2-346. Meetings.

(a) The regular meeting of the city planning commission shall be monthly at 7:00 p.m. on the Tuesday following the third Monday of each month, in the council chamber or in such other place and at such other time and date as may be designated by the chairman of the meeting, at least 12 hours prior to the proposed date, place, and time of such meeting and only after written notice to the members of the commission at least 12 hours prior to such meeting stating the purpose therein served personally or left at the usual place of business or residence of such member. However, meetings may be held without notice, provided all members of the city planning commission attend and consent to such meeting. Upon a majority vote of all members, the monthly meeting may be dispensed with or postponed. The city planning commission shall be automatically adjourned at 10:00 p.m. at each regular or called meeting, unless the meeting is continued upon the recorded affirmative vote of members present with not more than two members objecting to continuing the meeting.

(b) The city planner or other city administrative staff member designated by the city manager shall serve as the clerk of the city planning commission. The clerk or a designated substitute clerk from the city planning department shall attend all meetings of the city planning commission with the right to take part in the discussion but without the right to vote.

(Code 1964, § 2-105.1; Ord. No. 2001-5, 2-12-01)