

Annual Report of the Planning Commission

City of Waynesboro, Virginia

September 1, 2002

Through

August 31, 2003

TABLE OF CONTENTS

LIST OF MEMBERS AND STAFF.....	Page 3
LIST OF MEETING DATES.....	Page 4
INTRODUCTION.....	Page 5
REVIEW OF YEAR'S ACTIVITIES	
1. IN GENERAL.....	Page 6
A. Organizational.....	Page 6
B. Staff.....	Page 6
C. Miscellaneous Citizen Complains.....	Page 7
D. Miscellaneous Civic Matters.....	Page 7
E. Comprehensive Plan.....	Page 8
F. Floodplain Development.....	Page 8
G. Home Occupations.....	Page 10
H. Manufactured Home Placement.....	Page 11
I. Mixed Uses.....	Page 11
J. Public Safety.....	Page 14
K. Lighting.....	Page 14
L. Rezoning.....	Page 15
M. Subdivision.....	Page 16
N. Zoning Ordinance.....	Page 16
2. SUMMARY.....	Page 17
LIST OF CONDITIONAL USE PERMITS, PRELIMINARY SUBDIVISIONS, REZONINGS, AND ZONING ORDINANCE AMENDMENTS.....	Page 18-20
GOALS 2003-04.....	Page 21
Tables.....	Page 23-24
Appendix.....	Page 25-26

WAYNESBORO PLANNING COMMISSION
Members & Terms of Office
2002-2003

William C. Moulton(Chair) **	09/01/01 – 08/31/05*
Portia Bass (Vice-Chair) **	09/01/98 – 08/31/03
Harry L. Colman	09/01/02 – 08/31/06
Reo B. Hatfield (Council Liaison)	07/01/02 – 06/30/04
C. Webber Payne **	09/01/99 – 11/25/02 (resigned)
Jack E. Plummer **	09/01/00 – 08/31/04*
Pamela E. Reynolds	11/25/02 – 08/31/04 (unexpired term W. Payne)
Harold B. Stepp **	09/01/01 – 08/31/05*

* not eligible for reappointment

** Virginia Certified Planning Commissioner

Planning Department Staff

Joseph B. Yount III, A.I.C.P.ϕ, City Attorney/Director of Planning
Brian J. Haluska, B.U.E.P.ϕϕ, City Planner
Kay C. Roetto, Administrative Assistant and Recording Secretary

ϕ American Institute of Certified Planners

ϕϕ Bachelor of Urban and Environmental Planning

Waynesboro Planning Commission Meeting Dates

September 1, 2002 - August 31, 2003

September 9, 2002 *

September 17, 2002

October 14, 2002 *

October 22, 2002

December 9, 2002 *

December 17, 2002

January 13, 2003 *

January 21, 2003

February 4, 2003 **

February 10, 2003 *

February 18, 2003

March 10, 2003 *

March 18, 2003

May 12, 2003 *

May 20, 2003

June 9, 2003 *

June 17, 2003

July 14, 2003 *

July 22, 2003

August 11, 2003 *

August 11, 2003 **

* Joint public hearings

** Special meetings

INTRODUCTION

Established by the City Council, the Waynesboro Planning Commission is charged with forwarding planning activities that 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 enumerate the ways in which Planning Commissions shall function as the official body planning for the future growth and development of a locality. State Code authorizes planning commissions of between five and fifteen members appointed by the local governing body. Waynesboro's code prescribes seven members for the Waynesboro Planning Commission, all of whom must be registered voters of the City and one of whom must also be a member of the Council.

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.

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 eligible for reappointment to a four-year term when their five-year terms expired.

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 conditional use permits 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.

Regular Commissioners generally complete and are urged to enroll in the Virginia Certified Planning Commissioners Program to receive continuing education helpful to them in meeting their planning responsibilities. Only the two newest commissioners have yet to complete certification; one is enrolled for the autumn 2003 sessions, and the other plans to do so next year.

REVIEW OF YEAR'S ACTIVITIES

September 1, 2002 – August 31, 2003

1. IN GENERAL

A. ORGANIZATIONAL

The Commission held its annual reorganization meeting on September 17, 2002, welcoming its newly appointment member, Mr. Harry Colman, and proceeded with the unanimous reelection of Mr. William C. Moulton as Chair and Ms. Portia Bass as Vice-Chair.

In October the Commission approved its 2001-2002 Annual Report, which the Chair formally presented to City Council the next week.

On November 11 Mr. C. Webber Payne submitted his resignation from the Commission for compelling personal reasons, after serving with effectiveness and enthusiasm since October 13, 1999. In December the Commission unanimously adopted a resolution extolling Mr. Payne for his commitment to excellence in City government as exemplified by his tireless efforts in working with his colleagues on such important components of the City's planning superstructure as the new subdivision ordinance and major community-wide revisions to the zoning ordinance. The Commission likewise complimented Mr. Payne for his earnest and abiding interest in community matters as diverse as citywide athletic programs for Waynesboro's youth and the resurgence of vitality in the city's central business district.

Likewise at its December meeting the Commission welcomed its newest member, Ms. Pamela Reynolds, who had been appointed by City Council, to fill Mr. Payne's unexpired term on November 25, 2002.

In the summer of 2003 Governor Mark Warner named Vice-Chair Bass to serve on the State Hazardous Materials Emergency Response Advisory Council. Ms. Bass, an adjunct professor of chemistry at Blue Ridge Community College, has been active in volunteer planning activities on a regional level since joining the local Commission.

B. STAFF

In September 2002 the Commission welcomed Mr. Brian Haluska, a graduate of the University of Virginia School of Architecture with a major in urban and environmental planning, who was employed as Waynesboro City Planner, effective September 1, 2002. Mr. Haluska, past editor of the University's Cavalier Daily, Virginia's oldest collegiate newspaper, previously worked in transportation planning in Chesapeake and Northern Virginia and holds the University's prestigious Henry Noble Taylor Award.

At the same meeting Mr. Hatfield led the Commission in commending the Director of Planning, Mr. J. B. Yount, and Administrative Assistant, Ms. Kay Roetto, for their outstanding work in tackling the stressful and highly contentious planning issues of the summer of 2002

(including Wal-Mart rezoning and Silver Creek Planned Unit Development) in the absence of a staff planner.

Throughout the year Commissioners collectively and individually praised the support it received from staff. Ms. Roetto's indefatigable administrative assistance to the Commissioners, as well as to the public, both within the office and at meetings, drew her broad praise. Mr. Haluska, whose service as City Planner began virtually as the planning year began, absorbed himself more and more into the planning needs of the City and was instrumental in carrying to fruition numerous specific projects, not the least of them the presentation of the general reorganization and updating of the Zoning Code, on which the planning staff, along with the zoning department staff, had labored long.

As the number of questions referred to him accelerated near the end of the planning year, Mr. Joseph B. Honbarrier, the Zoning Administrator and Building Official, sought to attend Commission meetings more regularly, a practice instituted on his own initiative that drew the Commission's praise and was found to be very helpful.

In May 2003 the Director of Planning, Mr. J. B. Yount, successfully completed the required examination and qualified for membership in the American Institute of Certified Planning, the professional accrediting organization of the American Planning Association. The Commission praised him for achieving the certification, as well as for his legal support as City Attorney, his past planning contributions, and his knowledge of the city's historical and developmental background.

C. MISCELLANEOUS CITIZEN COMPLAINTS

In March Mr. Hatfield advised the Commission that he had received numerous citizen complaints concerning a junk car business located on New Hope Road behind Mountain View Apartments. The Commission referred the matter to staff, which consulted with the Zoning Administrator, Mr. Joseph Honbarrier, who reported the following month that an approved screening and landscaping plan requiring fencing and vegetative screening for the site (MR Auto Disposal, 1620 New Hope Road) had been the subject of a recent inspection that found several maintenance violations. Mr. Honbarrier reported he was working to have the owner eliminate these violations voluntarily to avoid the need for legal action to impel compliance. The Commissioners referred other perceived violators of these code requirements to Mr. Honbarrier.

D. MISCELLANEOUS CIVIC MATTERS

During the year, often in liaison with City Council, the Commission discussed significant community activities that did not require Planning Commission action but nonetheless received the body's support and accolades. These included (in November) the success of Augusta County's new skateboarding park, which led the Chair to offer the Commission's assistance to City Council in exploring joint participation with the County in this venture; (in December) praise for the 2002 Waynesboro Christmas parade and commendation for coordinator Ms. Lesa Osteen and other members of City staff who organized and staffed the celebration; and (in June) praise for City staff support of the Tour Shenandoah, which Vice-Chair Bass heralded as "a real boon for Waynesboro."

In December Ms. Kathryn Aranda, newly-appointed Executive Director of Waynesboro Downtown Development, Inc., visited the Commission to present her ideas for core city development and emphasize her desire to work with the Planning Commission in revitalizing downtown. She was received most cordially, and her visit institutionalized a valuable rapport among WDDI, its staff, and the Planning Commission.

E. COMPREHENSIVE PLAN

As the five-year juncture approached for the required quinquennial review and reconsideration of the City's Comprehensive Plan, staff worked actively to prepare a working draft for use by citizens and the Commission in recommending changes to the document, including modifications to the City's zoning map. As August 2003 arrived, staff reported that necessary hardware had been installed in the Planning Office to allow detailed work on this venture to be partially undertaken in-house, and Mr. Haluska, a trained geographic information systems user, was scheduled to receive the necessary software. Likewise, contact was made to ensure staff support from the Central Shenandoah Planning District Commission.

Through the year Commissioners discussed ideas and potential changes stimulated by their individual observations of the community, input from citizens, and their regular reading of *Planning Commissioners Journal* and other current resources provided to help them maintain their professional expertise. Revision and readoption of the Comprehensive Plan was certain to be a focal point of the Commission's recommendations to Council during the 2003-2004 year.

F. FLOODPLAIN DEVELOPMENT

No opposition was raised to eight applications for conditional use permits allowing development in the floodplain. In every case certified flood elevation certificates or alternative plans and engineering information satisfied the Commission that the project in question was capable of being constructed within the strict parameters required by federal, state, and local codes. Likewise, the nature of the requests was such as not to deviate from the Commission's eagerness to ensure that development in the floodplain does not acerbate the City's propensity for flood-related risk to person or property.

The eight applications, all of them approved by the Commission, were varied in character.

In September the Commission considered the request of Phyllis Terrell Craig and Portia Fisher, acting on behalf of their mother, Mrs. Phyllis Terrell Craig, seeking permission to replace the existing dwelling with a modern manufactured home on premises at 1505 A Street that are partially in the flood plain. Assured that the home itself would be placed outside the actual floodplain and would meet strict requirements regarding elevation and security, the Commission recommended approval.

The next month a request from B. Frederick Zeh to build a storage attachment to the rear of an existing commercial building at 276 Arch Avenue was likewise approved on similar assurances as to elevation and code compliance.

November saw the Commission approve a project with major industrial and other potential for development of two adjacent tracts collectively extending from Lyndhurst Road and South Delphine Avenue. Presented by agent Arthur W. Harrison for property owners Kenneth D. Bowman and Waynesboro Opportunity Park, LLC, the project encompassed grading and construction of an important pump station and connecting lines to serve both properties and included work in South River itself, all to be done in strict conformity with code.

In June the new 6.414-acre River Town project at 300 Race Avenue adjoining the central downtown district was approved by the Commission. A significant warehousing/office combination project, River Town envisioned replacement of older structures with a new complex containing the same square footage as the building to be demolished and with the required elevation above flood level.

Four requests during the year served as a reminder that the City itself must comply with its own ordinances. In December the City sought permission to adapt a mobile classroom for use as the sewage treatment plant office at the City Shops on Essex Avenue. In July the Director of Public Works and Utility Service Technician sought permission for the City to erect a 64-square-foot prefabricated concrete building on the same tract to be used to house chlorine gas cylinders.

In August the City filed belatedly for conditional use permits to allow construction of two handicapped accessible fishing piers on South River bank in the floodplain, one, sponsored by Dominion Virginia Power in partnership with the Shenandoah Valley Chapter of Trout Unlimited, to be located in Constitution Park near McElroy and Main Streets; the other, sponsored by DuPont Textiles & Interiors plant in partnership with the Virginia Department of Game and Inland Fisheries, to be located in Ridgeview Park. Planning for these worthy ventures had failed at first to include filing applications for the requisite permit, and when this required filing was received, it was obvious that following the Commission's regular procedure would delay the possibility of Council approval of the requests until mid-September or later.

Appreciation for the generosity of these donors and the tireless efforts of several environmentally sensitive organizations and their volunteers, as well as a desire on the part of the City to enable the piers to be constructed as alacritously as possible for their intended uses, led the Council and Commission to agree on an accelerated approval process that maintained the notice and due process provisions required by law in every respect. The Commission was enlightened by discussion from the public, as well as details provided from Director of Parks and Recreation David Van Covern; Mr. Jim Donovan of Trout Unlimited and Mr. Emmett Tomms of Dominion Virginia Power; and written communication from Mr. Paul Bugas, Fisheries Biologist with the Department of Game and Inland Fisheries, endorsing the project.

On August 11, after holding the joint public hearings on these two requests, Council recessed and the Commission assumed the dais, whence it continued its discussion of the two items, hearing additionally from the public and determining its own recommendation, which was returned to the reconvened Council, which introduced the relevant approving ordinances the same night.

While the Commission had at times followed this accelerated process in the past where the exigencies of the situation seemed to demand it, the previous procedure had been for the

Commission to convene its meeting in another venue while Council simultaneously continued its own session, pending the Commission's return with its recommendation. This modus operandi, while expedient, had the major flaw of rendering it impossible for an interested citizen, or indeed for the Council's representative on the Commission or the City Attorney/Director of Planning, to attend both meetings. The new procedure, collegially negotiated by Mr. Moulton with the Council, seemed to satisfy all parties and render each meeting available to all who might desire to attend or participate in it.

G. HOME OCCUPATIONS

Intense neighborhood opposition and a variety of perceived traffic congestion and safety issues proved fatal to two hard-fought home occupation requests during the year, but these denials by the Commission proved no precedent when a third, less-obtrusive home occupation request came before the body at year's end.

In September Donna L. Beaudoin sought a Conditional Use Permit to operate a beauty salon as a home occupation at 947 Woodrow Avenue, the corner of Woodrow Avenue and Windsor Road. Despite a generally supportive petition signed by numerous neighbors and filed with the request, both Commissioners and other neighbors expressed opposition on traffic safety grounds, noting the narrowness of Woodrow Avenue and the increasing amount of through traffic passing through the neighborhood on Windsor Road. Concern at the extent of Ms. Beaudoin's proposed hours of operation led her to reduce the proposed schedule, but even this accommodation failed to allay the opposition. The Commission noted that staff historically discouraged this type of home occupation and had recommended denial of this particular request, but it also recognized that similar requests had been approved in the past. After extensive discussion, the Commission voted 4 to 3 to recommend approval; however, City Council doomed the request by taking no action on the request when it came before the governing body for a final vote.

In the course of the foregoing debate Commissioner Payne suggested that more stringent requirements be adopted on granting home occupations if, indeed, this type use were not discontinued altogether. Commissioner Colman suggested that sunset clauses might be placed in conditional use permits, requiring them to be reviewed and reconsidered periodically. Staff noted that any reasonable condition could be imposed in these permits and that violation of such conditions could result in the permit being rescinded by Council after notice to the holder and a due process hearing.

In November the request of Roland C. Thompson to operate a home occupation small engine repair home occupation at 1208 Strawberry Lane created considerable controversy. Evidence that the applicant had been repairing engines in his backyard shop led to broad debate as to whether he had done so as a hobby or a business and had induced the Commissioner of the Revenue to insist that he obtain a business license for this activity, and such could not be obtained for the residential address in question without the home occupation conditional use permit. Assurances from the applicant that he would limit his work to chainsaws and weed-

eaters, would limit the attendant noise, and would do no work after 9:00 PM or on Sundays did not allay the objections of his neighbors, some of whom insisted that the activity was already engendering excessive noise, creating highway safety problems, and embracing repair of larger equipment, including lawn mowers. Witnesses questioned whether or not a neighbor was likewise conducting a business in the neighborhood without a permit, but this ancillary discussion was rebutted and ruled not germane to the matter at hand. Sensing delaying or tabling the matter might lead to some workable compromise, the matter was tabled until the Commission's December meeting, at which time the City Planner proposed adding two additional conditions to the permit to clarify the definition of small engines by requiring that no riding mower could be repaired on the applicant's premises and defining "small engine" as limited to an "internal combustion engine generating up to 18 horsepower." Onsite pickup would be allowed only in case of an emergency. After insistence by neighborhood residents that such a compromise would still render them susceptible to excessive noise and traffic, the Commission voted to recommend denial of the request.

Finally, in July, a conditional use permit was granted to allow Mrs. Eleanor Pugliese, a certified tutor and teacher, to tutor individual students in her home at 1424 Monroe Street. Mr. Colman led the course in complimenting the applicant on pursuing what he deemed a most worthy profession.

H. MANUFACTURED HOME PLACEMENT

Phyllis Terrell Craig, whose request to replace an existing dwelling with a manufactured home on a lot partially in the flood plain at 1505 A Street, met no resistance in obtaining either permit in September, nor did Jim Franklin, contract purchaser, for Hugh F. Larew, owner, who in September sought permits to place manufactured homes on two lots adjacent to 1100 B Street, one to the east and one to the west of said lot. In May the Commission recommended approval of a request from Roland N. and Sandra J. Bussard to locate a manufactured home at 813 Georgia Avenue.

In February Michael W. and Bernice Shifflett, owners, requested a conditional use permit to allow for placement of a manufactured home (or in the alternative a single-family non-manufactured residence) in a C-2 General Business District adjacent to 608 North Commerce Avenue. Staff and the Commission recommended that the permit be given for the single-family non-manufactured home but not for a manufactured home on the site in question, taking into consideration the general construction complexion of the neighborhood and character of surrounding and nearby dwellings. This was the only request for manufactured home placement that was denied during the year.

I. MIXED USES

The concept of mixed uses, as allowed in certain provisions of the code, proved controversial in some contexts and routine in others during a year that saw conditional use requests for residential use in an industrial zone, commercial use in an industrial zone, and residential use in a commercial zone. Equally important were code changes recommended after much discussion to allow certain residential uses by right in the downtown business district, as well as a modification of code provisions allowing rebuilding of certain non-conforming uses, a

change that reflected the number of established residences that have developed for decades in commercially or industrially zoned districts.

(1) **RESIDENTIAL USE IN AN INDUSTRIAL ZONE:** In November Billy L. and Charlotte S. Harris successfully sought a Conditional Use Permit to build a caretaker's apartment above an existing warehouse in an industrial zone in accordance with their plan to restore partially the historic Basic City Hotel and Opera House at 589 North Augusta Avenue. In May the Commission recommended that Jackie N. Hess be allowed to operate a beauty and tanning salon in an existing commercial structure in an industrial zone at 314 Dinwiddie Avenue.

(2) **RESIDENTIAL USE IN A COMMERCIAL ZONE:** In January Helen A. Kent sought a Conditional Use Permit to allow an upstairs apartment for a prospective commercial tenant who intended to operate a antiques business in an existing structure at 244 Rosser Avenue. In June Herman Awkard sought an identical permit to allow him to reside and conduct his limousine service in an existing structure at 1425 West 11th Street. Each of these requests was granted.

In February, as discussed above, Michael W. and Bernice Shifflett sought a permit to construct a manufactured or non-manufactured home on a commercial lot at 608 North Commerce Avenue. Although the manufactured home was not allowed, the permit allowing a non-manufactured home to be erected on the commercial site was recommended and ultimately approved.

(3) **REBUILDING CERTAIN DAMAGED NONCONFORMING USES:** In several areas of the city, particularly in certain parts of the historic eastern section of the City (former Basic City), substantial residential development has existed in both commercial and industrial districts. In some cases these seemingly inconsistent zoning classifications are longstanding and in others they reflect more recent general city-wide rezonings which seem to have miscalculated the duration of these non-conforming residential uses. For years this dichotomy had little immediate effect on the property owners in question, but with the recent centralization of the banking industry, it has proven impossible for many of these homeowners to obtain financing or refinancing when the right to rebuild after a fire or other disaster is in fact contingent on obtaining a conditional use permit from the local government. In a seemingly small but vitally important revision to the Zoning Code, the City established, by unanimous vote of Council and Commission, the absolute right to restore these uses in most cases.

(4) **RESIDENTIAL BY RIGHT IN C-3 CENTRAL BUSINESS DISTRICT:** Perhaps the most prolonged debate of the Commission's year arose in January when Waynesboro Downtown Development, Incorporated, through its able spokesperson and executive director, Ms. Kathryn Aranda, proposed an amendment to the Zoning Code that would allow certain restricted residential uses by right in the C-3 Central Business District, where, as in other commercial districts, such residential uses were already allowed by conditional use permit. Ms. Aranda and the WDDI board stressed that such a change would be an important component for revitalizing the downtown area, a means of using under-utilized upper floors of downtown buildings, and a way of getting more people to the downtown.

From the first discussion both City Council and the Planning Commission sought to ensure that any such by-right use truly proved a boon to downtown advancement. Councilmen and Commissioners sought to ascertain the impact of the change on existing downtown businesses and parking. Further, they sought a consensus from downtown business owners as to whether or not they supported the change, and they sought information as to how the change might conflict with scheduled downtown streetscape improvements. They sought to distinguish between the use-by-right proposal and traffic and parking control issues not enforced by the zoning ordinance. Generally, the Commission saw the change as both a way of improving traffic to downtown businesses and providing more downtown capital investment.

Initially the Commission moved to double the suggested one off-street parking place per by-right unit, but considerable opposition was heard from local investors and builders. Advised that Ms. Aranda would again poll downtown businesses on the by-right residential usage and chair a public meeting on January 28 to discuss streetscape improvements and related downtown matters, the Commission tabled the matter until a special session on February 4, after discussing the extent to which the federal Fair Housing Act allowed limits to be placed on minimum square footage and maximum number of occupants per unit and requesting that Ms. Reynolds serve as a committee to investigate the matter further and more fully report to the Commission at the special meeting on the issues of parking, density and downtown support.

On February 4 the Commission convened its special meeting. Ms. Reynolds reported in depth on her findings, including comments from downtown business and property owners, and a synopsis of the National Property Maintenance Code. She suggested a limit of one person per 300 square feet of living space and a requirement of two parking spaces per unit, suggesting that the Arch Avenue lot might be used for overflow parking. The City Planner shared information he had gleaned from the City of Charlottesville regarding apartments on their downtown mall and noted that Charlottesville had no parking requirements for these apartments.

The special meeting drew broad attendance and important input from key players in the matter at hand. WDDI President Len Poulin urged support of the ordinance, stating that it would further a specific goal in the Comprehensive Plan and accelerate economic revitalization of downtown. He discussed target markets for downtown housing occupancy and reiterated the impacts anticipated for such a program at a Virginia Main Street seminar sponsored in Waynesboro by WDDI in July 2002. WDDI Board Member Don Sibole emphasized his reasons for believing downtown residential use by right would prove an economic boon to the central business district.

Major factors in the local real estate and development market, Mr. Mac Jones of Barnwell & Jones, Inc., and Mr. Bill Hausrath of Coldwell Banker Barger Real Estate, endorsed the program, cautioning the Commission not to put developers of the area in question at a competitive disadvantage by requiring investment in parking that could be provided publicly.

After Ms. Aranda urged the City to work towards achieving an appropriate balance downtown between the residential and commercial uses, the Commission discussed the matter among themselves at length and after several motions and amendments, it voted to recommend an ordinance requiring a minimum of 200 square feet per occupant with no offstreet parking requirements. City Council would make further changes, adding parking requisites and

increasing the occupancy provisions, ultimately passing the ordinance in May, but again addressing it, in connection with the Commission, after the City Attorney's post-adoption additional research suggested certain modifications were needed to ensure Fair Housing Code compliance. At last the by-right mixed residential-commercial use seemed established by code in the central business district.

J. PUBLIC SAFETY

(1) RAILROAD CROSSING. From its first meeting in September, the Commission did its best to induce the CSX railroad to correct the dangerous railroad crossing at Port Republic Road, an ongoing safety issue for years. Vice-Chair Portia Bass stressed the urgency of the situation, stating she has been unable to find out why improvements to the crossing had not been made. At the Commission's request Mr. Hatfield inquired further into the situation, determining that the City had earlier approved its share of the necessary cost of the project. In October the Commission publicly recognized the efforts of State Senator Emmett Hanger and State Delegate Steve Landes in working to expedite the installation of an upgraded rail crossing at the location in question. In November, December, and January progress was reported in obtaining CSX approval, but nothing tangible had been done to address the safety concerns. The Planning Director was asked to consult with the new City Manager, and at the March meeting the Commission received an update on the crossing from the Verona Residency of the Virginia Department of Transportation. He was told that the City, CSX, and VDOT had previously signed a three-part agreement and that the matter was entirely out of the City's hands and had been submitted to the Federal Highway Administration, which would have to give permission to proceed. The Commission appreciated the report but was disappointed that a delay of from eight to twelve months was anticipated before construction of the safeguards was expected to be completed. Approval by them is expected by mid-April. Construction by CSX is expected within 8 – 12 months following approval.

(2) OTHER STREET ISSUES. In September, while the Commission was debating her request for a home occupation, Ms. Beaudoin urged the Commission to recommend that the intersections of both Woodrow Avenue and Jefferson Avenue with Windsor Road should be four-way stop intersections as a safety measurer due to the number of trucks and speeders that come through the area. Learning that the City's Transportation Safety Commission had been dissolved when it was no longer required by state law, the Commission asked Mr. Hatfield to seek Council approval of a revival of this body, citing the Windsor Road matter as an example of an item this Commission might study for City Council. As a direct result of Mr. Hatfield's efforts, City Council reestablished the Transportation Safety Commission in November.

In October Commissioner Hatfield reported that the owners of Burgers Shakes and Cream at the intersection of East Broad and East Main Street had expressed concern that visibility to his business was being hindered by the city-planted bushes and trees at the juncture of East Main Street and Broad Street. The Commission referred this matter directly to the Beautification Commission.

K. LIGHTING

Outdoor lighting, a subject that had arisen in the previous year on the basis of several

citizen complaints, was the subject of a proposed ordinance, presented by staff and the City Manager, which sought to provide reasonable protection for residents from lighting trespass, but did not seek to champion a dark sky goal for the city. When this ordinance came before the Commission and Council for public hearing, although the public involvement was scant, an advocate of more stringent control, Mr. Jim Nichols, offered, at his own expense, to bring in a lighting consultant, Mr. Tom Lilly, an expert with particular experience in designing lighting for athletic complexes and intrusive uses in general, to advise the city staff and interested citizens and groups on what might be done to enact and what would be required to enforce a more comprehensive lighting ordinance.

The presentation, hosted by Mr. Nichols and the Assistant City Manager, took place on December 17, 2002, drawing interest from the Commission and attendance from staff and the public.

The speaker cited the growing importance of lighting regulation and also stressed the expense and complexity of enforcing a comprehensive lighting ordinance. Weighing the handful of complaints on the subject that the City had received over the past decade or more against the certain need for additional personnel and expensive new equipment if a major enforcement program were enacted, the Council tabled the matter for the present time.

L. REZONING

There was no rezoning activity within the City during the planning year until March, when the Commission favorably considered the request of A. W. Harrison, Jr., agent for Commonwealth Investors, L.C., to rezone a 7.499 acre tract off Lew Dewitt Boulevard from RA-2 (Single Family) to C-2 (General Business) District. The property in question lay directly across Lew Dewitt Boulevard from the new Applebee's restaurant and the Wal-Mart site just beyond, and significance of this rezoning became obvious to all by August when an unnamed major retailer expressed interest in acquiring the site for a major facility.

Commercial expansion was important to the City, the Commission knew, but a quiet rezoning movement in a long-established residential neighborhood of Waynesboro generated virtual unanimous support from the City's administration and staff, as well as the Commission, principally because it was a unique example of neighborhood cooperation and of residents in a given area seeking to determine the destiny of their area and insisting on action by the City to protect the surroundings of their homes.

Residents of the 500 and 600 blocks of Sherwood Avenue and the 500 through 700 blocks of Highland Avenue, working initially through their Neighborhood Watch organization, met quietly with their City Council representative, Ms. Nancy Dowdy, and subsequently with the City Planner, and evolved a strategy to rezone their area from general dwelling to single-family status, hoping to prevent adaptation of larger old homes as multi-family apartments and seeking to encourage stability in a well-kept, attractive section of historic Basic City heights that had housed a closely-knit group of hard-working, productive citizens of the community for over a century. Staff emphasized numerous references in the Comprehensive Plan that seemed to support the change. So impressed was the Commission when it received the rezoning petitions signed by virtually every resident of the area at the May meeting, that the Commission itself

authorized its Chair to file the request, reserving the right to recommend whatever course of action they determined best after receiving public input. Homeowners and renters alike endorsed the effort, which drew virtually solitary opposition, and was quickly approved. The Commission lauded the civic-minded, well-organized efforts of the citizens group.

Mr. Randy Teter, the neighborhood spokesman, attended and participated in every relevant meeting, noting that he had fielded telephone inquiries from across the City from residents of other areas interested in what this neighborhood had accomplished.

To the delight of many who had observed this process, in July the Commission received a petition for a similar rezoning from residents of four adjacent blocks of Sherwood Avenue.

Voting to sponsor this application as it had the previous one, the Commission authorized the Chair to file the application for rezoning, and a joint public hearing on the matter was advertised for September 8, 2003, the first meeting in the new planning year.

M. SUBDIVISION

A six-lot commercial subdivision on 4.780 acres located off Windgrove Drive was submitted in November for preliminary approval by Barry E. Lotts, P.C., agent for owner C&B Associates, LTD, owner, and received preliminary plat endorsement by the Commission. This was the only preliminary subdivision request processed during the year.

N. ZONING ORDINANCE

The Zoning ordinance received significant attention from the Commission, beginning in January, when the body recommended an amendment to ensure the right to restore residential uses in commercial and industrial districts under broadened conditions that significantly relaxed the “non-conforming use” stigma on such properties that under new banking protocols had begun to preclude such homeowners from refinancing their residences.

In March Mr. Haluska presented the recodification of the entire 131-page Zoning Code, highlighting both the major reorganization of the text and the significant substantive changes in zoning provisions, all of which were designed to simplify the citizen’s use of the code and to bring better zoning to the future physical development of the city.

The draft prepared by the office of the City Attorney and Planning, in cooperation with the Zoning Administrator and his staff, contained, Mr. Haluska described, amendments to strengthen environmental protection; incorporate and delineate corridor overlay districts within the city; require fair marketing of any principal structure in the historic overlay districts prior to any demolition of the same; clarify code requirements on accessory buildings as well as mandating the clerk’s office to have signage placed at the sites of requested conditional uses and rezonings; and modify certain uses and definitions.

The Commission set an additional session for reviewing the voluminous document, made appropriate refinements of its own, and recommended approval to City Council, asking that the language modification in the provisions for residential accessory buildings

be deferred for further study. Council acquiesced, passed the overall chapter revision, and at year's end had before it two ordinances designed to enact the subsequent accessory structure recommendations, by the Commission in its July adoption of proposals from a committee of Mr. Colman, Mr. Haluska and Mr. Honbarrier.

2. SUMMARY

The primary motivating factor that impels the Commission in its efforts on behalf of Waynesboro is a determination to encourage public participation in local government in general and municipal planning in particular. Every effort is made to stimulate citizen involvement in an open, public process. Commissioners are available to hear from their constituents at all times and vigorously seek to maximize attendance at their meetings. Commission leaders and members render themselves available to press and other media to inform public opinion as to pending planning matters and work closely with staff to achieve this end.

The past year demonstrated distinctly this strong commitment, as the Commission voluntarily sponsored special informational meetings on numerous occasions to ensure that all voices were heard.

This diligent effort to open the planning process to all citizens in no way dilutes the Commission's own responsibility for its actions and recommendations. On the contrary, its members probe the issues in depth and often work behind the scenes with staff and applicants to improve an application or resolve a point in contest. In short, the Commission reaches its conclusions by applying its best collective judgment to matters before it only after exhausting all avenues to ascertain the relevant factors surrounding an issue and to hear all voices desiring to express an opinion. The result seeks in all cases well-informed and well-intentioned recommendations to Council and genuinely significant service to the citizens.

* * *

CONDITIONAL USE PERMIT APPLICATIONS 2002-03

1. Request of Jim Franklin for Augusta Homes, contract purchaser, and Hugh F. Larew, owner, to allow the placement of a manufactured home on unaddressed Lot 18C on B Street (#C-02-9, *approved*).
2. Request of Jim Franklin for Augusta Homes, contract purchaser, and Hugh F. Larew, owner, to allow the placement of a manufactured home on unaddressed Lot 18A on B Street (#C-02-10, *approved*).
3. Request of Donna L. Beaudoin, to allow an owner-operated beauty salon with maximum of two clients on premises at a time for services as a home occupation in an RA-3 Single Family Residential District at 947 Woodrow Avenue, (#C-02-11, *Planning Commission recommended approval by a 4 to 3 vote; the matter subsequently was not approved by Council due to lack of a second [no vote]*).
4. Request of Portia Fisher and Phyllis Odessa Craig, as agents for their mother, Phyllis Terrell Craig, owner, to allow the placement of a manufactured home on 1505 A Street (#C-02-12, *approved*).
5. Request of Portia Fisher and Phyllis Odessa Craig, as agents for their mother, Phyllis Terrell Craig, owner, to allow grading and construction in the floodplain in connection with the placement of a manufactured home on 1505 A Street, (#C-02-13, *approved*).
6. Request of B. Frederick Zeh, owner, for construction in the 100-year floodplain of a 15' X 16' storage addition to his business at 276 Arch Avenue (#C-02-14, *approved*).
7. Request of Billy L. and Charlotte S. Harris, owners, to allow mixed industrial/commercial and residential use for the purpose of allowing an on-site caretaker to reside on premises in an M-1 (Light Industrial) District located at 589 North Augusta Avenue (#C-02-15, *approved*).
8. Request of the City of Waynesboro and Arthur W. Harrison, Jr., as agent for property owners Kenneth D. Bowman and Waynesboro Opportunity Park, LLC, to allow grading and construction in the floodplain in connection with the construction of a city pump station and connecting lines (at owners' expense) in Oak Hill, to be built to allow sewer service to be extended from Lyndhurst Road across property owned by Kenneth D. Bowman, and across South River to serve property owned by Waynesboro Opportunity Park, LLC, partially located in the floodplain off Lyndhurst Road (#C-02-16, *approved*).
9. Request of Roland C. and Debbie Thompson, owners, to allow a home occupation (small engine repair) at 1208 Strawberry Lane (#C-02-17, *Commission recommended denial after tabling the matter for further discussion; Council subsequently failed to vote on the matter*).
10. Request of the City of Waynesboro, Virginia, owner, to allow the erection of a former mobile classroom to be used as an office for the sewage treatment plant in an area adjacent to the Waynesboro City Shops in the floodplain, Lot A, Essex Avenue (#C-02-18, *approved*).

11. Request of Helen A. Kent, owner, to allow mixed commercial and residential use of a structure in a C-1 (Local Business) District at 244 Rosser Avenue (#C-03-1, approved).
12. Request of Michael W. and Bernice Shifflett, owners, to allow the placement of a single-family non-manufactured residence in the C-2 General Business District on unaddressed vacant lots adjacent to 608 North Commerce Avenue (#C-03-2; applicant's original request was for either a manufactured or non-manufactured home; Commission recommended approval only of a non-manufactured home based on staff's recommendation, which Council subsequently approved).
13. Request of Roland N. and Sandra J. Bussard, owners, to allow the placement of a manufactured home on 813 Georgia Avenue (#C-03-3, approved).
14. Request of Jackie N. Hess, lessee, individually and as agent for Everett Eutsler, owner, to allow the operation of a beauty/tanning salon in an M-1 Light Industrial District at 314 Dinwiddie Avenue (#C-03-4, approved).
15. Request of Herman Awkard, contract purchaser and property manager, and as agent for Eugene D. and Mary B. Meadows, owners, for mixed commercial and residential use (limousine office on first floor and residential apartment on second floor) at 1425 West Eleventh Street (#C-03-5, approved).
16. Request of River Town, LLC, owner, to allow construction within the FEMA-designated 100-year floodplain of a 21,000-square-foot building to replace an existing 21,000-square-foot building that will be demolished, on lots known by street numbering as 300 Race Avenue (#C-03-6, approved).
17. Request of the City of Waynesboro, Virginia, owner, to allow the erection of 64-square-foot prefabricated concrete building in the floodplain to be used to house chlorine gas cylinders at the City Shops, Essex Avenue (#C-03-7, approved).
18. Request of Mrs. Eleanor Pugliese to allow a home occupation as a certified tutor and teacher tutoring 3-5 students per week individually at 1424 Monroe Street (#C-03-8, approved).
19. Request of the City of Waynesboro to allow the construction of an approximately 450-square-foot handicapped-accessible fishing pier adjacent to and extending into South River in Ridgeview Park on a site designated in the 100-year floodplain, located at 700 Magnolia Avenue, (#C-03-9, approved).
20. Request of City of Waynesboro to allow the construction of a handicapped-accessible fishing pier and access bridge adjacent to and extending into South River in Constitution Park on a site designated in the 100-year floodplain, located at McElroy Street and Main Street (#C-03-10, approved).

PRELIMINARY SUBDIVISION PLATS 2002-03

1. Request of Barry Lotts for C+B Associates, LTD, owner, for a six-lot commercial subdivision on a 4.780-acre tract in the vicinity of Windigrove Drive northwest of Interstate 64 (#S-02-3, *approved*).

REZONING APPLICATIONS 2002-03

1. Request of A. W. Harrison, Jr., agent for Commonwealth Investors, L.C., owner, for rezoning a 7.499-acre parcel, located on Lew Dewitt Boulevard, from RA-2 Single Family District to C-2 General Business District, (#R-03-1, *approved with proffered conditions*).
2. Request of William C. Moulton, Chair, for the Waynesboro Planning Commission, on behalf of members of the neighborhood, for rezoning of the 500 and 600 blocks of Sherwood Avenue and the 500, 600, and 700 blocks of Highland Avenue, from RB-1 General Dwelling District to RA-2 Single Family District (# R-03-3, *approved*).

ZONING AND OTHER ORDINANCE AMENDMENTS 2002-03

1. October 2002 - (*consideration of lighting ordinance; matter tabled*)
2. January 2003 - amendment to Chapter 98 by adding new section 98-442 to ensure the right to restore, et cetera, certain specified non-conforming residential or mixed residential uses in the City (*approved*).
3. January 2003 - amendment to code sections 98-287 and 98-289, to provide for mixed commercial/residential use by right under specific circumstances in the C-3 Central Business District (*approved but further amended; see below*).
4. March 2003 new zoning ordinance – recodification of Chapter 98 (*approved with minor modifications*).
5. July 2003 amendment to Section 98-420(c)(c) and 420(3)(b) in conjunction with previous Chapter 98 recodification regarding accessory structures (*approved; future modification to definitions to be made*).
6. July 2003 – further amendment to sections 98-287 and 98-289 regarding mixed use by right in C-3 district (*approved*).

PLANNING COMMISSION GOALS 2003-2004

1. COMPREHENSIVE PLAN REVISION

The major duty of the Planning Commission during the 2003-2004 year is expected to be its work on the new Comprehensive Plan.

At the present time staff is assembling updated statistical information, proposed text updates, and land use recommendations for review by the Planning Commission, an extensive task that is expected to include detail Commission study, consideration by Council-appointed citizen committees, Commission-sponsored citizen meetings by ward or otherwise, and a final Commission recommendation to the Council. When the Commission's recommendation on an issue differs from the reports of the staff or the citizen committees, the Commission will do its best to explain and weigh these differences and present a full report to Council, which will make the final determination as to what the plan will reflect.

2. ZONING MAP

Many of the zoning protections suggested in the 1998 Comprehensive Plan were accomplished through textual amendments to the Zoning Code, but a revision of the Zoning Map, including the overlay zones established in the new Zoning Code and reflective of neighborhood rezoning of several major areas, must be a substantial and immediate follow-up to adoption of a new Comprehensive Plan. The Commission will offer its best recommendations to Council in a general revision of the Zoning Map.

3. AD HOC ZONING CODE AMENDMENTS

The Commission will be ready to hear and at times initiate ad hoc zoning code amendments it may deem necessary to improve the process or correct inequities in the text of the Zoning Code. This may well require action that should not await completion of a new Comprehensive Plan, and, if this is the case, the Commission will proceed accordingly.

4. PROFESSIONAL TRAINING

Commissioners will urge new members to complete training as Certified Virginia Planning Commissioners and maintain their professional expertise through opportunities offered by the Virginia Chapter of the American Planning Association, the Virginia Citizens Planning Association, and other appropriate agencies, as well as through regular reading and collective discussion of relevant current planning trends found in planning literature.

5. CITIZEN CONCERNS

The Commission will always emphasize its primary duty of informing, involving, and educating the public on land use and other planning matters of importance to Waynesboro. In addition, the Commission will do its best to ensure that the public is notified of such matters on a timely basis

and has every opportunity to make its collective and individual opinions heard.

6. COOPERATION

The Commission will willingly accept referrals it receives from City Council or city management and give its best judgment on all such matters. It will work to encourage and interact with the planning staff, citizens, other agencies, and public/private partnerships in achieving the best results in public planning in an ongoing best effort to protect the quality of life, promote the economic viability, and preserve the environmental and historic assets of Waynesboro.



Applications for Conditional Use Permits September 1, 2002 – August 31, 2003

File Reference	Applicant	Request	Location	Staff Recommendation	Commission Recommendation/Date	Council Action/Date
C-02-9	Augusta Homes/Larew	Manufactured home	B Street Lot 18C.	Approval	Approval 9/17/02	Approved 10/15/02
C-02-10	Augusta Homes/Larew	Manufactured home	B Street Lot 18A	Approval	Approval 9/17/02	Approved 10/15/02
C-02-11	Beaudoin	Home Occupation – Beauty Salon	947 Woodrow Ave.	Denial	Approval 9/17/02 (4 to 3 vote)	Matter died – no vote (10/15/02)
C-02-12 & C-02-13	Craig	Manufactured home/ Construction in floodplain	1505 A Street	Approval	Approval 9/17/02	Approved 10/15/02
C-02-14	Zeh	Grading/construction in floodplain	276 Arch Ave.	Approval	Approval 10/22/02	Approved 11/11/02
C-02-15	Harris	Mixed industrial/commercial /residential use in M-1 to allow caretaker on premises	589 N. Augusta Ave.	Approval	Approval 11/19/02	Approved 12/9/02
C-02-16	City/Harrison/Bowman /Opportunity Park	Grading/construction in floodplain for city pump station	Oak Hill – Lyndhurst Road	Approval	Approval 11/19/02	Approved 12/9/02
C-02-17	Thompson	Home occupation – small engine repairs	1208 Strawberry Lane	Approval w/conditions	Denial 12/17/02	Denied – no vote (1/27/03)
C-02-18	City	Grading & expansion in floodplain (mobile office)	City Shops – Essex Ave.	Approval	Approval 12/17/02	Approved 1/27/03
C-03-1	Kent	Mixed residential and commercial in C-1	244 Rosser Ave.	Approval	Approval 1/21/03	Approved 2/10/03
C-03-2	Shifflett	Manufactured home or Non-manufactured home in C-2 zone	Lots adjacent to 608 North Commerce	Approval of non-manufactured home only	Approval of non-manufactured home only 2/18/03	Approval of non-manufactured home only (3/10/03)
C-03-3	Bussard	Manufactured home	813 Georgia Ave.	Approval	Approval 5/20/03	Approved 6/9/03
C-03-4	Hess	Beauty/tanning salon in M-1	314 Dinwiddie Ave.	Approval	Approval 5/20/03	Approved 6/9/03
C-03-5	Awkard	Mixed commercial/residential in C-2	1425 W. 11 th St.	Approval	Approval 6/17/03	Approval 6/7/14/03
C-03-6	River Town LLC	Construction/grading in floodplain	300 Race Ave.	Approval	Approval 6/17/03	Approval 7/14/03
C-03-7	City	Expansion in floodplain	City Shops, Essex Ave.	Approval	Approval 7/22/03	Approval 8/11/03
C-03-8	Pugliese	Home occupation (tutoring)	1424 Monroe St.	Approval	Approval 7/22/03	Approval 8/11/03

<i>C-03-9</i>	<i>City</i>	<i>Development in floodplain (fishing pier on South River)</i>	<i>Ridgeview Park, Magnolia Ave.</i>	<i>Approval</i>	<i>Approval 8/11/03</i>	<i>Approved 8/25/03</i>
<i>C-03-10</i>	<i>City</i>	<i>Development in floodplain (fishing pier on South River)</i>	<i>Constitution Park, Main St./McElroy St.</i>	<i>Approval</i>	<i>Approval 8/11/03</i>	<i>Approved 8/25/03</i>

**Preliminary Plats
September 1, 2002 – August 31, 2003**

File Reference	Applicant	Subdivision Name/ # of Lots	Location	Staff Recommendation	Commission Recommendation/Date	Council Action/Date
<i>S-02-3</i>	<i>Barry Lots for C&B Assoc.</i>	<i>6-lot commercial subdivision</i>	<i>Windigrove Drive adj. to I-64</i>	<i>Approval</i>	<i>Approval 11/19/02</i>	<i>Approved 11/25/02</i>

**Applications for Rezoning
September 1, 2002 – August 31, 2003**

File Reference	Applicant	Request	Location	Staff Recommendation	Commission Recommendation/Date	Council Action/Date
<i>R-03-1</i>	<i>A. W. Harrison for Commonwealth Investors</i>	<i>from RA-2 to C-2</i>	<i>7.499 acres off Lew Dewitt Blvd.</i>	<i>Approval w/proffered conditions</i>	<i>Approval w/proffered conditions 3/18/03</i>	<i>Approved w/proffered conditions 4/14/03</i>
<i>R-03-2</i>	<i>City Planning Commission(on behalf of neighborhood association and petition)</i>	<i>from RB-1 to RA-2</i>	<i>500, 600 & 700 blocks of Highland Ave. and 500 & 600 blocks of Sherwood Ave.</i>	<i>Approval</i>	<i>Approval 7/22/03</i>	<i>Approved 8/11/03</i>

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, 2002, 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)