

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	July 18, 2022
Action Required:	Approval of resolution
Presenter:	Lisa Robertson, City Attorney
Staff Contacts:	Maxicelia Robinson, Deputy Clerk of Council Kyna Thomas, Clerk of Council
Title:	Reconstituting the Charlottesville Planning Commission to Achieve Staggered Terms (1 reading)

Background

State law establishes certain parameters to be satisfied by a locality when appointing individuals to serve as Planning Commission (“PC”) members. Within Virginia Code §15.2-2212 the General Assembly specifies that (i) all PC members must be residents of the City, (ii) all must be qualified by knowledge and experience to make decisions on questions of community growth and development; (iii) at least one-half of the membership (i.e., 4 members) must be owners of real property.

When the membership of a PC is first appointed, the individuals appointed serve respectively for terms of one year, two years, three years and four years, divided equally or as nearly equally as possible between the membership. Subsequent individuals appointed to those “seats” then serve four-year terms. If done correctly, the terms will remain staggered so that a commission will never have more than one or two terms expire in any given year.

Discussion

On August 31, 2022 five of seven seats on the Planning Commission will expire. This situation is out of sync with the requirements of Virginia Code §15.2-2212. Staff proposes that City Council take formal action, by resolution, to reconfigure and reconstitute the membership, as if Council were filling each of the seats on the Commission for the first time. This will require three of the five seats to be filled for a short “Interim Term”. Upon the expiration of the Interim Term, each subsequent appointment to that seat (whether an incumbent, or a different individual) will be for a term of four years, which will always expire on August 31, regardless of the date on which an appointee’s term commences.

Alignment with City Council's Vision and Strategic Plan

N/A

Community Engagement

None required

Budgetary Impact

None

Recommendation

Approval.

Suggested motion: "I MOVE the RESOLUTION Reconstituting the Charlottesville Planning Commission and appointing or reappointing its members for staggered terms"

Alternatives

Approval of the resolution is required in order to comply with state law and the City's zoning ordinance.

Attachments

1. RESOLUTION for PC Staggered Terms