



**WILDWOOD**  
**BY-LAWS**  
**CITY OF WILDWOOD**  
**PLANNING AND ZONING COMMISSION**

ARTICLE I - OBJECTIVES

The powers and duties, procedures, and polices of the Planning and Zoning Commission are as established by the Charter of the City of Wildwood, Missouri, City of Wildwood Ordinances, ~~as amended and supplemented,~~ and the relevant statutes of the State of Missouri, ~~as each may be amended from time to time as amended and supplemented, relating to Charter Cities.~~

ARTICLE II - OFFICERS AND THEIR DUTIES

Section 1. The Planning and Zoning Commission shall consist of such members as may be set forth by law or ordinance. Subject to the right of resignation, all members of the Planning and Zoning Commission shall hold office for the term thereof, and until their successors are duly appointed and qualified.

Section 2. The officers of the Planning and Zoning Commission shall be elected by members fo the Commission and shall consist of a Chair, Vice-Chair, and a Secretary/Treasurer. Each officer shall be a member of the Planning and Zoning Commission.

Section 23. The Chair of the Commission shall have the following powers and duties:

- (a) To preside at all meetings and hearings of the Commission;
- (b) To appoint Commission members to its respective Committees;
- (c) To have general charge of the activities of the Planning and Zoning Commission and generally oversee the conduct of its affairs;
- (d) To call Special Meetings of the Commission;
- (e) To carry out other duties normally conferred by parliamentary usage on such officer; and
- (f) Engage in other activities as directed by the Planning and Zoning Commission.

Section 34. The Vice-Chair of the Planning and Zoning Commission shall have the following

powers and duties:

- (a) To act for the Chair in the Chair's absence;
- (b) To perform all duties normally conferred by parliamentary usage on such officer; and
- (c) Engage in other activities as directed by the Planning and Zoning Commission.

Section 45. The Secretary/Treasurer of the Planning and Zoning Commission shall have the following duties:

- (a) To act for the Chair and Vice-Chair in their absence;
- (b) To certify and maintain a record of each meeting and hearing of the Planning and Zoning Commission. The Secretary/Treasurer may delegate this responsibility to the Director of Planning;
- (c) To attend to correspondence of the Planning and Zoning Commission. The Secretary/Treasurer may delegate this responsibility to the Director of Planning;
- (d) To give to each Commission Member due notice of the time and place of each Annual, Regular, or Special Meeting and each Public Hearing of the Commission. The Secretary/Treasurer may delegate this responsibility to the Director of Planning;
- (e) To carry out other duties normally conferred by parliamentary usage on such officer; and
- (f) To engage in other activities as directed by the Planning and Zoning Commission.

#### ARTICLE III - ELECTIONS OF OFFICERS

Section 1. A nominating committee of not less than four (4) Commissioners shall be appointed by the serving Chair of the Planning and Zoning Commission at the second meeting in June of each year to nominate officers of the Planning and Zoning Commission for the following year. The committee shall report to the full membership at the second meeting of the Planning and Zoning Commission in July, with the election of the officers occurring no later than the second meeting of August. Nominations may also be entertained from the floor at this second meeting in July. The new officers, being duly elected, shall take office at the first meeting of the Planning and Zoning Commission following its election and administer said office for one (1) year or until their successors are appointed.

- Section 2. The Chair may request nominations for two (2) or three (3) officers simultaneously or, at discretion of the Chair, require a separate nomination and vote for each officer.
- Section 3. A candidate receiving a majority vote of the Planning and Zoning Commission shall be declared elected.
- Section 4. A vacancy in office shall be filled as soon as possible in accordance with the election procedure set forth herein or by a special election as directed by the Chair of the Commission.

#### ARTICLES IV — MEETINGS

- Section 1. A Meeting of the Planning and Zoning Commission shall be held on the first and third Mondays of each month at 6:30 p.m. in the City Council Chambers, unless otherwise specified by the Chair.
- Section 2. ~~An additional or s~~Special meetings may be called ~~by the Chair, or at the request in writing of any three (3) or more members of the Commission as set forth in the Code of Ordinances of the City of Wildwood, Missouri, as amended.~~
- Section 3. A simple majority of the membership of the Commission shall constitute a quorum (six (6) members) for the transaction of Commission business. Each member of the Commission shall have one (1) vote.
- Section 4. The granting of a Conditional Use Permit, the submittal of a recommendation of approval of a zoning amendment, or the approval of a plan/plat shall require the affirmative vote of at least six (6) members of the Planning and Zoning Commission. All other matters may be approved by a majority of the members present. Any member of the minority may request a minority report be issued.
- Section 5. In the absence of the Chair, Vice-Chair, and Secretary/~~Treasurer~~, the member present who is senior, in terms of service on the Planning and Zoning Commission, shall preside over the meeting.
- Section 6. Except as otherwise specified by these by-laws, Robert's Rule of Order shall prevail at all meetings of the Commission.
- Section 7. The order of business at Meetings shall be:
- (a) Approval of minute of previous meetings and hearings;
  - (b) Public Hearing;
  - (c) Old Business;
  - (d) New Business;
  - (e) Site Plans, Building Elevations, and Signs;

- (f) Other;
- (g) Reports of officers and committees; and
- (h) Adjournment.

Section 8. The Chair of the Commission, or majority of the Planning and Zoning Commission, may alter the order of business at any meeting.

#### ARTICLE V - PUBLIC HEARING

Section 1. A Public Comment Session shall be held at the beginning of each meeting as required by City of Wildwood Ordinance 27. The Public Hearings shall be held at City Hall as specified by Article IV, Section 4 of these By-laws, unless specified by the Chair.

Section 2. The order of business at a public hearing shall be as indicated in the public notice thereof.

Section 3. The Chair of the Commission, or a majority of the Planning and Zoning Commission, may alter the order of business at the public hearing.

Section 4. The rules of procedure governing public hearing shall be:

- (a) The number of petitions will not exceed two (2) per agenda, unless related petitions are presented and heard together, at which time there may be four (4) per agenda.
- (b) The Chair of the Planning and Zoning Commission may grant an exception to the number of petitions per agenda when necessary under special conditions.
- (c) The petitioner, or representative of the petitioner, shall be granted fifteen (15) minutes per hearing to explain the petition.
- (d) Speakers in favor or opposed to a petition shall be granted five (5) minutes when representing a group or organization.
- (e) Speakers in favor or opposed to a petition shall be granted three (3) minutes when not representing a group or organization.
- (f) The Chair of the Commission may authorize an exception to the time limit allotted to the petitioner, representative, or speakers in favor/opposition, when necessary under special conditions or unusual circumstances.

Section 5. The Planning and Zoning Commission shall maintain, and make available, a copy of the 'Public Hearing Guidelines' at its meetings, where an agenda item requires public comment.

## ARTICLE VI - COMMITTEES

Section 1. At the next meeting following the election, the Chair of the Planning and Zoning Commission shall appoint, for a term of one (1) year, members of the Commission to each of the following standing committees and shall designate a Chair of each:

(a) Ordinance and Master Plan Review Committee: This Committee shall have primary responsibility for reviewing, advising, and directing the Department of Planning staff on ordinances affecting the planning process as it relates to specific development and land use control authorities. Additionally, this Committee shall review and update the progress of the City in implementing the objectives and policies of the Master Plan. When necessary, it shall be their responsibility to recommend changes to it to insure its relevance and timeliness. A minimum of three (3) from the Commission will serve on this committee.

(b) Site Plan Review Committee: This Committee shall have primary responsibility for reviewing and advising the Department of Planning staff on site development plan approvals and landscaping requirements. Each member of the Planning and Zoning Commission may serve on this Committee, but a minimum of three (3) members must be in attendance for it to conduct business, with two (2) or more affirmative votes required for action on any item before it. A participant of the Architectural Review Board may be a non-voting member of the Site Plan Review Committee and assist in the review of materials under the Planning and Zoning Commission's purview.

(c) Architectural Review Board: At least one (1) member of the Planning and Zoning Commission may represent it at the regularly scheduled meetings of the Architectural Review Board (second Thursday of each month). A call list shall be maintained, in alphabetical succession, by the Department of Planning and Parks of the Planning and Zoning Commission's citizen appointees and at least one (1) such member shall be notified of the next upcoming meeting of the Architectural Review Board.

(d) Historic Preservation Commission: At least one (1) member of the Planning and Zoning Commission may represent it at the regularly scheduled meetings of the Historic Preservation Commission (third Wednesday of each month). A call list shall be maintained, in alphabetical succession, by the Department of Planning and Parks of the Planning and Zoning Commission's citizen appointees and at least one (1) such member shall be notified of the next upcoming meeting of the Historic Preservation Commission.

Section 2. The Chair of the Commission, with the approval of its members, may appoint special committees.

Section 3. The Chair of the Commission shall fill a committee's vacancy.

Section 4. The Chair of the Commission, with the approval of its members, may appoint a person who is not a member of the Planning and Zoning Commission or the Department of Planning staff as an advisory participant to a committee.

Section 5. These committees shall meet at a time and place set by the Chair of the Committee.

#### ARTICLE VII - DIRECTOR OF PLANNING

Section 1. The Director of Planning shall provide staff assistance to the Planning and Zoning Commission and shall perform those duties required by law or delegated to him or an officer thereof.

Section 2. The Director of Planning shall appoint as necessary, a member of the Department of Planning staff to meet with, work for, and advise any delegated Committee of the Commission.

Section 3. The Director of Planning and/or City Attorney shall provide parliamentary assistance on the conduct of business as requested by the Chair of the Commission.

#### ARTICLE VIII - AMENDMENTS OF BY-LAWS

Section 1. These By-laws may be amended by an affirmative vote of not less than six (6) members of the Planning and Zoning Commission.

#### ARTICLE IX - CODE OF ETHICS

Section 1. In addition to the requirements of Sections 105.450 to 105.496, RSMo., Sections 105.955 to 105.963, RSMo., and Chapter 125 of the Code of Ordinances, as each may be amended from time to time, action by any member of the Commission with respect to any matter which is or may be the subject of an official act or action(s) of the Commission shall be determined to be a conflict of interest under the following provisions:

(a) Soliciting, accepting or granting a present of future gift, favor, service, employment, or thing of value from a person or business involved in any action before the Commission; and

(b) Having an interest in any business entity or person representing, advising or appearing on behalf of, whether paid or unpaid, any person involved in any action before the Commission.

Section 2. In the event that any member of the Commission shall have a conflict of interest, the individual shall be disqualified to act in any capacity in said matter, and shall inform the Chair of the Commission of the conflict of interest prior to involvement in said matter by the member.

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Adoption and Revision Dates:

Original Draft - September 11, 1995  
Revised Draft - October 16, 1995 [Passed By-Laws; changed months from May to June.]  
June 1996 [Extended terms by City Council; changed months from June to July.]  
August 19, 1996 [Revised order of business and modified subcommittees.]  
September 3, 1996 [Revised order of business]  
September 7, 1999 [Committee membership and election of officers]  
May 19, 2003 [Modified election of officers and Committee descriptions]  
July 7, 2008 [Modified the month relating to election of officers]  
**August 1, 2016 [Changed meeting time from 30 p.m. to 6:30 p.m.. eliminated Public Comment as an item of the Order of Business at the start of Commission meetings; and added "Other" to the Order of Business]**

Editor's Note: Changes shown in bolded and underlined type and deletions by a single, strike-through line.