

ORDINANCE NO. 23-2053

AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA; AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF HAINES CITY, FLORIDA, ADOPTING TEXT AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY BY ADOPTING REVISIONS TO CHAPTER 4 – DEFINITIONS, CHAPTER 5 – ZONING, CHAPTER 6 - SPECIAL PROVISIONS, CHAPTER 13 – SUBDIVISIONS, AND CHAPTER 19 – COMMISSIONS & BOARDS ; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, empowers the City Commission of the City of Haines City, Florida to prepare and enforce Land Development Regulations for the implementation of the adopted Haines City Comprehensive Plan; and

WHEREAS, the City Commission adopted Ordinance No. 796, Land Development Regulations to implement the adopted Haines City Comprehensive Plan; and

WHEREAS, the Haines City Planning Commission, at an advertised public hearing as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input and recommended that the City Commission adopt specific changes in the Land Development Regulations; and

WHEREAS, the City Commission of the City of Haines City, Florida considered all oral and written comments received during advertised public hearings, and the recommendations of the Haines City Planning Commission; and

WHEREAS, in exercise of its authority, the City Commission of the City of Haines City, Florida has determined it necessary and desirable to adopt specific changes in the Land Development Regulations consistent with the public interest within Haines City, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA, AS FOLLOWS:

Section 1. Amendment to the Land Development Regulations of Haines City, Florida. The City Commission hereby amends portions of Chapter 4 – Definitions, Chapter 5 – Zoning, Chapter 6 - Special Provisions, Chapter 13 – Subdivisions and Chapter 19 – Commissions and Boards, of the Land Development Regulations, of Haines City, Florida, as follows by strike through for removal and underline for additions format and shall be effective as set forth below:

SEE ATTACHED AS EXHIBIT A

Section 2. Severability. The provisions of this Ordinance are severable; and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Commission's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

Section 3. Codification. The Ordinance shall be codified and made a part of the official Code of Ordinances, Land Development Regulations, or Charter of the City of Haines City.

Section 4. Repeal of Ordinance in Conflict. All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval, and adoption.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 2nd day of November, 2023.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

H. L. "Roy" Tyler, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

PASSED on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this 7th day of December, 2023.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

H. L. "Roy" Tyler, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

EXHIBIT A

PROPOSED LAND DEVELOPMENT REGULATIONS **TEXT AMENDMENTS**

Chapter 4 – Definitions

Sec. 4.2.1. Terms.

Open space. Area for outdoor use, features, or natural systems. These areas may be described as lots, parcels, tracts, or portions of a development. The four types of open space are recreation open space, habitat protection open space, conservation open space, and public commons open space. **Total open space shall be computed to include the gross land area of the district (including any bonus) minus area covered by buildings.**

Chapter 5 – Zoning

Sec. 5.6.18. IM, industrial, medium.

D. *Prohibited uses and structures.*

1. Any dwelling units except as provided under 5.6.16.C. Permitted accessory uses and structures.
2. Hospitals (except medical clinics in connection with industrial activity), sanitariums, convalescent and other institutional homes.
3. Public or non-public academic preschool through high school and post-secondary collegiate institutions.
4. Any use not conforming to performance standards in chapter 5 of the LDR.
5. Any use or structure not specifically or provisionally permitted by this Section shall be considered prohibited.

Sec. 5.6.20. Commerce park and industrial park districts.

2. *Conditional uses within the commerce park (CP) district.* The city commission may approve the following uses as a conditional use after a public hearing and subject to appropriate conditions and safeguards. The city commission may approve, deny or add additional conditions for all conditional use requests.
 - a. Establishments not allowed as a permitted use which are engaged in the processing, production, assembling, packaging, and/or distribution food, goods, or products that do not involve noxious impacts, including odor, noise, vibrations, emission of smoke and particulate matter and do not require processing plants with large stacks

or similar impact producing infrastructure for such activities as pasteurizing, distilling, and vaporizing.

- b. Warehousing/Distribution Centers and similar activities related to the sale, storage, and minor repair of automobiles, trucks, recreational vehicles, campers or other large machinery and equipment.
- c. **Reserved. Indoor Climate Control Self Storage with 3 stories. See design standards:**





3. Prohibited uses within the commerce park (CP) district. The following land uses are prohibited: extraction of raw materials; stockyards or slaughter of animals; scrap metal operations, junk yards, wrecking yards, or salvage yards; manufacture or storage of explosive materials; smelting of ores and heavy metal fabrication; textile mills; leather or allied products manufacturing; pulp mills; petroleum manufacturing or refining and coal, or mineral products manufacturing; rubber, clay, or refractory manufacturing product manufacturing; manufacture of acid, glue, fertilizer, lime or gypsum; fat rendering; campgrounds; flea markets; sexually oriented business such as adult entertainment; outdoor structures used to perform heavy industrial activities such as heating, cooking, vaporizing, pasteurizing, distilling, or similar heavy industrial activities; or any form of residential development, excepting approved accommodation of a security guard, night watchman, or on-site manager, and institutional uses other than essential public services required to support principal uses allowed in the CP District are prohibited. Commercial services that are not accessory use to permitted principal uses, including commercial trades and industrial uses, are prohibited.

In addition to the prohibited uses above, any use or structure not specifically or provisionally permitted by this Section, or not conforming to the performance standards in Chapter 5 or Chapter 6 of the Land Development Regulations, shall also be considered prohibited.

D. Industrial park (IP) district permitted, conditional, and prohibited uses. The minimum size lot shall be five acres.

3. *Prohibited uses in the industrial park (IP) district.* The following land uses are prohibited: extraction of raw materials; stockyards or slaughter of animals; scrap metal operations, junk yards, wrecking yards, or salvage yards; manufacture or storage of explosive materials; smelting of ores and heavy metal fabrication; textile mills; leather or allied products manufacturing; pulp mills; mineral products manufacturing; manufacture of acid, glue, fertilizer, or lime; fat rendering; outdoor structures used to perform heavy industrial activities such as heating, cooking, non-cooling tower water vaporizing, pasteurizing, or similar heavy industrial activities; flea markets, campgrounds; sexually oriented business such as adult entertainment; or any form of residential development, excepting approved accommodation of a security guard, night watchman, or on-site manager.

In addition to the prohibited uses above, any use or structure not specifically or provisionally permitted by this Section, or not conforming to the performance standards in Chapter 5 or Chapter 6 of the Land Development Regulations, shall also be considered prohibited.

Chapter 6 – Special Provisions

Sec. 6.1.3. RPUD—Residential planned unit development districts.

12. Repeal or modification of Residential Planned Unit Development approval if construction not commenced.

An approved Residential Planned Unit Development (RPUD) plan shall remain valid, provided that (i) the Preliminary Plat and Site Construction Plans have been approved, and (ii) material construction has commenced within three (3) year(s) after the date of the RPUD Ordinance. All phases of an RPUD plan shall be included and designated with phasing lines on the RPUD Plan and the Preliminary Plat. Failure to timely (i) obtain approval of Preliminary Plat and Site Construction Plans, and (ii) commence material construction within three (3) year(s) after the date of the RPUD Ordinance, shall be grounds for the city, at its discretion, to initiate a rezoning of the subject property. In such event, the Planning Commission may recommend to the City Commission that the subject property be returned to its previous zoning classification, that the RPUD be modified, or that the RPUD be retained in its current form. For purposes of this section “material construction” shall include construction of streets, drives, parking and services areas, or utility infrastructure of the RPUD.

Sec. 6.4.3. SR 17/CR 544 selected area plan commerce park (CP) district permitted, conditional, and prohibited uses.

B. Conditional uses within the SR 17/CR 544 Selected Area Plan Commerce Park (CP) District. The city commission may approve the following uses as a Conditional Use after a public hearing and subject to appropriate conditions and safeguards. The city commission may approve, deny or add additional conditions for all conditional use requests.

1. Establishments not allowed as a permitted use which are engaged in the processing, production, assembling, packaging, and/or distribution food, goods, or products that do not involve noxious impacts, including odor, noise, vibrations, emission of smoke and particulate matter and do not require processing plants with large stacks or similar impact producing infrastructure for such activities as pasteurizing, distilling, and vaporizing.
2. No approved freestanding stack, chamber, storage tank, or similar tall structure shall exceed a height of 35 feet and shall be located at least 600 feet from SR 17 and CR 544 exceptions to the height threshold shall require a conditional use permit.
3. Warehousing/distribution centers and similar activities related to the sale, storage, and minor repair of automobiles, trucks, recreational vehicles, campers or other large machinery and equipment.

4. Indoor Climate Control Self Storage with 3 stories. See design standards as follows:



4.5. . All proposed conditional uses shall be required to submit site plan drawings illustrating structures, facilities, and operations including scale, mass, intensity, elevations and design that demonstrate compatibility with existing and planned land use on adjacent properties; shall incorporate buffer yards, screening, landscape and design specifications compliant with Section 6.4.6; and shall be effectively setback, buffered, and landscaped from the gateway corridors as well as less intensive uses. All land uses must demonstrate compliance all SAP policies, as well as the provisions of the land development regulations. All conditional uses shall be required to demonstrate compliance with all provisions of the SAP and land development regulations including but not limited to the provisions of Section 6.4.6. "Buffer Yards, Screening, Landscaping, and Design Specifications," Section 6.4.7. "SR 17 or CR 544 Corridor Land Use and Architectural Appearance." Section 6.4.8 "Maintenance of Plant Materials and Trees" and Section 6.4.9 "Outdoor Lighting".

C. *Prohibited uses within the SR 17/CR 544 selected area plan commerce park (CP) district.* The following land uses are prohibited extraction of raw materials; stockyards or slaughter of animals; scrap metal operations, junk yards, wrecking yards, or salvage yards; manufacture or storage of explosive materials; smelting of ores and heavy metal fabrication; textile mills; leather or allied products manufacturing; rubber, clay, or refractory manufacturing product manufacturing; manufacture of acid, glue, fertilizer, lime or gypsum; fat rendering; campgrounds; flea markets; sexually oriented business such as adult entertainment; outdoor structures used to perform heavy industrial activities such as heating, cooking, vaporizing, pasteurizing, distilling, or similar heavy industrial activities; or any form of residential development, excepting approved accommodation of a security guard, night watchman, or on-site manager, and institutional uses other than essential public services required to support principal uses allowed in the CP district are prohibited.

In addition to the prohibited uses above, any use or structure not specifically or provisionally permitted by this Section, or not conforming to the performance standards in Chapter 5 or Chapter 6 of the Land Development Regulations, shall also be considered prohibited.

Sec. 6.4.4. SR 17/CR 544 selected area plan industrial park (IP) district permitted, conditional, and prohibited uses.

C. Prohibited uses in the SR 17/CR 544 Selected Area Plan Industrial Park (IP) District. The following land uses are prohibited: extraction of raw materials; stockyards or slaughter of animals; scrap metal operations, junk yards, wrecking yards, or salvage yards; manufacture or storage of explosive materials; smelting of ores and heavy metal fabrication; textile mills; leather or allied products manufacturing; pulp mills; or mineral products manufacturing; manufacture of acid, glue, fertilizer, or lime; fat rendering; outdoor structures used to perform heavy industrial activities such as heating, cooking, non-cooling tower water vaporizing, pasteurizing, or similar heavy industrial activities; flea markets,

campgrounds; sexually oriented business such as adult entertainment; or any form of residential development, excepting approved accommodation of a security guard, night watchman, or on-site manager.

In addition to the prohibited uses above, any use or structure not specifically or provisionally permitted by this Section, or not conforming to the performance standards in Chapter 5 or Chapter 6 of the Land Development Regulations, shall also be considered prohibited.

Sec. 6.5.10. Screening and buffering.

The provision of landscaped buffers are required between certain abutting land uses to mitigate or minimize potential nuisances such as noise, light, glare, dirt and litter, signs, parking or storage areas.

1. *Buffer matrix.* Table 6.5.10.1: US 27 North Ridge Buffer Requirements specifies the buffer requirements which is based on the intensity of the proposed development or use, and the uses on adjacent properties. The letters A, B, C on table 6.5.10.1 refer to specific types of buffers which are illustrated in figure 6.5.10.3. Where an abutting property is vacant, the land use and/or zoning on the abutting property shall determine the type of buffer required on that side of the property. Buffers shall be located on the outer perimeter of a lot or parcel extending to the limits of the developed area of the site. They may not occupy any portion of an existing, dedicated, or reserved public or private street or right-of-way.

- a. *Step 1.* Identify the class number of the proposed use and the class number of the abutting use from the list in table 5.4.10.1.
- b. *Step 2.* Locate on the matrix, table 6.5.10.1 the proposed use/class number and the class number of the abutting use on each side. The A, B or C in the box which is common to both the proposed and abutting use indicates the type of buffer required.
- c. *Step 3.* Locate the required buffer type (A, B or C) on figure 6.5.10.3 to determine the required buffer specifications.

TABLE 6.5.10.1: US 27 NORTH RIDGE BUFFER REQUIREMENTS					
Class 1(1)	Class 2 (2)	Class 3 (3)	Class 4 (4)	Class 5 (5)	
Residential					
Single Family Residential: Class 2	None	None	B	B	C

All Other Residential: Class 3	A	B	None	B	C
Commercial					
Bars, Lounges: Class 5	A	C	B	B	B
Child Care Centers: Class 3	None	None	B	B	C
Heavy Commercial, incl. potential adverse noise, odor, or other noxious impact: Class 5	A	C	C	C	C
Hospitals/Clinics/Nursing Homes: Class 4	A	B	B	None	B
Hotels and Motels: Class 4	A	B	B	None	B
Outdoor Storage: Class 5	A	C	C	C	C
Public Buildings: Class 4	A	B	B	None	B
Recreation and Amusement Class: 5	A	C	C	C	C
Proposed Land Use and Use Class Number					
Retail/Office: Class 4	A	B	B	None	B
Restaurant w/o drive through: Class 4	A	B	B	None	B
Restaurant with drive through: Class 5	A	B	B	B	B
Self-storage Facilities: Class 4	A	C	C	C	C
Utilities: Class 5	A	C	C	C	C
Vehicle Sales and/or Repair: Class 5	A	C	C	C	C
All Other Commercial Uses Class 4	A	B	B	None	B
Community Facilities: Class 4	A	B	B	None	B
Business Park Industrial Uses: Class 5	A	C	C	C	C

- (1) Class 1 refers to roadway (i.e., where the proposed use abuts a roadway.)
- (2) Class 2 also includes abutting vacant land zoned R-1A-NR, or R-2-NR. ~~or CONSV.~~
- (3) Class 3 also includes abutting vacant land zoned R-3-NR.

- (4) Class 4 also includes abutting vacant land zoned for nonresidential use, including: PIC-NR, NAC, and CAC.
- (5) Class 5 also includes abutting vacant land zoned BP-NR.
- (6) The direction of community development may require a more substantial buffer if the conditions require additional protective screening and buffering.

2. *Maintenance of landscaped areas.* The property owner shall be responsible for the perpetual care and maintenance of all landscaped areas so as to present a neat, healthy, and orderly appearance free of refuse and debris. This shall include the replacement of all dead plants, as needed. Vegetation which is required to be planted or preserved by this section shall be replaced with equivalent vegetation if it is not living. Replacement vegetation may be substituted as long as it is appropriate for the water use zone within which it is proposed to be planted. Preserved trees for which credit was awarded, which subsequently die, shall be replaced by the requisite number of living trees according to the standards established by this section.

Chapter 13 – Subdivisions

Sec. 13.3.1. Intent.

The goals, objectives and policies adopted as a part of the traffic circulation element of the comprehensive plan shall serve as the guiding principles for the sections herein with regard to street network function, layout and safety features. **In addition, the intent of this Section further addresses easements/dedications, blocks, lots, public sites and open spaces, buffering of roadways, and architectural design standards.**

Sec. 13.3.8. Buffering from a neighborhood, collector and arterial streets.

A. Residential subdivisions shall provide buffering when located adjacent to an arterial or collector roadway or when a residential subdivision is designed to have the rear yards of a proposed subdivision located along a neighborhood street according to the following schedule and in accordance with the standards depicted in figure 13-1.

Neighborhood Street	Type A Buffer
Collector Street	Type B Buffer
Arterial Street	Type C Buffer

B. Buffer Wall Standards. Buffer walls shall be solid masonry and decorative in design with a cap on the top of the wall and wall posts. The height shall be a minimum of six feet, measured from the crown of the adjacent road.

C. Portions of buffer walls may be administratively exempted when non-residential sections, such as commercial uses, parks, wetlands, retention areas, or like uses, abut neighborhood, collector and arterial streets within a development. All exempted portions shall be permanent design features that are intended to last in perpetuity. Buffer walls that are not exempt shall extend beyond the residential property an adequate distance to accomplish the required visual and noise buffer(s).

Sec. 13.3.9. Architectural Design Standards

A. Residential Design Standards.

The intent of these design standards is to ensure that future residential development will positively contribute to the built environment and aesthetic appeal of the City of Haines City and promote high-quality architectural design in an effort to increase Haines City's standing in the region as a livable, sustainable, and well-designed community.

1. **The applicability of these residential design standards as set forth in this section shall apply to the proposed building design details, including architectural style, building materials and colors. Further, these standards shall apply to residential development such as, but not limited to, single-family detached, duplexes, single-family attached including townhomes, unless otherwise excluded in this section, and shall apply when an application is made for a final subdivision plan, planned unit development plan, or site development plan that includes residential development. These standards shall also apply to existing residential development if a residential structure's gross floor area is increased by 50 percent or more.**
2. **Separation of product. In order to encourage architectural building variety with similar residential units, said units shall be separated by a minimum of 120 feet or four (4) units, whichever is greater.**
3. **Variety of product. Architectural elevations and facades shall vary so that the type (model), paint color and elevation (all three) shall not match adjacent homes nor the building site located directly or diagonally across the street.**
4. **Massing and composition. Buildings shall have elements that clearly delineate a base, middle, and top through the use of color, materials, banding, and enhanced roofline elements. 20% of the front façade must contain brick, stone, or other acceptable material. All walls facing the street or the public realm shall have a level of treatment similar to the front façade. Blank walls shall be reduced by the inclusion of windows, vertical elements with a plane change from the wall surface,**

- shadow-casting elements, material changes, or other methods. Vertical material transitions shall occur at inside corners or wrap at least 18 inches around an outside corner.
5. Garages. Where the garage door (measurement shall be from each end of the garage door itself) comprises more than 50 percent of the front façade, remedies must be taken to reduce the visual impact of the garage mass. This shall include recessing the garage, overhangs, or separate door entries. Garages that are side-loaded or rear-loaded are exempt from this provision.
 6. Adequate storage. Where a garage is not provided, a minimum of 40 square feet of enclosed storage area shall be constructed so that residents will have space to store bulky personal effects (i.e., recreational equipment).
 7. Windows/doors. Windows and doors shall be accentuated through measures such as: adding trim/sills and lintels or other similar treatment; providing shutters or awnings; framing through the use of façade materials; use of bay window; and/or recessing the window. Decorative shutters shall be scaled and affixed to have the appearance of functioning shutters.
 8. Roofline elements. If using roofline elements to meet the requirements for massing and composition, enhanced roofline elements include but are not limited to: molded or decorative fascia, frieze boards, and gable details and treatments.
 9. Air conditioning equipment/mechanical equipment. Air conditioner pads and condensing units will be staggered a minimum of ten (10) feet from air conditioner condensing units on adjacent properties to provide for drainage and accessibility.
 10. Compliance. Compliance with these standards is the responsibility of the developer, owner, or applicant. At the time of the building permit, applicant will provide proof of compliance.
 11. Exemption. These residential design standards do not apply when the City Commission has established specific design standards for a unique overlay district, like the downtown historic district or any other overlay, unless the specific design standards otherwise expressly state their applicability. In addition, the City Commission may require design standards that exceed the requirements in this section for a planned unit development, when the City Commission determines that these enhanced design standards would be in the best interest of the health, safety, and welfare of the public.

12. Deviation. Deviations from the provisions outlined in this section may be appealed to the City Commission, provided that the deviation will not be contrary to the public interest and meets the general intent and purpose of this section, or where the following exist:

- a. **Conditions exist that were not created by the applicant, either by intention, or failure to act, and are such that a literal enforcement of the regulations involved would result in unnecessary or unique hardship; or**
- b. **Literal conformity with the regulations would inhibit innovative or creative design.**

13. If any of the residential design standards set forth in this section conflict with any other provision of the City of Haines City Code of Ordinances or Land Development Regulations, the provision that establishes the more specified design standards shall govern. If neither conflicting provision establishes a specific design standard, then the more restrictive provision governs unless otherwise expressly provided.

14. These standards shall be incorporated into the Homeowners' Association documents/Declaration of Covenants prior to the final plat approval or the sale of building lots.

Sec. 13.5.3. Preliminary construction plans and preliminary plat.

E. Protective covenants, in draft form, whereby the developer proposes to regulate structural and other improvements in the subdivision to protect the proposed development, shall be provided the city for city staff review.

~~Residential planned unit developments and subdivision with 20 lots or more, shall submit to the technical review board (TRB), prior to final plat approval, the following:~~

- ~~1. A plan to encourage architectural building variety. Similar residential units shall be separated by a minimum of 120 feet or four units, whichever is greater.~~
- ~~2. Proposed building design details including: architects style, building materials and colors.~~

~~The approved standards shall be incorporated into the homeowner association documents prior to final plat approval or the sale of building lots.~~

Sec. 13.5.5. Plats and data for final approval.

A. Final plats shall be drawn or platted in ink, on tracing materials, on sheets (mylars) as required for filing for record in the county, and in accordance with design standards and provisions of F.S. ch. 177, (platting). Where necessary, the plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions the final plat may be submitted for approval progressively in contiguous sections satisfactory to the city commission. The final plat shall show the following:

1. Primary control points: Primary control points, approved by the city (consulting) engineer or descriptions and "ties" to such control points, to which all dimensions, angles, bearing and similar data on the plat shall be referred.
2. Tract boundary lines: Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential and nonresidential lots and other sites; with accurate dimensions, bearings or reflection angles, bearings and similar data on the plat shall be referred.
3. Name and right-of-way width: Name and right-of-way width of each street or right-of-way.
4. Location, dimensions and purpose of any easement(s).
5. Number to identify each lot or site.
6. Purpose for which sites are dedicated or reserved.
7. Minimum building setback line on all lots and other sites.
8. Location and description of monuments.
9. Names of recorded owners: Names of recorded owners of adjoining unplatted land.
10. Reference to recorded subdivision plats: Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
11. Certification by surveyor or engineer: Certification by surveyor or engineer certifying to accuracy of survey and plat.
12. Certification of title: Certification of title showing that the applicant is the land owner.
13. Statement by owner dedicating streets: Statement by owner dedicating streets, rights-of-way, and any sites for public uses.
14. Title, scale, north arrow, and date.

15. Certification of Approval by City Commission: Certification shall be signed by the City Manager or their designee.

Sec. 19.1.2. Rules; meetings; records.

A. The planning commission shall select a chair and a vice chair from among its members and may create such other officers as it may determine. The administrative official shall be the permanent secretary of that commission, and is authorized to delegate the administrative work to another. All regular members (or alternate member who is sitting in the place of a member) shall be entitled to vote in matters before the planning commission. Unless otherwise approved by the city commission, the representative of the school district appointed by the Polk County school board to attend planning commission meetings shall be a nonvoting member. Terms of all officers shall be for one year, with eligibility for reelection.

B. Meetings shall be held at the call of the chairman and at such other times as the planning commission may determine; provided, that the commission shall hold at least one regularly scheduled meeting each month, on a day to be determined by the planning commission unless there is no business to require such a meeting. Meetings that are not regularly scheduled shall not be held without at least 48-hours notice to each member.

C. The planning commission shall keep records of its proceedings showing the vote of each member (or alternate member who is sitting in place of a member), including the chairman or vice-chairman, or if absent or failing to vote indicating such fact. The planning commission shall keep record of its' examinations and other official actions, all of which shall be public record and be filed immediately in the office of the administrative official. **In the event that a planning commission member and/or an alternate should cast a dissenting vote on an official action, the reason for said dissenting vote(s) shall be stated and recorded as part of the proceeding.**