

CHAPTER 9

Boards and Committees

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9.00.00 REQUIREMENTS FOR ALL BOARDS AND COMMITTEES

9.00.01 Appointment, Term of Office, and General Membership Requirements

- A. All members of the Planning & Zoning Board shall be appointed by the Town Council.
- B. The Planning & Zoning Board shall have the opportunity to review each applicant's resume and make a recommendation on the appointment.
- C. All members shall reside within the Town limits, with the exception of the Development Review Committee.
- D. Town Council members shall not be eligible to serve on other Town boards or committees.
- E. Town employees shall only be eligible to serve on the Development Review Committee.
- F. Each member of the Planning & Zoning Board and Development Review Committee serves at the pleasure of the Town Council.
- G. The term of office for Planning & Zoning Board members shall be three (3) years.
- H. Planning & Zoning Board members may seek re-appointment by applying for the new term with other applicants who are interested in the position.

9.00.02 Attendance

- A. Each Planning & Zoning Board member shall attend all regular and called meetings.

9.00.03 Officers and Committees

- A. Each board or committee shall have a chairperson and a vice chairperson. For the Board of Adjustment, the chairperson shall be the Mayor and the vice chairperson shall be the Mayor Pro Tem.
- B. The Planning and Zoning Board chairperson and vice chairperson shall serve one (1) year terms. Officers shall not serve more than two (2) consecutive terms.
- C. The Planning & Zoning Board may create whatever committees it deems necessary to carry out its purposes. The chairperson of the board shall appoint the membership of each committee from the members of that board.

9.00.04 Planning & Zoning Board Removal and Vacancies

- A. When a position on the Planning & Zoning Board becomes vacant before the end of the term, the Town Council shall appoint a member to fill the vacancy for the duration of the term.
- B. When a term is two months from expiring, the Town shall accept applications for the position and fill the position so that the new board member starts at the meeting following the term's end.
- C. When the unexpired term is two (2) months or less, the Town Council may appoint a new member to fill the unexpired term and the following full term.

- D. A member who moves outside the Town or no longer meets eligibility requirements for membership shall be removed immediately.
- E. Any member who misses two consecutive regular meetings without first providing notice of the absence to the Town Clerk shall be deemed to have resigned from the Board and shall be replaced accordingly. Any member who misses four regular meetings during the course of a calendar year, regardless of prior notice, shall be deemed to have resigned from the Board and replaced accordingly.

9.00.05 Public Meetings, Hearings, and Records

- A. All meetings and hearings of boards and committees shall be open to the public.
- B. All meeting agendas of boards and committees shall be posted in advance.
- C. Each board and committee shall keep minutes of its proceedings, indicating the attendance of each member and the decision of the board or committee on every item. The minutes shall be signed by the chairperson and the Town Clerk.
- D. A record shall be made of all resolutions, transactions, findings, recommendations, and decisions, which record shall be a public record on file in the office of the Town Clerk.

9.00.06 Quorum and Voting

- A. For the purpose of transacting business at any meeting or hearing, a majority of the board members shall constitute a quorum.
- B. Approval of actions before any Board or Committee requires an affirmative vote of a majority of the members.

9.00.07 By-Laws

- A. Each board may enact by-laws to govern its operation and procedures.
- B. By-laws shall not conflict with the requirements of this LDC. In the event of any conflict between the provisions of this LDC and the by-laws, the provisions of this LDC shall control.
- C. The following topics may be included in the by-laws:
 - 1. The designation of officers.
 - 2. The specific duties of officers.
 - 3. The creation of committees.
 - 4. Code of conduct.
 - 5. Voting procedures.
 - 6. Scheduling of meetings.
 - 7. Order of business; and
 - 8. Preparation of minutes.
- D. The Town Council shall approve all Advisory Board By-Laws.

9.00.08 Parliamentary Authority

All meetings shall be conducted in accordance with parliamentary procedure as set forth and explained in the latest revised edition of Robert's Rules of Order, which shall serve as the official rules of procedure.

9.00.09 Legal Representation

The Town Council may retain legal counsel to represent a board or committee.

9.00.10 Compensation

Planning & Zoning Board members shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

9.00.11 Funding

The Town Council may appropriate funds at its discretion for expenses necessary in the conduct of the duties of appointed boards and committees.

9.00.12 Conflict of Interest

- A. A member shall abstain from voting on a particular issue if any of the following circumstances apply:
 - 1. The member has a direct financial interest in the outcome of the matter at issue.
 - 2. The matter at issue involves the member's own official conduct.
 - 3. Participation in the matter violates the member's code of professional responsibility.
 - 4. The member has such close personal ties to a person involved with the issue that the member cannot reasonably be expected to exercise sound judgment in the public interest; or
 - 5. Other applicable law.
- B. If a member owns a property within the area entitled to receive mailed notice of the hearing, that board member may voluntarily abstain from voting if the board member believes that the proximity of the project will interfere with his or her ability to be a decision maker in the case.
- C. An abstaining member of a board shall not be counted for purposes of forming a quorum.
- D. A member who takes a position on the issue based upon personal interest may do so only by abstaining from voting on the proposal, vacating the seat on the board, physically joining the audience, and making full disclosure of his status and position at the time of addressing the board.

9.00.13 General Powers

A board or committee may request information from any official, staff member, or department of the Town, which is necessary in order to carry out specific roles and responsibilities.

9.01.00 PLANNING & ZONING BOARD

9.01.01 Establishment

There is hereby created a Planning & Zoning Board, with the roles and responsibilities as set forth herein.

9.01.02 Membership and Terms of Office

- A. There shall be not less than three (3) nor more than seven (7) regular members.
- B. Terms shall be staggered such that no more than three (3) terms expire simultaneously.
 - 1. Appointments shall be for three (3) year terms.
 - 2. When a term is two months from expiring, the Town shall accept applications for the position and fill the position so that the new board member starts at the meeting following the term's end.
 - 3. When the unexpired term is two (2) months or less, the Town Council may appoint a new member to fill the unexpired term and the following full term.
- C. Any interested and eligible citizen as provided for in this section may be appointed to the board, but those with experience or interest in the field of planning and zoning or related fields shall receive special consideration.

9.01.03 Roles and Responsibilities

The Planning & Zoning Board shall have the roles and responsibilities described below.

- A. To serve as the Local Planning Agency (LPA), pursuant to Chapter 163.3174, F.S. As the LPA, the Planning & Zoning Board shall:
 - 1. Make recommendations to the Town Council regarding adoption of a Comprehensive Plan.
 - 2. Monitor and oversee the effectiveness and status of the Comprehensive Plan, including periodic evaluations.
 - 3. Make recommendations to the Town Council regarding amendment of its adopted Comprehensive Plan; and
 - 4. Carry out such other duties as may be specified in Chapter 163, Part II, F.S.
- B. To provide advice and recommendations to the Town Council regarding growth, land use, long range planning, and redevelopment.
- C. To hear, consider, and make recommendations to the Town Council regarding applications to:
 - 1. Amend the Zoning Map (zoning or rezonings).
 - 2. Amend the text of the LDC.
 - 3. Create a subdivision
 - 4. Amend the Comprehensive Plan.
 - 5. Create a site plan; and
 - 6. To determine the appropriateness of variances and conditional uses.
- D. In carrying out its duties, the Planning & Zoning Board may:

1. Establish such committees as may be necessary to gather facts, analyze findings, and make recommendations to the Planning & Zoning Board as a whole.
2. Acquire and maintain such information and materials as are necessary for an understanding of past trends, present conditions, and forces at work to cause changes in these conditions.
3. Periodically evaluate the Comprehensive Plan and LDC and propose amendments to the Town Council.

9.01.04 Quorum and Voting

- A. For the purpose of transacting business at any meeting or hearing, a majority of the board members shall constitute a quorum, but shall be at least three members.
- B. Approval of actions before the Board requires an affirmative vote of a majority of the members present, but not less than three affirmative votes.

9.02.00 TOWN COUNCIL AS BOARD OF ADJUSTMENT

9.02.01 Establishment

There is hereby established a Board of Adjustment (BOA) for the purpose of hearing and deciding on appeals of administrative decisions and hearing and deciding on applications for variances.

9.02.02 Membership

The BOA shall be comprised of the Town Council members.

9.02.03 Roles and Responsibilities

The BOA shall have the roles and responsibilities described in this section. The Board shall conduct public hearings and render decisions in compliance with the requirements of this LDC on the following matters:

- A. To hear and decide appeals where it is alleged there is error in any order, interpretation, requirement, decision, or determination made by an administrative official in the enforcement of this LDC; and
- B. To authorize a variance from a provision of the LDC, as set forth in Chapter 4.

9.02.04 Notice Procedures for Administrative Appeals

- A. Publication of notice. Notice of public hearing shall be published in a newspaper of general circulation at least 10 days prior to the public hearing. Notice shall also be posted at Town Hall and on the Town's website.
- B. After the public hearing, the BOA shall uphold the administrative decision, reverse the administrative decision, or render an alternate decision.

9.03.00 DEVELOPMENT REVIEW COMMITTEE

9.03.01 Establishment

There is hereby created and established a Development Review Committee (DRC) for the purpose of receiving, reviewing, and rendering recommendations on applications subject to administrative review and decision as set forth in Chapter 4.

9.03.02 Membership

Membership of the DRC shall include, but is not limited to, the following:

- A. Town Planner
- B. Town Engineer
- C. Town Traffic Engineer
- D. Public Works Director
- E. Police Chief

9.03.03 Roles and Responsibilities

- A. The DRC shall review applications and provide recommendations to the Planning & Zoning Board, the Board of Adjustment and the Town Council for annexations, zonings and rezonings, amendments to this LDC, Comprehensive Plan amendments, subdivision plans, subdivision plats, site plans, variances, conditional uses, and amendments to previously issued local development orders.
- B. The DRC shall perform such other duties as may be assigned by the Town Council or Mayor.

9.03.04 Rules of Procedure

- A. The Town Planner shall chair meetings of the DRC.
- B. The DRC shall meet as necessary.
- C. The DRC may establish such additional rules of procedure as needed to carry out its roles and responsibilities.

9.04.00 DESIGN REVIEW BOARD

9.04.01 Establishment

There is hereby created and established a Design Review Board for the purpose of receiving, reviewing and rendering recommendations on the architectural requirements for residential and non-residential development and other design considerations as may be brought before the Board.

9.04.02 Membership

- A. There shall be not less than three (3) nor more than seven (7) regular members.

- B. Terms shall be staggered such that no more than three (3) terms expire simultaneously
 - 1. Appointments shall be for three (3) year terms.
 - 2. When a term is two months from expiring, the Town shall accept applications for the position and fill the position so that the new board member starts at the meeting following the term end.
 - 3. When the unexpired term is two months or less, the Town Council may appoint a new member to fill the unexpired term and the following full term.
- C. Any interested and eligible citizen as provided for in this section may be appointed to the board, but those with experience in building design, construction or related fields shall receive special consideration.

9.04.03 Roles and Responsibilities

The Design Review Board shall review and approve all applications for compliance with architectural plan requirements for residential and non-residential development as set forth in Chapter 4. The Board shall also review and recommend approval of proposed improvements to any buildings on the local, state or Federal lists of historic buildings. Decisions of the Design Review Board may be appealed to the Town Council.