

City of Pensacola Planning Board

Rules of Procedure

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City of Pensacola Planning Board Rules of Procedure

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Section 1. Creation and Purpose of the Planning Board

(A) Creation. The creation of the City of Pensacola Planning Board hereinafter referred to as the Planning Board is authorized by Section 12-13-2 of the City of Pensacola Land Development Code pursuant to Section 163.3174 of the Florida Statutes.

(B) Authority and duties of the Planning Board. The Planning Board shall have the following authority and duties:

1. To advise the city council concerning the preparation, adoption and amendment of the comprehensive plan.
2. To review and recommend to the City Council ordinances designed to promote orderly development as set forth in the comprehensive plan.
3. To hear applications and submit recommendations to the City Council on the following land use matters:
 - a. Proposed zoning change of any specifically designated property.
 - b. Proposed amendments to the overall zoning ordinance.
 - c. Proposed subdivision plats.
 - d. Proposed street/alley vacation.
4. To initiate studies on the location, condition and adequacy of specific facilities of the area. These may include, but are not limited to, studies on housing, commercial and industrial facilities, parks, schools, public buildings, public and private utilities, traffic, transportation and parking.
5. To schedule and conduct public meetings and hearings pertaining to land development as required in the Land Development Code.

Section 2. Membership

(A) Composition. The Planning Board shall consist of seven (7) members; six (6) appointed by the City Council and one appointed by the City Manager. No member shall be a paid or elected employee of the city. One member shall be a licensed Florida Architect.

- (B) **Term of office; removal from office; vacancies.** Members of the Planning Board shall serve for terms of two (2) years or thereafter until their successors are appointed. Any member of the board may be removed from office during the two-year term for just cause by the City Council upon written charges and after public hearing. Any vacancy occurring during the unexpired term of office of any member shall be filled by the City Council for the remainder of the term. Such vacancy shall be filled within thirty (30) days after the vacancy occurs.

Section 3. Officers

- (A) **Officers.** The officers of the Planning Board shall be a Chairman and Vice Chairman, each of whom shall be elected by a majority of the full Planning Board membership. The Board may create and fill such other offices as it may determine to be necessary for the conduct of its duties. Terms of all offices shall be for one year, with eligibility for reelection.
- (B) **Election of Officers.** The officers shall be elected at the annual meeting of the Planning Board. All nominations for officers shall be from the floor in open forum. Any person nominated for office should first be consulted to insure that person is willing to serve and/or have his or her name placed in nomination.
- (C) **Chairman.** The Chairman shall preside at all meeting of the Planning Board; call special meetings in accordance with these Rules of Procedure; sign documents on behalf of the Planning Board and see that all actions of the Planning Board are properly taken. He or she shall serve as liaison between the Planning Board and the City Council.
- (D) **Vice-Chairman.** During the absence, disability or disqualification of the Chairman, the Vice-Chairman shall exercise and perform all the duties and be subject to all the responsibilities of the Chairman. The Vice-Chairman shall succeed the Chairman if the Chairman vacates the office before his term is completed. In that event, a new Vice-Chairman shall be elected from among the Planning Board membership at the next regular meeting of the Planning Board.
- (E) **Acting Chairman.** If the Chairman and Vice-Chairman of the Planning Board are not able to preside over the meeting and a quorum is present, an acting Chairman to serve only at that meeting shall be elected by a majority of the members present.

Section 4. Staff of the Planning Board

- (A) **Office.** The Planning Board office shall be located within the offices of the Department of Planning & Neighborhood Development. The records of the Planning Board including meeting minutes, copies of all applications, plats, maps, reports, notices, resolutions, transactions, findings, determinations and

correspondence shall be maintained at the offices of the Planning Board and shall be of public record.

- (B) **Staff.** The Planning Board may call upon any branch of the city government at any time for information and advice which in the opinion of the Board will ensure efficiency of its work.
- (C) **Secretary.** The Director of Planning & Neighborhood Development or his/her designee shall serve as Secretary to the Planning Board. The Secretary or his/her staff shall consult with an applicant or his/her representative concerning compliance with the requirements of the Land Development Code; make on-site inspection of each parcel that is the subject of an application to the Planning Board; prepare a written report and recommendation to the Planning Board for each application; prepare an agenda for each meeting of the Board; attend each meeting of the Planning Board and present and discuss findings relative to each application; and inform the Planning Board of any correspondence or communication received relative to business of the Planning Board and see that such is dealt with in an appropriate manner or as directed by the Planning Board. The Secretary shall see that the minutes of all of the meetings of the Planning Board are kept in an appropriate minute book; give or serve all notices required by law; and maintain the records of the Planning Board.
- (D) **City Engineer.** The City Engineer shall serve as chief engineer for the Planning Board.

Section 5. Meetings of the Planning Board

- (A) **Annual Meeting.** The annual meeting of the Planning Board shall be held in August of each year. At this meeting the Planning Board shall elect a Chairman and Vice-Chairman. Following election of officers, the Planning Board shall continue in session to transact such other business as may come before it.
- (B) **Regular Monthly Meetings.** The Planning Board shall meet regularly once a month on a day to be determined by the membership. The Chairman may change the regular monthly meeting day for good reason.
- (C) **Special Meetings.** Special meetings may be called by the Chairman, by the Secretary or by a majority of the Planning Board. A minimum 48-hour notice shall be provided to each member if a special meeting is called.
- (D) **Meeting Location.** The Chairman, after consulting with the Planning Board members, may designate any place within the City of Pensacola for any annual, regular or special meeting. In the selection of a time and place for a meeting, due consideration shall be given to space requirements and travel distances for those who will attend the meeting.

- (E) **Meeting Records.** All regular and special meetings of the Planning Board shall be open to the public. A written record of the proceedings of the Planning Board shall be kept showing its actions on each question considered, and filed in the office of the Planning Board.
- (F) **Quorum.** Four (4) members of the board shall constitute a quorum, and the affirmative vote of majority of the quorum shall be necessary for any action thereof. The method of voting may be verbal, a show of hands or, if requested by a Board member, by roll call. The Chairman must vote last on a roll call.
- (G) **Voting Requirements.** No member present at a meeting may abstain from voting except when, there is, or appears to be, a possible conflict of interest.
- (H) **Conflicts of Interest.** Any member of the Board who may have a conflict of interest on any item that is on the agenda shall voluntarily excuse himself and refrain from discussing and voting on said item. In such cases, said member shall comply with the disclosure requirements of State Law.
- (I) **Robert's Rules.** Robert's Rules of Order shall generally govern the conduct of business at all Board meetings.
- (J) **City Council Referrals.** Matters referred to the Planning Board by the City Council shall be placed on the agenda for consideration at the next meeting of the Planning Board.
- (K) **Applications.** All applications requiring Planning Board action shall be filed in the office of the planning Board. No application shall be placed on the agenda for any meeting unless a full and complete application is received in the office of the Planning Board within the submittal deadline stipulated in the Land Development Code. The Board shall render a decision at the conclusion of the public hearing or within 30 days from the date of the public hearing if it is determined that action must be deferred to allow for additional input and review.
- (L) **Order of Business.** The order of business on the Planning Board agenda shall generally be:
1. Call to order
 2. Roll call and determination of quorum
 3. Approval of minutes
 4. Registration to address the Planning Board
 5. Consideration of applications
 6. Old business
 7. New business
 8. Reports and announcements
 9. Planning Board member comments
 10. Public comments

11. Adjournment

(M) Procedure for Public Hearing. During the consideration of applications that involve a public hearing, the following procedures will normally be observed:

1. Staff overview of the application, findings and recommendations, including questions from Planning Board members.
2. Presentation by the applicant or his agent, including questions from Planning Board members.
3. Statements or questions from adjacent property owners, persons affected by the proposal and the general public present, provided that they have previously registered to speak and comments are made from the speaker's podium. The Chairman may limit input to five (5) minutes per speaker if he deems such a time limit to be necessary.
4. Final questions from Planning Board members may then be directed to the applicant, staff, affected property owners or general public in order to clarify any concerns. Note: comments made by the applicant, property owners and general public in response to questions from the Planning Board must be from the speaker's podium in order for these comments to be part of the official record of the proceedings.
5. Public participation is then closed so that the Board members may deliberate and vote on the particular agenda item being considered.

(N) Rehearings.

1. Whenever a zoning amendment is denied by the City Council, no new application for identical rezoning or comprehensive plan future land use change of the same parcel shall be accepted for consideration within a period of twelve (12) months of the decision of denial unless such consideration is necessitated by judicial action.
2. Except as provided in Section 5(M)1. above, the Planning Board shall not rehear an application that has been denied within a period of twelve (12) months of the decision of denial unless the applicant has modified the application to include any recommendations for changes made by the Planning Board and/or City Council.

(O) Withdrawals. Any application may be withdrawn prior to action thereon by the Planning Board at the discretion of the applicant initiating the request upon written notice to the Planning Board Secretary.

(P) Amendments. These Rules of Procedure may be amended at any meeting of the Planning Board by the concurring vote of two-thirds of the membership of the Planning Board, provided that five days notice of such amendment shall be given to each member.