

CITY OF LAKE ALFRED, FLORIDA

PLANNING BOARD BYLAWS

**To supplement Section 8.03.01 of the
Lake Alfred Unified Land Development Code**

As Adopted November 9, 2005

Lake Alfred Planning Board Bylaws

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Lake Alfred Planning Board Bylaws

Rule 1. Board Name and Definitions

- A. **Name.** The name of the Board is the “Lake Alfred Planning Board” enacted by Ordinance 742-93, The Lake Alfred Unified Development Code, Article 8, Section 8.03.01.
- B. **Definitions.** Unless stated to the contrary, the following words shall have the meanings stated below.
 - 1. **Citation** shall refer to these rules, which shall be cited as the “By-Laws of the Lake Alfred Planning Board.”
 - 2. **Code** shall refer to the Unified Land Development Code (ULDC) of the City of Lake Alfred, Florida.
 - 3. **Board** shall refer to the City of Lake Alfred Planning Board.
 - 4. **City Commission** shall refer to the City Commission for the City of Lake Alfred, Florida.

Rule 2. Membership

- A. For all new members appointed to the Planning Board after September 31, 2005, any resident or property owner of the City of Lake Alfred desiring to serve on the Planning Board should complete an Appointment Information Form, which may be obtained from the City Clerk. As positions on the Board become vacant, the Chair will notify the City Commission of the need for appointments. It is the sole responsibility of the City Commission to make nominations and appointments to the Planning Board.
- B. All members shall be appointed for terms of three years each. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Rule 3. Jurisdiction

The Board shall have jurisdiction over those matters set forth in Section 8.03.01, of the Lake Alfred Unified Land Development Code.

Rule 4. Officers and Their Duties

The officers are the Chair and the Vice-Chair.

- A. **Chair.** The Chair shall be elected by and from the members of the Planning Board and shall reside at all meetings. The term of the Chair shall be limited to two consecutive terms.
- B. **Vice-Chair.** The Vice-Chair shall, after election of the Chair, be elected by and from the members of the Planning Board. Whenever the Chair is absent, the Vice-Chair shall preside at the meeting. If both are absent, a temporary Chair shall be elected by nomination, motion, and vote. The Vice-Chair shall be the Parliamentarian for the Planning Board. The term of the Vice-Chair shall be limited to two consecutive terms.
- C. **Election of Officers.** At the first regular meeting of the Board on or after November 1, the members of the Planning Board shall elect a Chair and Vice-Chair from among its members to serve in that capacity until the next election or until said officers resign or are removed. A majority vote of the membership shall elect said officers.
- D. **Removal.** Any officer may, at any meeting, be removed for cause. Removal by the Board shall be by majority vote of the members. In event of such removal or in the event of resignation of any officer, the Board shall, within 30 days, elect a member to serve as a replacement for the remainder of the unexpired term of the officer.

Rule 5. Meetings and Schedules

- A. **Monthly Meetings.** Regular meetings should be held in the Lake Alfred City Hall Commission Chamber, on the first Wednesday of the month at 6:30 P.M. If the first Wednesday of the month is a holiday, then the meeting shall be scheduled for the Third Wednesday.
- B. **Notification and Attendance.** It shall be the responsibility of Planning staff to contact Board members and confirm attendance. While every effort shall be made to have attendance confirmed no later than three days prior to a meeting, all members are responsible for contacting the Planning staff at least twenty-four hours in advance of an unexpected absence.
 - 1. The Planning staff shall provide an agenda to all members at least seven (7) days prior to each regular meeting.
 - 2. Any Board member who fails to attend three consecutive meetings without notification to the Planning Department should resign or be removed from the Board by the City Commission.
- C. **Quorum.** A quorum of the seven (7) member Planning Board shall consist

of four (4) members. The Planning Board will retain two (2) alternate Planning Board members to serve in the anticipated absence of any regular member. A majority vote of the members of the Board at any meeting is required for positive action. No meeting shall commence unless a quorum is present. Fifteen minutes after the scheduled meeting time has elapsed, if a quorum is not present, the meeting shall be rescheduled. The full notification process will be required to hear rescheduled cases, but no fee will be required of the petitioner.

D. **Special Meetings.** The Board may call special meetings to hear petitions for all matters that normally come before the Board or to discuss internal procedural matters by giving written notice of the Chair or by any five members. Members calling a special meeting shall notify the City's Planning Official at least seven (7) business days in advance of the time and place, and the purpose of the special meeting.

1. The Planning staff shall notify all members by phone.
2. Special meetings may be called so long as requirements for public notice are met.

E. **Workshops.** Planning Board members may hold a workshop to discuss any matters of interest to the Planning Board and may be called from time to time by the Chair, who shall give at least seven (7) business days notice. All members are strongly encouraged to attend. At no time during workshops shall a member announce or indicate his/her position regarding a decision to be made at the public meeting.

F. **Training.** The Planning Board shall be encouraged to attend one (1) session in the State of Florida per year to further individual knowledge of planning principles. A session can include, but is not limited to, local workshops, city-sponsored workshops, regional seminars, state conferences, etc. Planning staff will be responsible for informing Board members about educational opportunities. Planning Board members may also bring educational opportunities to the attention of planning staff. The Planning Department will pay for travel, lodging, food, materials, and the education session, if approved by the City Manager. If a Planning Board member does not attend the educational session, once paid for by the Planning Department, said Board member will be required to reimburse the Planning Department. Additionally, Planning staff will keep the Board updated on planning-related issues.

Rule 6. Public Hearing Procedural Rules.

- A. **Decorum.** Business before the Board shall be conducted in accordance with the up-to-date edition of *Robert's Rules of Order*.

- B. **Order of Business.** The standard agenda form which delineates the order of business to come before the Board during the regular meeting shall be as follows:
 - i. Call to order
 - ii. Roll call
 - iii. Invocation
 - iv. Pledge of allegiance
 - v. Approval of minutes
 - vi. Hearings
 - vii. Other business
 - viii. Adjournment

- C. **Public Hearing.** Public hearing petitions shall be conducted in accordance with the following prescribed procedures:
 1. The Chair may explain the rules and procedures of the Board to the audience.
 2. The Chair announces each petition as stated on the agenda.
 3. City Planning Staff gives the factual background and states the issues, questions, and concerns for the Board to consider in each case, and states recommendations.
 4. The Chair then asks the petitioner making the request to come forward, state their name and address for the record, and explain their request. The Board may at this time question the presenter or his/her representatives.
 5. At this point, any person in the audience requesting clarification concerning the nature of the request, but not in support or in opposition, may come forward.
 6. After hearing the petitioner and clarifying the facts, the Chair then explains that the Board will listen to and may ask questions of persons appearing in favor of or in opposition to the case.
 7. The Chair then asks those who wish to speak in favor of a request to come forward, state their name and address, then state their views.

8. Upon conclusion of hearing those in support, the Chair then asks those in opposition to the request to come forward, state their name and address, then state their views.
 9. The person(s) making the request then may make a brief rebuttal if they wish to do so.
 10. The Chair may in accordance with applicable law limit the amount of time any speaker may have during the aforementioned public hearing process.
 11. The Board then conducts a discussion period. The Board does not normally allow comments from the audience during this period, but may ask questions of either side. The Chair may permit Board members to discuss the subject matter without a motion. When considering Comprehensive Plan amendments, the discussion should evolve around the standards for evaluating amendments set forth in Section 7.02.03 (See Attachment "A"). When considering rezoning amendments, the discussion should evolve around the standards for evaluating rezonings set forth in Section 7.03.03 (See Attachment "B").
- D. **Motions.** Any member may move a motion. The Chair shall require a second before entertaining discussion or calling for a vote on the motion.
- E. **Voting.** Voting may be by voice vote whereby the Chair will ask those in favor of the motion to so indicate by saying "aye"; those opposed, "no". At the discretion of the Chair, or the majority of the Board, a "roll call" vote may be called on any matter.
- F. **Abstention.** No Board member may vote on any measure in which he/she has a personal, private, or professional interest that inures to a special gain or the special gain of any principal by whom he/she is retained. Prior to public discussion of the measure, the member shall disclose the nature of his/her interest. Voting conflicts shall be handled in accordance with the provisions of section 112.3143 of the Florida Statutes.
- G. **Final action.** The Board shall by motion approve, approve with conditions or modifications, or disapprove the request before it, and by so doing make its recommendation to the City Commission. Each motion shall contain a recital of the decision of the Board, including any modifications and/or conditions made as part of the Board's recommendation. The Chair may, when instructed by the majority of the Board, convey a memorandum to the City Commission explaining any matter having come before the Planning Board.

- H. **Minutes.** Minutes of the Board shall be recorded and kept by Planning Staff. The minutes shall serve as a complete, but not verbatim description of the meeting. Each member of the Board will be responsible for reviewing the minutes prior to each meeting.

Rule 7. Authority For Review.

- A. The Planning Board has the authority to hold public hearings and meetings to review requests for certain actions by the City of Lake Alfred, and to make recommendations to the City Commission after study, discussion, and a formal vote on the matter. The authority of the Planning Board extends to the following matters, which shall be in the form of an application and a fee, where appropriate:
 - 1. **Comprehensive Plan:** Authority and guidance for review of comprehensive plan amendments are contained in section 7.02.00 of the Lake Alfred Unified Land Development Code.
 - 2. **Zoning Review:** Authority and guidance for review of zoning requests and recommends for approval are contained in Section 7.03.00 of the Lake Alfred Unified Land Development Code.
 - 3. **Development Review:** Authority and guidance for review of development requesting recommendation for approval are contained in Sections 7.04.00, 7.05.00, 7.06.00, and 7.07.00 of the Lake Alfred Unified Land Development Code.
 - 4. **Revisions to the Text of Zoning Ordinances:** The Planning Board reviews, drafts, and holds a public hearing before making recommendations on revisions to the Lake Alfred Unified Land Development Code to the City Commission.
 - 5. **Conditional Use Approval:** Authority for reviewing proposed conditional uses as indicated by Section 7.08.00 of the Lake Alfred Unified Land Development Code.

Rule 8. Staff Role

- A. **Proposal and Plans Review:** The Planning Official shall make copies of each application submitted for formal review by the Planning Board and shall distribute such copies to the Public Works Department and Utilities Department for comments concerning the application. When appropriate, he/she shall summarize the comments and recommendations on the Planning Board Analysis, prepared for each application.

Notification: Notification requires various actions depending on the type of proposal or review requested of the Board, on the part of the City Clerk, in order to insure complete disclosure and early notice to the public meetings and public hearings to be conducted by the Planning Board. These actions are set forth in section 8.06.00 of the Lake Alfred Unified Land Development Code.

Rule 9. Amendment of These By-laws.

These By-laws may be amended from time to time by the vote of two-thirds (2/3) of the regular members of the Planning Board. No special notice is required to make “errata changes” to these By-laws; however amendments that amount to substantive change in procedures or modification in the policies of the Board concerning membership, election of officers, removal of officers or members, or the criteria for review of applications shall require approval from the City Commission.