

MEMORANDUM

TO: Honorable Mayor & City Council Members
FROM: Debbie Renner, City Clerk *DR*
DATE: November 10, 2009
SUBJECT: Appointments to the Planning Commission

PURPOSE

To consider recommendations for appointments to the Orange City Planning Commission for the following expiring seats: Seat #4, Seat #5 and Seat #6. In addition, there has been a vacancy in Seat #1 which needs to be filled.

BACKGROUND

Several years ago, terms for appointments to the Planning Commission were changed to run concurrently with the term of the Council Member who made the appointment. This means that new appointments must be made after each city election. Each newly elected Council Member now has the opportunity to recommend an appointment to the Seat # which coincides with their district.

Those people who are currently serving in the seats with expiring terms may be reappointed if the Council Member elected to that District so desires. There are no term limits for appointments to the Planning Commission.

Current appointments are as follows:

<u>Appointing Council Member</u>	<u>Seat #</u>	<u>Current Appointee</u>
Council Member Allebach	1	Vacant
Council Member Pupello	4	Paul DeSilva
Council Member Blair	5	Christopher Weldon
Council Member Crippen	6	Robert Storke

RECOMMENDATION

It is recommended that the Council Members listed above announce their nomination for the Planning Commission. Resolutions will then be prepared for Council to vote on the appointments at the December 8th meeting.

Section 3.3. Planning commission establishment.

The planning commission is hereby established as an advisory commission to the city council, and pursuant to and in accordance with F.S. § 163.3174 the planning commission is hereby designated as the local planning agency and land development regulatory commission for the City of Orange City.

- 3.3.1. *Membership and terms.* The planning commission shall consist of seven members, who shall be residents of the city appointed by the city council. After the effective date of this code and upon taking office as a result of city elections, the elected or reelected mayor and/or city council members shall nominate or renominate a citizen to represent the planning commission seat number that coincides with the city council seat number held by each council member. The mayor shall nominate seat number 7 of the planning commission. The term of each planning commissioner, after the effective date of this code, shall coincide with the term of office of the nominating mayor or city council member. Planning commission members may serve consecutive terms. Any vacancy in an unexpired term shall be filled in the same manner as the original appointment for the remainder of the term. Any vacancy shall be filled within 30 days from the time of formal notification to the city council.
- 3.3.2. *Removal from office; vacancies.* Any member of the planning commission may be removed from office with or without cause by the city council. Any vacancy occurring during the unexpired term of office of any member shall be filled for the remainder of the term in the same manner as the original appointment. Such vacancy shall be filled within 30 days from the time of formal notification to the city council.
- 3.3.3. *Officers; employees.* The members of the planning commission shall elect a chairman, a vice-chairman and secretary. The terms of all officers shall be for one year, each having eligibility for reelection. At the first meeting of the planning commission after each fiscal year, the chairman shall call the meeting to order and shall then call for nominations for chairman. The development services department shall provide clerical and staff support.
- 3.3.4. *Compensation.* All members shall serve without compensation but, as authorized by the city council, may be reimbursed for actual expenses incurred in connection with their duties.
- 3.3.5. *Attendance, voting, and other administrative issues.* Planning commission members are subject to the provisions of the City Code of Ordinances, as amended, with regard to disclosure, conflict and residency requirements.
- 3.3.6. *Decisions of the planning commission.* All decisions of the planning commission shall be advisory to the city council unless otherwise specified by this code.
- 3.3.7. *Rules of procedures.* The planning commission shall meet at regular monthly intervals, and at other such times, as it may deem necessary for the transaction of its business. It shall adopt written by-laws. A quorum shall be four members. The affirmative vote of a majority of those present shall be required to approve any action of the planning commission.

3.3.8. *Powers and duties.*

- A. The planning commission shall hear applications for amendments to this code and/or the comprehensive plan. If the proposed amendment relates to a specific area of land, it shall be heard only if it is presented by either the person owning more than 50 percent of that land or said person's authorized agent or upon an administrative application by the city council.
- B. The planning commission shall prepare, or cause to be prepared, the elements of the comprehensive plan required in F.S. § 163.3177 and any other appropriate elements. It shall make recommendations regarding the comprehensive plan to the city council. It shall have the general responsibility for the conduct of the comprehensive planning program. It shall comply with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act and shall monitor and oversee the effectiveness and status of the comprehensive plan. It shall recommend to the city council such changes in the comprehensive plan as may from time to time be required. It shall perform any other comprehensive planning duties assigned by the city council. It may prepare and recommend to the city council any other proposals to implement the comprehensive plan.
- C. As the local planning agency, the planning commission is hereby also designated the land development regulation commission in accordance with the provisions of F.S. § 163.3161 et seq. and 163.3174 of the Local Government Comprehensive Planning and Land Development Regulation Act. The planning commission shall develop and recommend to the city council land development regulations, which implement the comprehensive plan, and review land development regulations or amendments thereto for consistency with the comprehensive plan.
- D. Review site plans as required by chapter 7 of this code, subdivision plats as required by chapter 6 of this code and other applications where review of the planning commission is required by this code.
- E. The planning commission shall review and make recommendations to the city council with regard to all applications for code amendments and rezonings in accordance with section 3.5 of this chapter.
- F. The planning commission shall hear and decide variance applications in accordance with section 3.6 of this chapter.
- G. The planning commission shall hear and either decide or recommend conditional use approval in accordance with section 3.7 of this chapter.
- H. The planning commission shall perform such other duties as may be assigned by the city council.