

TO: City Plan Board **Item Number: 6**

FROM: Planning & Development Services Department **DATE: June 27, 2013**
 Staff

SUBJECT: PB-13-52 TCH. City of Gainesville. Amend the Land Development Code to eliminate term limits for board members serving on the Development Review Board, City Plan Board, Board of Adjustment, and Historic Preservation Board.

Recommendation

Staff recommends:

- Approval of Petition PB-13-52 TCH.
- Direct Staff to prepare the necessary revisions to the rules of procedure for each board subject to the approval of the relevant board and the City Commission.

Background and Discussion

This petition is a referral to the City Plan Board from the City Commission (Legislative Matter No. 120202) as approved on April 18, 2013. This item was originally referred to the Community Development Committee (CDC) by the City Commission and discussed at the January 14, 2013 CDC meeting (Quasi-Judicial Boards Terms and Composition). The CDC recommended to the City Commission that term limits for the Board of Adjustment, City Plan Board, Development Review Board and Historic Preservation Board be eliminated. The agenda item, meeting minutes, and backup material from the January 14, 2013 CDC meeting are included in Appendix A as Exhibit A-1.

The rationale for the referral cited the need to support the retention of qualified volunteers to serve on the quasi-judicial boards included in this petition. Eliminating the term limits for the boards will allow the City Commission to reappoint members who wish to continue to serve but would have been ineligible due to the existing term limits. Retention of qualified members enhances the ability of these quasi-judicial boards to meet quorum requirements and fulfill the various functions of the boards.

As stated in Article X, Division 2 of the Land Development Code, each quasi-judicial board adopts rules of procedure in order to carry out its purposes. All rules must conform to Land Development Code, Article X, the Code of Ordinances and state law. Revisions to the rules of procedure must be approved by the individual boards and adopted by the City Commission. The second part of the staff recommendation is to direct staff to prepare revisions to the rules of procedure for the quasi-judicial boards included in this petition.

Recommended Changes: Land Development Code Sec. 30-352. - Development review board.

- (2) The initial appointment, residency requirement, length of term, ~~number of terms,~~ probationary period, officers and general procedures shall be as prescribed for the city plan board, section 30-353

Recommended Changes: Land Development Code Sec. 30-353 – City Plan Board

The recommended changes are shown below in underline and ~~strike-through~~.

- (3) Each member shall be appointed to a three-year term commencing on November 1 of the year appointed, except that, initially, two regular members shall be appointed for terms of one year, three regular members shall be appointed for terms of two years, and two regular members shall be appointed for terms of three years. Members may be reappointed for consecutive terms. ~~No person may serve more than two consecutive three-year terms. Persons disqualified by this provision may be reappointed after one year elapses after the expiration of the second term of service.~~

Recommended Changes: Land Development Code Sec. 30-354. - Board of adjustment.

- (a) *Created.* The board of adjustment is hereby created and shall consist of five members appointed by the city commission. After the initial appointments, each member shall be appointed for up to two consecutive terms of three years each to a three-year term and shall hold office until a successor has been appointed and qualified. Members may be reappointed for consecutive terms and shall hold office until a successor has been appointed and qualified. ~~Service on the board may not exceed six consecutive years; however, reappointment may occur after one year of absence from the board.~~ Vacancies shall be filled for the unexpired term of any member whose office becomes vacant. Terms shall expire November 1 of the year the term expires.

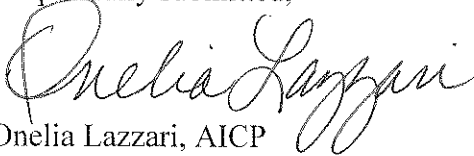
Recommended Changes: Land Development Code Sec. 30-355. - Historic preservation board.

- (2) After initial appointment, all appointments shall be made for a term of three (3) years. Members may be reappointed for consecutive terms, ~~but service on the board may not exceed six (6) consecutive years. Reappointment may then occur after one (1) year of absence from the board.~~

Impact on Affordable Housing

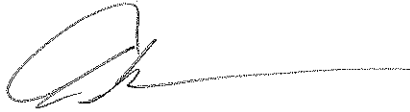
There are no impacts to affordable housing from this petition.

Respectfully submitted,



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Principal Planner

Prepared by:



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Petition PB-13-52 TCH
July 27, 2013

List of Exhibits

Exhibit A-1 Community Development Committee Background Materials
Exhibit B-1 Application