



City of Port St. Lucie

Planning and Zoning Department Memorandum

TO: PLANNING AND ZONING BOARD - MEETING OF MARCH 2, 2021

FROM: PATRICIA A. TOBIN, AICP, LONG RANGE PLANNING ADMINISTRATOR

RE: CITY OF PORT ST. LUCIE – ARTICLE VII, SECTIONS 32.50 – 32.57 -
PLANNING AND ZONING BOARD
TEXT AMENDMENT
PROJECT #21-026

DATE: FEBRUARY 8, 2021

BACKGROUND:

This proposed amendment to Article VII, Sections 32.50 through 32.57 of the City of Port St. Lucie Code of Ordinances is a staff-initiated text amendment. The purpose and intent of these amendments are to provide for Planning and Zoning Board members from at-large positions versus the current provisions which require four (4) members, one from each City Council district and establish evening meetings.

The amendment to Section 32.50 would allow all Planning and Zoning Board positions to be selected at-large. This amendment is being recommended since finding residents by City Council districts to serve on the Planning and Zoning Board is getting more difficult.

In addition, there is an amendment to Section 32.56 which will require the Board's meetings be held in the evening.

It is the intent of both changes to allow for a greater pool of potential candidates for the Planning and Zoning Board. In addition, the evening meetings will provide more opportunity for public involvement and engagement in the City's planning and development processes.

PROPOSED AMENDMENT:

See attached Exhibit A. Changes are shown in underlined

STAFF RECOMMENDATION:

The Planning and Zoning Department staff recommends approval of the proposed amendment based on the analysis and findings, as noted in the staff report.

PLANNING AND ZONING BOARD ACTION OPTIONS: *

- Motion to recommend approval to the City Council
 - Motion to recommend approval to the City Council with conditions
 - Motion to recommend denial to the City Council
- * Should the Board need further clarification or information from staff it may exercise the right to table or continue the hearing or review to a future meeting.

EXHIBIT A

ARTICLE VII. - PLANNING AND ZONING BOARD

Sec. 32.50. - Establishment of board.

Pursuant to Charter section 12.01, there is hereby established by city council, a planning and zoning board consisting of seven at-large members and two at-large alternates. ~~The board shall consist of one member from each council district and three at large members. The alternates shall be at large members.~~

Sec. 32.51. - Local planning agency designation; preparation of comprehensive plan.

In accordance with F.S. § 163.3174(1), the planning and zoning board of the city is designated as the local planning agency for the city, and its duties shall be to prepare a comprehensive plan for the city as required by F.S. § 163.3174.

Sec. 32.52. - Residency.

The members of the planning and zoning board shall have been residents of the city for at least one year prior to their appointment.

Sec. 32.53. - Terms of members.

The terms of the members of the planning and zoning board shall be four years. A member may be reappointed for one successive term upon approval by the city council. After serving two successive terms, persons may be eligible for reappointment after having not served on the Board for a period of one year.

Sec. 32.54. - Filling of vacancies.

Upon any vacancy on the planning and zoning board created either by action of the council or for any other reason, the planning and zoning board shall recommend to the city council, by a majority vote of the board, a replacement to fill the vacancy subject to the approval of the members of the city council.

Sec. 32.55. - Reserved.

Sec. 32.56. - Meetings; records.

The planning and zoning board shall meet at least once each calendar month and more often at the call of the chairperson or upon call by the mayor-councilmember. All regular meetings shall be held in the evening. Special meetings may be held as necessary. Any proposal submitted to the board by the city council shall be acted upon within 30 days after the proposal as submitted in writing to the secretary and if a regular meeting is not scheduled within 15 days then a special meeting may be called to act upon that proposal. All meetings of the board shall be public and complete records of its deliberations shall be kept. These records shall be available to the public at city hall. The city clerk shall be custodian of the records. Absence from three consecutive regular meetings of the

board shall operate to vacate the seat of a member unless the absence is excused by the board by resolution setting forth the fact of the excuse duly entered upon the minutes.

Sec. 32.57. - Powers and duties.

(a) It shall be the duty of the planning and zoning board to produce and suggest plans for the zoning and arrangement of the city with a view to its general improvement and probable growth and demands, those plans to take into consideration the extension of the city works into adjacent territory, improvements and changes in public utilities and lines of transportation, by surface and water, and the location and road widths necessary for the best development of the city, and improvement of the water fronts; the location and design of public buildings, and further extension of and additions to the park and boulevard system as may be deemed advisable.

(b) The planning and zoning board shall have the following powers and duties:

(1) *Personnel.* The board may recommend to employ additional personnel necessary to make surveys and compile data essential to the preparation of a plan for municipal improvements and otherwise to aid and assist the board in the execution of its powers and duties under this subchapter. The board shall not in any manner obligate the city council.

(2) *Officers.* Elect its own chairperson, vice-chairperson, and secretary.

(3) *Rules and regulations.* Adopt rules and regulations for its guidance, provided the same are consistent with the ordinances of the city and applicable state laws.

(4) *Financing.* Make recommendations for the financing of improvements; but those recommendations for financing shall in no way be binding on the city council.

(5) *Comprehensive plan.* The comprehensive plan shall be adopted and may be amended from time to time. The plan, together with accompanying maps, charts, and explanatory matters shall show the recommendations of the Board for the development of the city and, among other things, may include recommendations as to the general location, character and extent of streets, bridges, parks, water ways, or other public ways, the general location of public buildings and other public property, and general location and extent of public utilities, the removal, relocation, widening, extension, narrowing, abandonment or change of use of existing or future public ways, grounds, spaces, buildings, or utilities.

(6) *Procedure for adoption of comprehensive plan.* The adoption of any future comprehensive plan or any part thereof, or any amendment, extension, or addition to the current comprehensive plan as set forth in F.S. Chapter 163.

(7) *Disposal of city property.* If requested by the city council, the board may make recommendations on the leasing or disposition of real property. However, the city council shall have authority to overrule the recommendation of the board on any proposal.

(8) *Neighborhoods.* Make recommendations for the improvement and development of neighborhoods.

(9) *Public relations.* Promote public interest in, and understanding of the *comprehensive plan* and other proposals submitted by the board.

(10) *Budget.* The board shall make recommendations on the annual update to the capital improvements element of the comprehensive plan.

(11) *Voting.* The planning and zoning board shall make recommendations to the city council pertaining to all items relating to planning and zoning before any council action may be taken. There is required a vote of four-fifths of the established city council to override a decision of the planning and zoning board as to all recommendations pertaining to rezoning. All other matters require a simple majority.

(c) All recommendations from the planning and zoning board, for either approval or disapproval of any measure, petition, plan, program, or proposal of any nature, shall be by a majority of the members serving on the board. Those recommendations from the board shall be in writing and shall indicate thereon the names of the members of the board present at the meeting where the recommendations were made and the disposition of the votes of the members of the board, which writing can consist of a copy of the minutes of the board's meeting. If the board is unable to arrive at or make any recommendations hereunder, then that inaction shall also be reported in writing in the same manner above prescribed.