

CITY OF PORT ST. LUCIE, FLORIDA PLANNING AND ZONING BOARD

BYLAWS

ARTICLE I. OBJECTIVES AND PURPOSES

Section 1. The objectives and purposes of the Planning and Zoning Board shall be those set forth in the Code of Ordinances of the City of Port St. Lucie.

ARTICLE II. MEMBERSHIP

Section 1. Membership shall be in accordance with the provisions of the Code of Ordinances of the City of Port St. Lucie. Members shall be appointed as outlined in Section 32.50 of the Code of Ordinances. Membership shall include a member of the School Board or designated staff in accordance with the Growth Management Act.

Section 2. If a regular Planning and Zoning Board member knows in advance that they will not be able to attend a scheduled Planning and Zoning Board meeting, a minimum of a one week's notice shall be given and the Planning Director shall select an alternate. If a regular Planning and Zoning Board member becomes ill and will not be able to attend a scheduled meeting, they shall notify the department as soon as possible and the Planning Director shall request that an alternate attend if available.

Section 3. Members and alternates should:

- a. have a general knowledge of the City;
- b. exhibit a genuine interest in the affairs and development of the City;
- c. devote the time necessary to serve the Board;
- d. serve without pay or remuneration;
- e. make judgments without respect to any personal gain;
- f. support the adopted policies of the City.
- g. have a knowledge of and be familiar with the Florida Planning Officials Handbook

Section 4. Members and alternates of the Board may be removed in accordance with the provisions of the Code of Ordinances of the City or Port St. Lucie.

Section 5. Disqualification and Resignation.

Any Board Member or alternate may resign at any time by sending or personally delivering a written notice of resignation to the Planning and Zoning Board, addressed to the secretary. The resignation shall take effect on receipt by the secretary, unless it states differently. Any Board Member who is absent from more than three (3) regular

meetings of the Board, within a twelve-month period, unless excused by the Board, shall be deemed to have resigned from the Board automatically, effective when accepted by the Board.

Any Board Member who relocates outside of the City of Port St. Lucie's municipal boundary shall be considered disqualified and shall notify staff immediately. Such notice shall be considered as an official and acceptable resignation from the Board.

ARTICLE III. OFFICERS AND DUTIES

Section 1. The Officers of the Planning and Zoning Board shall be:

A Chairperson, who shall preside at all meetings and shall have special duties as further prescribed in these bylaws.

A Vice-Chairperson, who shall, in the absence of the Chairperson or in the event of the Chairperson's inability to act, preside at all meetings, and shall have the powers to function in the same capacity as the Chairperson.

A Secretary, who shall, in the absence of the Chairperson and Vice-Chairperson, or in the event of the Chairperson's and Vice-Chairperson's inability to act, preside at all meetings and shall have the powers to function in the same capacity as the Chairperson.

ARTICLE IV. ELECTION OF OFFICERS

Section 1. The Chairperson of the Planning and Zoning Board shall be elected by said Board from its number for a term of one year, and can succeed themselves for one successive term. The Board shall, from its number, fill any vacancy of the office of the Chairperson. The election of the Planning and Zoning Board's officers shall be held at the first regular meeting in April of each year.

Section 2. The Vice-Chairperson and Secretary shall be elected by the Planning and Zoning Board from its number and the terms of office shall be concurrent that of the Chairperson. The Board shall, from its number, fill any vacancy in the office of the Vice-Chairperson or Secretary.

ARTICLE V. MEETINGS

Section 1. The regular Planning and Zoning Board meeting shall be held on the first Tuesday of each month. A second meeting may be held on the third Tuesday of the month. If any regular meeting falls on an official City holiday, the regular meeting shall be held on the next regular workday.

The regular meeting shall be held at 1:30 p.m. and shall be devoted primarily to the

consideration of rezonings or other applications submitted to the Board for its recommendation or approval.

A second meeting may be held at 1:30 p.m. and shall be devoted primarily to planning and the consideration of additions and amendments to the Code of Ordinances of the City of Port St. Lucie on an as needed basis.

Any regular meeting may be adjourned to a definite date and time, as established by four affirmative votes of the Planning and Zoning Board members.

Section 2. Adjourned, called, or special meetings may be held at any time or place by the Board provided that such meetings shall be held as required, subject to the call of the Chairperson or in the absence of the Chairperson, the Vice-Chairperson, or in the absence of the Vice-Chairperson and Chairperson, the Secretary. Upon written request of four members of the Planning and Zoning Board, a special or called meeting shall be held by the Chairperson, or in the absence of the Chairperson by the Vice-Chairperson, or in the absence of the Chairperson and Vice-Chairperson, by the Secretary.

Section 3. Each member shall be notified of the place and date of each meeting by a written notice or by telephone at least 24 hours prior to any adjourned, called, or special meeting.

Section 4. All meetings of the Planning and Zoning Board and its committees shall be open to the public.

Section 5. All agendas of the meetings of the Planning and Zoning Board and its committees shall be posted in City Hall at least 24 hours prior to any meeting.

ARTICLE VI. AGENDAS

Section 1. The Planning and Zoning Director or their designee shall be responsible for the preparation of the Planning and Zoning Board agenda.

Section 2. The agenda for each regular meeting shall be completed and closed one week prior to the Planning and Zoning Board meeting.

Section 3. Applications requiring action or recommendation by the Planning and Zoning Board shall be complete at least 15 working days prior to the Planning and Zoning Board meeting.

Section 4. The Planning and Zoning Board agenda and agenda packet shall be made available at least five working days prior to the Planning and Zoning Board regular meeting.

Section 5. The Chairperson of the Planning and Zoning Board, or in his absence, the Vice-Chairperson, may add applications requiring action or recommendations to the agenda after the deadline, provided the City Planner has adequate time to process the application(s).

Section 6. Routine items requiring Planning and Zoning Board action may be placed on a consent agenda. A request by any board member or citizen for discussion on any item on the consent agenda will automatically remove that item from the consent agenda to the regular agenda.

ARTICLE VII. ORDER OF BUSINESS

Section 1. At all regular Planning and Zoning Board meetings the general order of business before the Board shall be as follows:

1. Call to Order
2. Roll Call
3. Determination of quorum
4. Pledge of Allegiance
5. Approval of minutes
6. Consent Agenda
7. Public Hearing
8. New Business
9. Old Business
10. Public to be Heard
11. Adjournment

Section 2. The order of business for called or special meetings shall be as follows:

1. Call to Order
2. Roll Call
3. Determination of quorum
4. Business which is the subject of the special or called meeting
5. Public to be Heard
6. Adjournment

ARTICLE VIII. QUORUM

Section 1. For the purpose of transacting business at any regular meeting, adjourned, special or called meeting, four members will constitute a quorum and an affirmative vote of four members will be required to pass on any matter except variances which require an affirmative vote of five members. (Ref 158-299).

ARTICLE IX. MINUTES

Section 1. The City Clerk's office will keep a record of minutes of all meetings. These

minutes will become official only after approval by the Planning and Zoning Board.

Section 2. It will be the duty of the City Clerk's office to record and prepare minutes of all regular, adjourned, special and called meetings of the Planning and Zoning Board. (Rev. 4-97)

Section 3. The Secretary will sign all minutes, after approval by the Planning and Zoning Board, certifying that the minutes are an accurate and correct record of the proceedings of the meeting.

The Chairperson will sign the minutes in the absence of the Secretary. The Vice-Chairperson will sign the minutes in the absence of the Secretary and the Chairperson.

ARTICLE X. HEARINGS

Section 1. The Planning and Zoning Board may hold public hearings when deemed expedient and necessary on all matters which may come before it. Notice of such hearings shall be in accordance with the provisions of the Code of Ordinances of the City of Port St. Lucie.

Section 2. The conduct of the public hearing will be governed by the following rules:

- a. The Chairperson will first convene the Public Hearing and call for the City Planner's report.
- b. The applicant will be called to present the case.
- c. Anyone interested will be allowed to speak.
- d. The applicant and those in favor will be allowed to speak in rebuttal.
- e. Members of the Planning and Zoning Board shall have the opportunity to ask for clarification of any item(s) of concern. The Chairperson shall acknowledge any board member before the member will be allowed to speak.
- f. All testimony and exhibits will be incorporated in the application and shall be considered part of the record.
- g. The Chairperson has the right to limit the testimony at the hearing to a reasonable length. Evidence and testimony which is immaterial, irrelevant or unduly repetitious, will be excluded.
- h. The hearing will then either be closed, or continued to a date specified by an affirmative vote of four members of the Planning and Zoning Board.

ARTICLE XI. VOTING

Section 1. Voting on all matters of business before the Board shall be made by rotating roll call. The Recording Secretary will record the vote of each member in rotating order. In no case will a member request that their vote be deferred to a position on the roll call other than in rotating order.

Section 2. No member present will abstain from voting on roll call unless it is established that such member has a conflict of interest in the matter being voted upon. Conflict of interest will be determined by the appropriate State Regulations.

Section 3. The Chairperson will be an ex-officio member on all committees, both standing and special, but shall have no vote.

Section 4. Four affirmative votes are required to pass any recommendation, or to take any action, except for the granting of a variance which requires an affirmative vote of five members of the established Board.

ARTICLE XII. GENERAL RULES

Section 1. The following general rules shall apply to the conduct of the Planning and Zoning meetings.

- a. Members of the Board through the Chairperson may ask questions at any point during testimony.
- b. Any member of the Board, through the Chairperson, may request any party to the case to reappear.
- c. Persons who appear will be required to state their name and address and indicate whether they are party to the case or an agent of a party to the case.
- d. Any party to the case who desires to ask a question of another party to the case must do so through the Chairperson.

Section 2. Applicants or authorized agents will be present at the meeting for their item requiring a Planning and Zoning Board recommendations or action. If the applicant or agent is not present, the item will be tabled, or at the board's discretion, reassigned on the agenda pending arrival of the applicant or agent.

Section 3. The City staff can only function as authorized agent for the City or other governmental agency.

ARTICLE XIII. COMMITTEES

Section 1. The Nominating Committee will consist of all members not seeking reappointment. A majority of the eligible members will constitute a quorum.

Section 2. The Nominating Committee's rules for nominating new members are as follows:

- a. The Chairperson of the Planning and Zoning Board, or Vice-Chairperson in the absence of the Chairperson, or the Secretary in the absence of the Chairperson and Vice-Chairperson, will notify the Planning and Zoning Department of any vacancy(ies) on the Board before the next regular Board Meeting.
- b. At least thirty days will be allowed for submission of resumes to the City Clerk.
- c. The Planning and Zoning Board will meet and review all resumes of applicants and any supporting documentation supplied by the applicants. The Planning and Zoning Board will interview all applicants, including current alternate Board members who apply, at the next regular meeting.

The Planning and Zoning Board shall recommend to the city council, by a majority vote of the board, a replacement to fill all board vacancies

Section 3. Site Plan Review Committee Representative

One member or alternate member of the Planning and Zoning Board shall be appointed by the Chairperson to serve for a term of one year with another member to be appointed by the Chairperson as an alternate. Terms shall run concurrent with that of the Chairperson. The delegated member shall arrange the attendance schedule.

ARTICLE XIV. PARLIAMENTARY AUTHORITY & ORGANIZATION PROCEDURE

Section 1. The rules contained in the last revised edition of Robert's Rules of Order will apply in all meetings of the Board and committees to the extent that such rules are not in conflict with these bylaws. The Planning and Zoning Board and its committees will comply with the organizational procedures set forth in these bylaws.

ARTICLE XV. CORRESPONDENCE AND COMMUNICATIONS

Section 1. Official communications of the Planning and Zoning Board to the City Council of the City of Port St. Lucie will be in writing. All original records, recommendations and reports will be kept in the City Planner's office.

Section 2. Any correspondence, reports, plans and studies originating from the Planning and Zoning Board will be approved by an affirmative vote of four members of the Planning and Zoning Board.

ARTICLE XVI. AMENDMENT

Section 1. Amendments to these bylaws must be presented for discussion at one Planning and Zoning Board meeting and voted upon at the next meeting. All proposed amendments must be presented in writing and must be approved by the affirmative vote of at least four members of the Board.

ARTICLE XVII. REPEAL OF PRIOR RULES

Section 1. These bylaws supersede all other adopted rules and regulations of the Planning and Zoning Board upon their effective date.

Adopted January 7, 1985
Amended as of May 20, 1991
Revised January 8, 1998
Revised May 25, 2005
Revised March 7, 2006 (02/17/09)
Revised April 13, 2009
Revised April 28, 2014
Revised October 1, 2019

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