

## **DIVISION 30-III-3 LOCAL PLANNING AGENCY**

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### **Sec 30-101 Powers And Duties**

The local planning agency shall have the powers and duties as provided in F.S. § 163.3174, including but not limited to:

- (a) To hear, review, and make recommendations to the village council regarding the adoption or amendment of the comprehensive plan;
- (b) To monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the village council such changes in the comprehensive plan as may from time to time be required, including preparation of the periodic reports required by F.S. § 163.3191;
- (c) To review and make recommendations to the village council in regard to proposed land development regulations and changes to the official zoning map and make recommendations to the village council as to the consistency of the regulation or change with the comprehensive plan;
- (d) To make its special knowledge and expertise available upon reasonably written request and authorization of the village council to any official, department, board, commission, or agency of the village, county, state or federal government; and
- (e) To adopt such rules of procedure necessary for the administration of their responsibilities not inconsistent with this article to govern the village council's proceedings.

(Ord. No. 01-16, § 3(3.2.1), 11-8-2001; Ord. No. 03-03, § 1(3.2.1), 1-23-2003; Ord. No. 04-14, § 1(3.2.1), 10-28-2004; Ord. No. 07-08, § 1, 5-10-2007)

#### **HISTORY**

Amended by Ord. [15-10](#) § 2 on 7/30/2015

### **Sec 30-102 Qualifications For Membership**

Voting members of the local planning agency shall reside and be qualified electors in Islamorada, Village of Islands. In the event that any member is no longer a qualified elector or is convicted of a felony or an offense involving moral turpitude while in office, the village council shall terminate the appointment of such person as a member of the local planning agency.

(Ord. No. 03-03, § 1(3.2.2), 1-23-2003; Ord. No. 04-14, § 1(3.2.2), 10-28-2004)

#### **HISTORY**

Amended by Ord. [15-10](#) § 2 on 7/30/2015

### **Sec 30-103 Membership: Appointment, Removal, Terms, And Vacancies**

- (a) The local planning agency shall be comprised of seven voting members. Each member shall serve for a term of two (2) years, with the terms of the members being staggered. Local

planning agency member appointment, when available, shall be made during a regular village council meeting in May of each year, and the term of the local planning agency members shall continue until appointments are made at a regular village council meeting in May of the following year. The appoint process shall be conducted in accordance with Chapter 2, Article V. In the event that the regular village council meeting in May is cancelled, the term of local planning agency members shall not expire until appointments are made at the next regular village council meeting.

- (b) Where required by state statute, by majority vote the village council may appoint individuals, organizations or their designee to serve in an advisory capacity as nonvoting members of the local planning agency. These nonvoting members may include, but are not limited to, representatives of area schools or the county school board.
- (c) One member of each village established citizens' advisory committee and the Historic Preservation Commission may serve as a voting member of the local planning agency. One or more members of the local planning agency may serve on a village established charter review committee.
- (d) The village council may replace a local planning agency member with or without cause at any regular village council meeting. Replacements shall serve the remainder of the original term. Nonvoting members may be removed by majority vote of the village council without cause.
- (e) No voting member shall serve more than two (2) consecutive terms unless the village council votes by super majority (four/fifths votes) to approve re-appointment for additional consecutive terms.
- (f) At an annual organizational meeting, the members of the local planning agency shall elect one of their members as chairman and one as vice-chairman. In the absence of the chairman, the vice-chairman shall act as the chairman and shall have all the powers of the chairman. The chairman shall serve a term of one year. No member shall serve as chairman for more than two consecutive terms unless the local planning agency votes by super majority (majority plus one of voting members present and voting) to approve re-appointment for additional consecutive terms.
- (g) The chairman (or vice-chairman acting in the capacity of chairman) shall serve as the presiding officer of any meeting of the local planning agency. The presiding officer or designee shall be in charge of all proceedings before the local planning agency, and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the local planning agency. In the event that the chairman or vice-chairman are unavailable, the voting members of the local planning agency who are present shall by majority vote select a voting member to act as presiding officer for the meeting in question.
- (h) Should any voting member of the local planning agency miss three consecutive meetings without being excused by the chairman, whether regular meetings or special meetings, that person shall be disqualified as a voting member of the local planning agency. Thereafter, village council shall fill the vacancy thereby created as soon as practicable.
- (i) All provisions of Chapter 2, Article V entitled "Village Boards, Committees and Commissions" of the Code not inconsistent with the provision of this section 30-103 shall apply.

(Ord. No. 03-03, § 1(3.2.3), 1-23-2003; Ord. No. 04-14, § 1(3.2.3), 10-28-2004; Ord. No. 07-08, § 1, 5-10-2007; Ord. No. 11-16, § 1, 7-28-2011)

#### HISTORY

Amended by Ord. [15-10](#) § 2 on 7/30/2015

Amended by Ord. [23-05](#) on 4/11/2023

#### **Sec 30-104 Recording Secretary**

The village manager or designee shall appoint a recording secretary to serve the local planning agency. The secretary shall keep minutes of all proceedings of the local planning agency, which minutes shall be a summary of all proceedings before the local planning agency, attested to by the secretary, and which shall include the vote of each member upon every question. The minutes shall be approved by a majority of the members of the local planning agency voting. In addition, the secretary shall maintain all records of local planning agency meetings, hearings and proceedings, the correspondence of the local planning agency, and a mailing list of persons wishing to receive notices of meetings, agendas or minutes and who have paid an annual fee set by the village council to cover copying and mailing costs.

(Ord. No. 03-03, § 1(3.2.4), 1-23-2003; Ord. No. 04-14, § 1(3.2.4), 10-28-2004)

**HISTORY**

*Amended by Ord. [15-10](#) § 2 on 7/30/2015*

**Sec 30-105 Staff**

The village manager or designee shall appoint or assign such staff as may be necessary for the local planning agency to conduct its business.

(Ord. No. 03-03, § 1(3.2.5), 1-23-2003; Ord. No. 04-14, § 1(3.2.5), 10-28-2004)

**HISTORY**

*Amended by Ord. [15-10](#) § 2 on 7/30/2015*

**Sec 30-106 Quorum And Necessary Vote**

No meeting of the local planning agency may be called to order, nor may any business be transacted by the local planning agency, without a quorum of the local planning agency being present. The chairman shall be considered and counted as a member. A majority of the currently appointed members of the local planning agency shall constitute a quorum. Provided there is a quorum present, a majority of those present and voting shall be required to adopt any motion or take any action. All actions shall require the concurring vote of a simple majority of the members of the local planning agency then present and voting. In the event of a tie, the vote shall be deemed a denial.

(Ord. No. 03-03, § 1(3.2.6), 1-23-2003; Ord. No. 04-14, § 1(3.2.6), 10-28-2004)

**HISTORY**

*Amended by Ord. [15-10](#) § 2 on 7/30/2015*

**Sec 30-107 Meetings, Hearings And Procedures**

- (a) Meetings and hearings shall be scheduled from time to time, as needed, as determined by the director of the planning and development services department. In cases where an item is postponed due to the lack of a quorum of the local planning agency, the item shall be continued to a special meeting if practicable, and in conformance with all applicable notice requirements. In cases where an item is postponed for any other reason, the item shall be continued to the next scheduled meeting.
- (b) All meetings and public hearings of the local planning agency shall be conducted in conformance with the requirements set forth in F.S. § 286.011.
- (c) Public hearings shall be set for a time certain.

Ord. No. 03-03, § 1(3.2.7), 1-23-2003; Ord. No. 04-14, § 1(3.2.8), 10-28-2004)

**HISTORY**

*Amended by Ord. [15-10](#) § 2 on 7/30/2015*

## **Sec 30-108 Compensation**

Voting and nonvoting members of the local planning agency shall not be compensated.

(Ord. No. 03-03, § 1(3.2.8), 1-23-2003; Ord. No. 04-14, § 1(3.2.8), 10-28-2004)

### **HISTORY**

*Amended by Ord. [15-10](#) § 2 on 7/30/2015*