

Chapter 15

PLANNING*

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ARTICLE I. IN GENERAL

Secs. 15-1—15-25. Reserved.

ARTICLE II. LOCAL PLANNING AGENCY

Sec. 15-26. Authority for article.

This article is enacted pursuant to and in accordance with the provisions of F.S. § 163.3161 et seq.

(Code 1980, § 17-17)

Sec. 15-27. Designation and establishment.

Pursuant to, and in accordance with, F.S. § 163.3174, the town council and town manager are hereby designated and established as the local planning agency for the incorporated territory of the town.

(Code 1980, § 17-18)

Sec. 15-28. Duties and responsibilities.

The local planning agency shall have the powers and duties in accordance with the planning and land development regulations act, F.S. §§ 163.3161—163.3211.

(Code 1980, § 17-19)

Sec. 15-29. Organization, rules and procedures.

Members of the local planning agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing of financial support, and accomplishing its duties as provided by law.

(Code 1980, § 17-20)

Sec. 15-30. Public meetings and records.

All meetings of the local planning agency shall be public meetings and all agency records shall be public records. The local planning agency shall encourage public participation.

(Code 1980, § 17-21)

Sec. 15-31. Financial support.

The town council shall appropriate funds at its discretion to the local planning agency for expenses necessary in the conduct of its work. The local planning agency may, in order to accomplish the purposes and activities required by F.S. § 163.3161 et seq., expend all sums so appropriated and other sums made available for use from fees, gifts, state and federal grants, state and federal loans, and other sources, provided that acceptance of loans and grants must be approved by the town council.

(Code 1980, § 17-22)

Secs. 15-32—15-40. Reserved.

ARTICLE III. PLANNING COMMISSION

Sec. 15-41. Establishment.

The town planning commission is hereby established pursuant to section 8015 of the town's Performance Zoning Ordinance (appendix A to this Code).
(Ord. No. 255, § 1, 9-29-92)

Sec. 15-42. Appointment, terms of office, removal and vacancies.

(a) The planning commission shall consist of five residents of the town who shall be appointed by the town council. In addition to the five regular members of the planning commission, the town council may appoint two alternate members. The alternate members may be called upon to sit on the planning commission in the temporary absence or disability of any regular members, or may act when a member is otherwise disqualified in a particular case, and, during such participation, the alternate members shall have all the rights and responsibilities of a regular member. No member or alternate member of the planning commission shall be a paid or elected official or employee of the town.

(b) The term of office of each member of the planning commission shall be for three years. The terms shall be staggered so that not more than two terms expire within one year. The initial appointments shall be as follows: One member appointed for a term of one year; two members appointed for a term of two years each; and two members appointed for a term of three years each. Thereafter, any appointment shall be for a term of three years.

(c) Members of the planning commission shall be removable for cause, after filing of written charges, a public hearing, and majority vote of the town council.

(d) Appointments to fill vacancies on the planning commission shall be for the unexpired term of the member whose term became vacant. Such appointments to fill vacancies shall be made in the same manner as the original appointment and shall be made within 30 days after the vacancy occurs.

(Ord. No. 255, § 2, 9-29-92; Ord. No. 278, § 1, 12-19-95)

Sec. 15-43. Procedures.

(a) The planning commission shall establish rules and regulations for its own operation consistent with section 8015 of the town's Performance Zoning Ordinance (appendix A to this Code) and the provisions of applicable state statutes or this article.

(b) The planning commission shall elect from its members a chairman, who shall be the presiding officer, and a vice-chairman, who shall preside in the chairman's absence or disqualification. The commission shall also appoint a secretary who may be an officer or employee of the town. Other officers as the planning commission deems necessary may be appointed. The terms of all officers shall be for one year, with eligibility for reelection.

(c) The planning commission shall meet as needed at the call of the chairman, at the written request of two or more regular members, or within 30 days after receipt of notice from the town council of a matter to be acted upon by the commission. Three members of the commission shall constitute a quorum.

(d) All meetings of the planning commission shall be public. A record of all its resolutions, transactions, findings and determinations shall be made, which record shall be a public record on file in the office of the town clerk.

(Ord. No. 255, § 3, 9-29-92)

Sec. 15-44. Powers and duties.

The planning commission may initiate and shall consider and review all proposed amendments to the town's Performance Zoning Code (appendix A to this Code) or to the town's zoning map. It shall hold and conduct such public hearings as are required in connection therewith, after due notice thereof as provided in section 8015 of the town's Performance Zoning Ordinance, and it shall transmit a written report of its findings and recommendations to the town council. The planning commission shall have such other powers and perform such other duties as provided by section 8015 of the town's Performance Zoning Ordinance or as may otherwise be provided by ordinance of the town.

(Ord. No. 255, § 4, 9-29-92)

Secs. 15-45—15-50. Reserved.

ARTICLE IV. COMPREHENSIVE PLAN*

Sec. 15-51. Adopted.

The comprehensive land use plan is on display at town hall, bears the signature of the city clerk and five members of the town council, and is adopted pursuant to and in accordance with F.S. § 163.3161 et seq.

(Code 1980, § 17-35; Ord. No. 247, 9-24-91; Ord. No. 257, 9-15-92; Ord. No. 281, 7-23-96; Ord. No. 320, 7-5-05)

Sec. 15-52. Conformance required.

It shall be unlawful to carry out any development or other activity which is not in conformity with the requirements of the comprehensive land use plan of the town.

(Code 1980, § 17-36)

Secs. 15-53—15-75. Reserved.

*State law reference—Local government comprehensive planning, F.S. ch. 163.

ARTICLE V. CONCURRENCY MANAGEMENT SYSTEM

Sec. 15-76. Adopted by reference.

The concurrency management system of the town is on file in the town clerk's office.
(Ord. No. 258, 9-15-92)