

City of Jacksonville, Florida

Donna Deegan, Mayor

City Hall at St. James
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August 17, 2023

The Honorable Ronald B. Salem, Pharm. D., President
The Honorable Kevin Carrico, LUZ Chair
And Members of the City Council
City Hall
117 West Duval Street
Jacksonville, Florida 32202

**RE: Planning Commission Advisory Report
Ordinance No.: 2023-399**

Dear Honorable Council President Salem, Honorable Council Member and LUZ Chairperson Carrico and Honorable Members of the City Council:

Pursuant to the provisions of Section 30.204 and Section 656.129, *Ordinance Code*, the Planning Commission respectfully offers this report for consideration by the Land Use and Zoning Committee.

Planning and Development Department Recommendation: **Approve**

Planning Commission Recommendation: **Approve**

Planning Commission Commentary: There were no speakers in opposition and little discussion among the Commissioners.

Planning Commission Vote:	5-0
Alex Moldovan, Chair	Aye
Ian Brown, Vice Chair	Aye
Jason Porter, Secretary	Absent
Marshall Adkison	Absent
Daniel Blanchard	Aye
David Hacker	Aye
Morgan Roberts	Aye

If you have any questions or concerns, please do not hesitate to contact me at your convenience.

Sincerely,

A handwritten signature in blue ink that reads "Bruce E. Lewis". The signature is written in a cursive style with a large initial "B" and "L".

Bruce E. Lewis
City Planner Supervisor – Current Planning Division
City of Jacksonville - Planning and Development Department
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REPORT OF THE PLANNING AND DEVELOPMENT DEPARTMENT

The Planning and Development Department hereby forwards to the Planning Commission; Land Use and Zoning Committee; and City Council its comments and recommendations on:

ORDINANCE 2023-399

AN ORDINANCE AMENDING SECTION 30.203 (CONDUCT OF 5 BUSINESS), PART 2 (PLANNING COMMISSION), CHAPTER 30 (PLANNING AND DEVELOPMENT DEPARTMENT), ORDINANCE CODE, TO PROVIDE FOR CONCURRENCE OF FOUR MEMBERS OF THE PLANNING COMMISSION FOR A REPORT OR RECOMMENDATION BY THE PLANNING COMMISSION; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

I. GENERAL INFORMATION

This bill amends Section 30.203 (Conduct of business), Part 2 (Planning Commission), Chapter 30 (Planning and Development Department), Ordinance Code, to amend the current quorum requirements for the Planning Commission. Currently, the concurrence of a majority of the Commission members (five) shall be required before any report or recommendation is made on any matter considered by the Commission, or to act upon and make a final determination regarding a request for an exception, a variance, a waiver, approval of cellular antenna reviews or minor modifications, or an appeal from the decision of the Building Official; provided, however, after one deferral due to a lack of concurrence of a majority of the Commission members (five), a report or recommendation to the Council, or a committee thereof, shall only require the concurrence of a simple majority of Commission members present, or a majority of quorum (three), whichever is greater.

The bill changes the requirement to the concurrence of five Commission members to the concurrence of four Commission members before any report or recommendation is made on any matter considered by the Commission. Additionally, after one deferral due to a lack of concurrence of four members of the Commission, the concurrence of a majority of quorum (three members of the Commission) is required.

II. EVALUATION

A. The need and justification for the change

The purpose of this legislation is to amend the quorum requirements for the Planning Commission to prevent legislative delays due to reports and recommendations. With this amendment, a concurrence of 4 members, instead of 5, is needed before any report or recommendation is made on any matter considered by the Commission, or to act upon and make a final determination regarding a request for an exception, a variance, a waiver, approval of cellular antenna reviews or minor modifications, or an appeal from the decision of the Building Official. After one deferral due to a lack of concurrence of 4 members, a report will require the concurrence of 3 commission members.

B. The relationship of the proposed amendment to the Comprehensive Plan and the work of the Department with appropriate consideration as to whether the proposed amendment will further the purposes of the Zoning Code and Comprehensive Plan.

The proposed ordinance does not conflict with the 2045 Comprehensive Plan.

III. RECOMMENDATION

The Planning and Development Department recommends that Ordinance 2023-399 be **APPROVED.**