

1 Introduced by Council Member Carrico and amended by the Land Use and  
2 Zoning Committee:

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5 **ORDINANCE 2023-399-E**

6 AN ORDINANCE AMENDING SECTION 30.203 (CONDUCT OF  
7 BUSINESS), PART 2 (PLANNING COMMISSION),  
8 CHAPTER 30 (PLANNING AND DEVELOPMENT  
9 DEPARTMENT), *ORDINANCE CODE*, TO PROVIDE FOR  
10 CONCURRENCE OF THE GREATER OF FOUR COMMISSION  
11 MEMBERS OR A MAJORITY OF COMMISSION MEMBERS  
12 PRESENT FOR A REPORT OR RECOMMENDATION BY THE  
13 PLANNING COMMISSION AND TO REQUIRE A CONCURRENCE  
14 OF THE GREATER OF THREE COMMISSION MEMBERS OR A  
15 MAJORITY OF MEMBERS PRESENT FOR A REPORT OR  
16 RECOMMENDATION BY THE PLANNING COMMISSION AFTER  
17 ONE DEFERRAL; PROVIDING FOR CODIFICATION  
18 INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

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20 **BE IT ORDAINED** by the Council of the City of Jacksonville:

21 **Section 1. Amending Section 30.203 (Conduct of business),**  
22 **Part 2 (Planning Commission), Chapter 30 (Planning and Development**  
23 **Department), *Ordinance Code*.** Section 30.203 (Conduct of business),  
24 Part 2 (Planning Commission), Chapter 30 (Planning and Development  
25 Department), *Ordinance Code*, is hereby amended to read as follows:

26 **CHAPTER 30 - PLANNING AND DEVELOPMENT DEPARTMENT**

27 \* \* \*

28 **PART 2. - PLANNING COMMISSION**

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30 **Sec. 30.203. - Conduct of business.**

31 The Commission shall meet at least twice each month as set forth

1 herein (but it may waive one meeting each month by a majority vote  
2 of the members), and special meetings shall be called in accordance  
3 with its rules. The Commission shall hold regular meetings on the  
4 first and third Thursdays of each month commencing at such time and  
5 place as fixed by its bylaws, except for the first Thursday in July  
6 and the third Thursday in December, so that such Commission meetings  
7 are held on the Thursday that falls during the weeks that Council's  
8 Standing Committees meet; and except that when a regular meeting day  
9 shall fall on a legal holiday observed by the City, or on an election  
10 day, the regular meeting of the Commission shall be held on a day and  
11 at a time and place as fixed by its rules. Notwithstanding any  
12 provision in these rules to the contrary, if a regular meeting day  
13 shall fall on a date that coincides with the observances of a  
14 religious holiday, such regular meeting may be rescheduled at the  
15 direction of the Commission Chairperson. A quorum shall consist of  
16 five members or duly appointed alternates. The concurrence of the  
17 greater of a majority of the four Commission members or a majority  
18 of Commission members present ~~(five)~~ shall be required before any  
19 report or recommendation is made on any matter considered by the  
20 Commission, or to act upon and make a final determination regarding  
21 a request for an exception, a variance, a waiver, approval of cellular  
22 antenna reviews or minor modifications, or an appeal from the decision  
23 of the Building Official; provided, however, after one deferral due  
24 to a lack of concurrence of the greater of a majority of the  
25 Commission four members ~~(five)~~ of the Commission or a majority of  
26 Commission members present, a report or recommendation to the Council,  
27 or a committee thereof, shall only require the concurrence of the  
28 greater of a simple majority of Commission members present, or a  
29 majority of quorum (three members of the Commission) or a majority  
30 of Commission members present, whichever is greater. If, by reason  
31 of absence or disqualification of a member, a quorum is not reached,

1 the Chairperson of the Commission shall designate as many of the duly  
2 appointed alternates to serve as members on the Commission for an  
3 individual meeting or until a vacancy is filled, as may be needed to  
4 provide a quorum. When designated pursuant to the provisions of this  
5 Section, a duly appointed alternate shall be entitled to participate  
6 in all proceedings and discussions of the Commission to the same and  
7 full extent as provided by law for members, including specifically  
8 the right to cast a vote as a voting member during the proceedings,  
9 except for votes concerning the election of officers of the  
10 Commission, and shall have all the powers and duties as otherwise  
11 provided by law. Any duly appointed alternate may participate in any  
12 proceeding or discussion of the Commission but shall not be entitled  
13 to vote as a member of the Commission nor be reimbursed pursuant to  
14 Part 7, Chapter 106 unless designated as a voting alternate member  
15 by the Chairperson pursuant to this Section. A vacancy shall not  
16 impair the ability of the remaining members to execute all the duties  
17 and perform all the functions of the Commission. The Commission shall  
18 have the power to adopt, amend and repeal rules for its internal  
19 organization and the conduct of its business.

20 **Section 2. Codification Instructions.** The Codifier and the  
21 Office of General Counsel are authorized to make all chapter and  
22 division "tables of contents" consistent with the changes set forth  
23 herein. Such editorial changes and any other necessary to make the  
24 *Ordinance Code* consistent with the intent of this legislation are  
25 approved and directed herein, and changes to the *Ordinance Code* shall  
26 be made forthwith and when inconsistencies are discovered.

27 **Section 3. Effective Date.** This Ordinance shall become  
28 effective upon signature by the Mayor or upon becoming effective  
29 without the Mayor's signature.  
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1 Form Approved:  
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3           /s/ Mary E. Staffopoulos          

4 Office of General Counsel

5 Legislation Prepared By: Shannon K. Eller

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