Introduced by Council Member Carrico:

ORDINANCE 2023-399

AN ORDINANCE AMENDING SECTION 30.203 (CONDUCT OF 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.

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

Section 1. Amending Section 30.203 (Conduct of business),

Part 2 (Planning Commission), Chapter 30 (Planning and Development

Department), Ordinance Code. Section 30.203 (Conduct of business),

Part 2 (Planning Commission), Chapter 30 (Planning and Development

Department), Ordinance Code, is hereby amended to read as follows:

CHAPTER 30 - PLANNING AND DEVELOPMENT DEPARTMENT

PART 2. - PLANNING COMMISSION

Sec. 30.203. - Conduct of business.

The Commission shall meet at least twice each month as set forth herein (but it may waive one meeting each month by a majority vote of the members), and special meetings shall be called in accordance with its rules. The Commission shall hold regular meetings on the first and third Thursdays of each month commencing at such time and place as fixed by its bylaws, except for the first Thursday in July and the third Thursday in December, so that such Commission meetings

are held on the Thursday that falls during the weeks that Council's Standing Committees meet; and except that when a regular meeting day shall fall on a legal holiday observed by the City, or on an election day, the regular meeting of the Commission shall be held on a day and at a time and place as fixed by its rules. Notwithstanding any provision in these rules to the contrary, if a regular meeting day shall fall on a date that coincides with the observances of a religious holiday, such regular meeting may be rescheduled at the direction of the Commission Chairperson. A quorum shall consist of five members or duly appointed alternates. The concurrence of a majority of the four 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 $\frac{\text{Commission}}{\text{four}}$ members $\frac{\text{(five)}}{\text{of}}$ of the Commission, a report or recommendation to the Council, or a committee thereof, shall only require the concurrence of a simple majority of Commission members $\frac{\text{present}}{\text{r}}$ or a majority of quorum (three members of the Commission) whichever is greater. If, by reason of absence or disqualification of a member, a quorum is not reached, the Chairperson of the Commission shall designate as many of the duly appointed alternates to serve as members on the Commission for an individual meeting or until a vacancy is filled, as may be needed to provide a quorum. When designated pursuant to the provisions of this Section, a duly appointed alternate shall be entitled to participate in proceedings and discussions of the Commission to the same and full extent as provided by law for members, including specifically the right to cast a vote as a voting member during the proceedings, except

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for votes concerning the election of officers of the Commission, and shall have all the powers and duties as otherwise provided by law. Any duly appointed alternate may participate in any proceeding or discussion of the Commission but shall not be entitled to vote as a member of the Commission nor be reimbursed pursuant to Part 7, Chapter 106 unless designated as a voting alternate member by the Chairperson pursuant to this Section. A vacancy shall not impair the ability of the remaining members to execute all the duties and perform all the functions of the Commission. The Commission shall have the power to adopt, amend and repeal rules for its internal organization and the conduct of its business.

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

Section 3. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

23 Form Approved:

/s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Shannon K. Eller

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