City of Jacksonville Beach

Agenda

11 North Third Street
Jacksonville Beach, Florida

Planning Commission

Monday, February 24, 2025 | **7:00 PM** | **Council Chambers**

MEMORANDUM TO:

Members of the Planning Commission
City of Jacksonville Beach, Florida

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the Planning Commission.

CALL TO ORDER

ELECTION OF CHAIR AND VICE-CHAIR

ROLL CALL

Margo Moehring, Nicholas Andrews, Debbie Cole, Dave Dahl, Justin Henderson
Alternates: Matthew Filer, Dean Haddock

APPROVAL OF MINUTES

A. Regular Planning Commission Meeting held on January 27, 2025

NEW BUSINESS

A. Discussion of Draft Bylaws

PLANNING DEPARTMENT UPDATE

A. Next Planning Commission meeting will be April 14th.

ADJOURNMENT

NOTICE

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an Accommodation Request to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.

In accordance with Section 286.0114, Florida Statutes, any member of the public may attend a public hearing and can be heard on any matter presented before the Commission. Anyone who wishes to provide live public comment should complete a "Speaker Request Card" and submit it to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience. Speakers will be called to address the Commission when specified items are under consideration and will be limited to a maximum of three minutes or less, at the discretion of the presiding officer.

Alternatively, written public comment may be submitted in advance and must include the following: (1) First Name; (2) Last Name; (3) Address; (4) Public Hearing Date; (5) Case Number; and (6) Comments. Written public comments may be submitted by one of the following options: (1) Email to planning@jaxbchfl.net; (2)

Postal mail to Planning and Development, Planning Commission - Public Comment, 11 3rd Street North, Jacksonville Beach, FL 32250; or (3) Drop off in-person to Planning and Development at City Hall. Written comments that include all required information and are received 24 hours in advance of the meeting will be made part of the record. All comments received are public record.

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Minutes of Planning Commission Meeting
held Monday, January 27, 2025, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida

CALL TO ORDER:
The meeting was called to order at 7:07 P.M. by Chair Margo Moehring.

ROLL CALL:

Chairperson:	Margo Moehring		
Vice-Chairperson:	Nicholas Andrews		
Board Members:	David Dahl (absent)	Debbie Cole (absent)	Justin Henderson
Alternates:	Dean Haddock	Matthew Filer (absent)	

Senior Planner Christian Popoli, Planning and Development Director Heather Ireland, and Operations Support Specialist I Monica McDaniel were also present.

APPROVAL OF MINUTES:
It was moved by Mr. Andrews, seconded by Mr. Henderson, and passed unanimously to approve the following minutes:

- Regular Planning Commission Meeting held on November 12, 2024
- Planning Commission Workshop held on January 13, 2025

CORRESPONDENCE:
An email had been received and distributed to board members.

DISCLOSURE - EX PARTE COMMUNICATION:
Mr. Henderson disclosed receiving several phone calls from John Atkins to discuss concerns.

OLD BUSINESS: None

NEW BUSINESS:

A. Land Development Code Adoption

Repeal and Replace Chapter 34 of the City Code of Ordinances - Land Development Code

Planning and Development Director Heather Ireland presented a staff report on the adoption of the new Land Development Code (LDC). The LDC repeal and replacement process, including public workshops and meetings with city departments, was reviewed. She requested the Planning Commission's recommendation to move the updated LDC to City Council for approval.

Public Hearing:
Chair Moehring opened the public hearing.

The following spoke but did not express support or opposition:

- Georgette Dumont, 507 16th Avenue South, Jacksonville Beach

Chair Moehring closed the public hearing.

A discussion ensued regarding possible recommendations to City Council.

Motion: It was moved by Mr. Andrews, seconded by Mr. Haddock, to recommend the Land Development Code to City Council with the inclusion of a review of Board term limits and the first reading of the ordinance be deferred to the February 18, 2025 meeting.

Mr. Andrews withdrew his motion.

Motion to Amend: It was moved by Mr. Andrews, seconded by Mr. Haddock to recommend to the City Council to strike term limits from the Land Development Code.

Discussion: None.

Motion to Amend Roll Call Vote: Ayes – Nicholas Andrews, Dean Haddock and Margo Moehring
Nays – Justin Henderson

The motion was approved (3-1).

Motion: It was moved by Mr. Andrews, seconded by Mr. Henderson, to recommend forwarding the Land Development Code to City Council with a recommendation to defer the first reading of the ordinance past February 3, 2025.

Discussion: None.

Roll Call Vote: Ayes – Nicholas Andrews, Dean Haddock and Margo Moehring
Nays – Justin Henderson

The motion was approved (3-1).

<u>PLANNING DEPARTMENT REPORT:</u>
The next scheduled meeting will be held on February 10, 2025.

<u>ADJOURNMENT:</u>
There being no further business, the meeting adjourned at 8:08 P.M.

Submitted by: Monica McDaniel
Operations Support Specialist I

Minutes reviewed by Planning & Development.

Approval:

____
Chairperson

____
Date

JACKSONVILLE BEACH PLANNING COMMISSION (AKA "COMMISSION")

BYLAWS AND RULES OF PROCEDURES FOR THE COMMISSION OF THE CITY OF JACKSONVILLE BEACH.

ARTICLE I – ORDINANCE AUTHORITY

The Jacksonville Beach Planning Commission (Commission) is created by City Code, Chapter 34, Article V., Division 3, Sections 34-71 through 34-79 (as amended 2024)

ARTICLE II – POWERS AND DUTIES

A. <u>Advisory Body.</u>

The Jacksonville Beach Planning Commission is an advisory body to the Jacksonville Beach City Council and serves as a quasi-judicial body under specific circumstances outlined in the Powers and Duties Section below (B). They are a seven member body consisting of 5 full voting members and two alternates, appointed by the City Council.

B. <u>Powers and Duties.</u>

1. The planning commission shall have the following powers and duties under the provisions of the Land Development Code ("LDC"):
   (a) To serve as the L0cal Planning Agency (LPA), as required by F.S. § 163.3174;
   (b) To prepare initiate the preparation of or cause to be prepared the Comprehensive Plan, or any element or portion thereof;
   (c) To prepare or cause to be prepared the LDC;
   (d) To initiate, review, hear, consider and make recommendations to the City Council to approve, approve with conditions, or deny applications for development permits to amend the text of the Comprehensive Plan;
   (e) To initiate, review, hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications to amend the Future Land Use Map of the Comprehensive Plan;
   (f) To initiate, review, hear, consider, and make recommendations to the City Council to approve, approve with conditions, or deny applications to amend the text of the LDC;

(g) To initiate, review, hear, consider, and make recommendations to the City Council on applications for development permits to approve, approve with conditions, or deny amendments to the official Zoning Map of the LDC;

(h) To hear, consider, and make recommendations to approve, approve with conditions, or deny applications for development permits for a planned unit development or redevelopment district;

(i) To hear, consider, and approve, approve with conditions, or deny applications for development permits for conditional uses;

(j) To make its special knowledge and expertise available upon written request and authorization of the City Council to any official, department, board, commission or agency of the City, state or federal governments;

(k) To adopt or amended Bylaws to establish meeting procedures not inconsistent with this Section to govern the Planning Commission's proceedings; and

(l) To make initiate studies of the resources, possibilities and needs of the City and to report its findings and recommendations, with reference thereto, from time to time, to the City Council.

ARTICLE III – MEMBERSHIP AND OFFICERS

A. Qualifications.

Members of the planning commission shall be a resident of the city for two (2) years prior to appointment, and a qualified elector. No member of the city council or a city employee shall serve on the Planning Commission. Although no specific experience requirements shall be necessary as a prerequisite to appointment, consideration shall be given to applicants who have experience or education in planning, law, architecture, natural resource management, real estate, and related fields.

B. Appointment.

The Planning Commission shall be composed of five (5) members, to be appointed by the city council. The city council shall also appoint two (2) alternate members, a first alternate and a second alternate. The alternate members shall vote only in the absence of regular members. The first alternate member shall have priority to vote in the absence of the first regular member's absence. When any of the two (2) alternate members are in attendance they may participate throughout the meeting, however they are only allowed to vote during an absence of a regular member.

D. Term of Office.

1) *Member.* All members serving on the Planning Commission on the effective date of the LDC shall complete their terms according to their prior appointments. The term of office of each member appointed under the LDC shall be for four (4) years. When a person is appointed to fill out the term of a departing member, that person's term shall end at the time the departing member's term would have ended.

2) *Alternate member.* The term of an alternate member of the Planning Commission shall be for four (4) years. When a person is appointed to fill out the term of a departing alternate member, that person's term shall end at the time the departing member's term would have ended. Alternate members may participate in discussions by the Commission on items of business but may only vote in the even they will be filling in for an absent regular Commission member.

E. Removal From Office.

1) In the event that any member is no longer a qualified elector or is convicted of a felony offense involving moral turpitude, the city council shall terminate the appointment of such person as a member of the Planning Commission and appoint a new member.
2) If any member fails to attend three (3) regular planning commission meetings in a row, without the prior approval of the Chair or acting Chair of the Commission, specifically for absences that do not constitute an emergency or unforeseen circumstances, the City Clerk's Office shall notify the City Council of the absences, and Council may appoint a new member, or promote an alternate member, to assume the absent member's seat, which would be declared vacant by the actions of Council.
3) Any member who plans to be absent shall notify the Commission Staff, via email or in writing, and Commission Staff will relay that notification to the Chair or Acting Chair and the Clerk's Office. Notification should occur in advance of the meeting date when possible.

F. Vacancy.

Whenever a vacancy occurs on the Planning Commission, the full time member's position shall be served by an alternate member until a permanent member can be appointed by the City Council. The City Council shall appoint the new member within thirty (30) days of the vacancy or may appoint an alternate to the position of full member.

G. Officers; Quorum.

1) *Chair and vice-chair. At an annual organizational meeting, which is set by the Planning Commission Bylaws, the members of the Planning Commission shall elect a chair and vice-chair from among its members. The chair and vice-chair's term shall be for one (1) year. No member shall serve as chair for more than two (2) consecutive terms. The Chair shall be in charge of all proceedings before the Planning Commission and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the Planning Commission. In the absence of the chair, the vice-chair shall act as chair.*
2) *Chair Pro tem: in the absence of the Chair and Vice Chair, the Planning staff will call the meeting to order, and act as facilitator of board members and voting alternate members to elect a Chair Pro tem to preside over the meeting for that specific and singular agenda. At the completion of that meeting, the Chair pro tem's term will expire.*

OR

The Executive Secretary: At the annual organizational meeting, as noted above, the Planning Commission, upon election of the Chair and Vice Chair, shall nominate and elect and Executive Secretary, who's roll will be to serve as chair in the absence of the Chair and Vice Chair, or to serve as Vice Chair, in the absence of the Vice Chair.

3) *Staff. The Planning and Development Department shall be the professional staff of the Planning Commission.*
4) *Quorum and voting. The presence of three (3) or more members of the Planning Commission shall constitute a quorum of the Planning Commission necessary to take action and transact business. All actions shall require a simple majority of the quorum present.*

H. Establishing a Regular Meeting Schedule.

1) *General.* Meetings of the Planning Commission shall be held twice a month to dispense of matters properly before the Planning Commission. If there is no new business on the agenda, the meeting will be cancelled, and a notice posted at City Hall along with social media outlets and the City's Website. Additionally, meetings may be called by the chair or at the request of three (3) members of the Planning Commission in writing. The location of all Planning Commission meetings shall be in the City of Jacksonville Beach in a place accessible to the public. Days and Frequency of Meetings. Meetings will be generally held on the second and fourth weeks of each month, but never on Fridays unless required by holiday, weather or other even related circumstances.
2) *Meeting Times.* Meetings will always be held after 5:30 pm on the day of the advertised meeting, times will be set by the Commission will be publishing on the annual calendar.
3) *Changes to Meeting Days, Times and Frequency.* If the Commission chooses to amend their calendar, frequency or time of meetings, it shall be

done by a roll call vote and a majority of the Commissioners and Alternates in Attendance.

4) *Special Meetings and Workshops.* At the request of City Council or Planning Staff, the Commission may be required to hold Special meetings or Workshops for review and discussion of specific topics, such as amendments to the Comprehensive Plan or the LDC.
5) *organizational meeting*. The Planning Commission shall set the date and time for their annual organizational meeting, where elections for Chair and Vice-Chair will be held, as well as any changes or amendments to the Planning Commission Bylaws or rules and procedures.

I. Interactions with Staff.

1) *Agenda review*: the Chair or Acting Chair may, at their choosing, ask for a meeting with staff prior to the Commission Meeting, to review the agenda and staff reports, to familiarize the Chair with the items to be considered at the next meeting.
2) *Requests and Directions*: The Commission as a whole may request, through consensus, that staff investigate or provide additional information on any agenda item or question of fact, but final determination of Staff's priorities will be determined by the City Manager and Administration.

J. Compensation.

The membership of the Planning Commission as well as its officers serve in a voluntary capacity and are not compensated for their time. Reimbursement for expenses related to training and travel may be reimbursed, based on a decision by the City Council or existing City Policy.

ARTICLE IV – MEETINGS

A. Open Meetings.

The Commission will hold all meetings and conduct all business in accordance with City Policy and the State of Florida Statutes for Government in the Sunshine, and therefore will be open to the public. The public will be given the opportunity to speak on any item of business before the Commission and will be given a specified time limit for speaking. All items provided to the Commission in the form of physical materials, will be retained to maintain the public record of the events of the meeting.

B. Procedure Not Contained in Bylaws or addendums.

All meetings of the committee will be, to the extent not in conflict with these bylaws, conducted according to the generally established process of City Council, or in absence of such, the latest edition of Roberts Rule of Order, with the exception that the Chairperson will be permitted to vote on any motion. Any procedural question not contained in the bylaws may also be decided by the rules and procedures of the City Council, in absence of any established procedure by the Commission.

C. Meeting Procedures, General.

a. The Chair Shall:

i. Preside over the meeting,
ii. Call the meeting to order,
iii. Request the disclosure of Ex-Parte Communication from each Commissioner for each item individually
iv. open and close the public hearing for each item,
v. invite the applicant to the podium for their presentation
vi. invite members of the public, who wish to speak, to the podium, and call for a motion or vote on all motions or amendment to motions.

b. Vice Chair Shall:

i. Preside over the meeting *in absence of the Chair*
ii. Generally, *in the absence of any motions* made by Commissioners, make a motion for discussion, so the board may discuss the items before them
iii. Collect and call the names of speakers who have turned in speaker cards for each item.

c. Executive Secretary (Chair Pro-Tem depending on which option is chosen)

i. Preside over the meeting in the Absence of the Chair and Vice Chair, following all Chair procedures listed in C(a)(i-vi)).
ii. Act as vice chair in the absence of the Vice-Chair, following all procedures listed in C((b)(i-iii)
iii. *Is generally encouraged* to make motions and second motions for discussion, to allow for the board to conduct business for each item on the agenda.

D. Voting and Conflicts.

1) *Voting required:* All members of the Commission are required to vote on all items of business before the Commission, unless a conflict of interest is present. All conflicts will be recorded on the proper form of the City or State of Florida, and any questions or evaluations of potential conflicts will be reviewed, and advice will be given by the City Attorney.
2) *Votes Recorded:*
   a. All procedural votes of the Commission, including items such as the approval or minutes, or other normal business of the Commission may be voted on by voice vote, or roll call vote, at the discretion of the Chair.

b. All items of Business, either quasi-judicial or advisory in nature, shall be decided by roll-call vote of all members present, and alternates, should they fill a vacancy of a regular Commission member, in their absence.

E. Agenda Items.

Normal business of the Commission will be set on an agenda by staff, based on application deadlines and sufficiency, or items requested for review by the City Council or staff. The Commission may request items be placed on the agenda, the date of the item will be determined by staff, especially if legal notice and posting would be required, to ensure the item is properly noticed.

F. Virtual Participation in Meetings.

Telephonic participation may be permitted where, in the opinion of the Chairperson, members can participate fully in the discussion and any actions.

ARTICLE VI – MISCELLANEOUS

A. Conflicts of Interest

1) All conflicts of interest shall be defined or governed by Chapter 112.3143 F.S.

B. Enacting and Amending Bylaws.

1) The planning commission shall, by a majority vote of the entire membership (full Commissioners and Alternates), adopt rules of procedure for the transaction of business through the use of bylaws. These Bylaws shall include all the rules and procedures necessary to allow for the orderly transaction of business before the Commission. These Bylaws will be available to the public for review, to better understand the function and action of the Commission.
2) Amendments or changes to the bylaws will be noticed through the publishing of the agenda, no less than 48 hours prior to the meeting.

C. Addendum.

a. The addendum will contain ancillary documents that may assist in the execution of the meeting by providing scripts, example motions, and additional materials such as code excerpts.