



Development Review Report (DRR)

To: Planning & Zoning Board
From: Daniel T. Keester-O'Mills, AICP, *Planning & Zoning Director*
RE: Amendment to the Land Development Regulations– Quorum for DRC
Date: October 8, 2024

Staff has prepared an amendment to the Land Development Regulations (LDR) for your consideration. The composition of the Development Review Committee has evolved over the years, as the departments and positions within the city have changed. The positions identified in the LDR's have not kept up with the changes. The purpose for this code amendment is to update the positions appointed to the Development Review Committee and clarify the minimum number of participants necessary for a quorum.

I. BACKGROUND INFORMATION

Since 1996, the composition of the Development Review Committee (DRC) has included the following ten members:

1. The City Manager (or designee)
2. The Community Development Director (serving as the Chair)
3. The Environmental and Engineering Services Director
4. The Police Chief
5. The Fire Chief
6. Parks and Leisure Services Director
7. City Engineer
8. City Planner
9. Landscape Architect, and
10. Building Official

The City Manager was authorized to add members to the Committee as deemed necessary to promote the implementation of the LDR's. Since that time, there have been 2 changes to this section:

- Ordinance No. 990-8-141 (9/13/1999) – renaming the Community Development Director as the “Director of Planning & Zoning, or whomever is designated by the City Manager in the absence of the Director of Planning and Zoning.”
- Ordinance No. 210-01-103 (2/8/2021) – renaming the Parks and Leisure Services Director as the “Parks and Recreation Director.”

The structure and name of other departments have changed. The City's Budget (adopted for FY 2025) does not include a “Department of Environmental and Engineering Services,” and the position of “Landscape Architect” has not been filled for more than a decade. In 2001 it was a grant funded position, and when the position was vacated it was not replaced.

Additionally, DRC serve as the Community Appearance Committee (CAC). The CAC are charged with reviewing new construction and materially altered existing construction. This may include façade renovations (non-structural alterations of a building including paint color), and residential buildings (single-family homes) exempt from the DRC.

II. PROPOSED TEXT AMENDMENTS

Article II - ADMINISTRATIVE PROVISIONS

Sec. 2.1. Purpose of Article; development approvals.

2.1.1. *Reserved.*

2.1.2. *Reserved.*

Editor's note(s)—Subsections 2.1.1 and 2.1.2 were redesignated as Art. IV, §§ 1.1 and 1.2.

2.1.3. *Development review administration.* The Director of Planning and Zoning shall have the duties and responsibilities for coordination, review, issuance and enforcement of development approvals as set forth in this Article. The Director of Planning and Zoning shall assign a City Planner who shall coordinate the review of applications for development permits.

(a) *Duties of director of planning and zoning.* The duties of the Director of Planning and Zoning shall include:

- (1) Central intake of applications for development permits.
- (2) Reviewing applications for completeness.
- (3) Initiating development review procedures.
- (4) Chairing the Development Review Committee.
- (5) Issuing development orders in compliance with the requirements and procedures of this Article.
- (6) Enforcement of the provisions and conditions of development orders.
- (7) Performing such additional duties as the City Manager may, from time to time, assign.

(b) *Membership and duties of the Development Review Committee.* The membership of the Development Review Committee ~~shall~~ should consist of the following members as deemed necessary by the Director of Planning and Zoning based upon nature of the Project:

- (1) The City Manager or ~~his~~ their designee;
- (2) The Director of Planning and Zoning, their designee, or whomever is designated by the City Manager in the absence of the Director of Planning and Zoning, who shall serve as Chairman as provided in Article IV, Section 4.2(d)(1).
- (3) ~~The following Department Directors or their designees:~~
 - a. ~~Environmental and Engineering Services~~ Director of Engineering or their designee;
 - ~~(4)b.~~ Police Chief or their designee;
 - ~~(5)c.~~ Fire Rescue Chief or their designee; and
 - d. ~~Parks and Recreation Director;~~ and
- ~~(4) The following Division Heads:~~
 - a. ~~City Engineer;~~
 - b. ~~City Planner;~~
 - ~~(6)c.~~ Landscape Architect; and
 - ~~(7)d.~~ Chief Building Official.

Four members shall constitute a quorum. The City Manager may add such other members to the Committee as deemed necessary to promote the implementation of this article.

The duties of the Development Review Committee shall include:

- (1) Reviewing applications for developments.
- (2) Delineating areas of noncompliance with County and other applicable regulatory development requirements.
- (3) Defining steps necessary to bring permit applications into compliance with development requirements.
- (4) Serving as the Capital Improvement Review Committee.
- (5) Performing such additional duties as the City Manager may, from time to time, assign.

2.1.4. *Reserved.*

III. ANALYSIS

The composition of the Development Review Committee (DRC) is proposed to be reduce to eliminate positions that do not exist, or may not be required to offer comments on every application. The Parks and Recreation Director, while their comments would be relevant for a new park or city facility, may not be necessary for an industrial warehouse or retail building. Secondly, the “Landscape Architect,” is one example of a positon that is no longer relevant to the city’s department structure. The Planning & Zoning Department review the landscaping required for each development.

The proposal seeks to make more efficient use of staff time. The Land Development Regulation Article IV: *Section 1.4 - Major Review* and *1.5 – Administrative review* define the types of applications subject to review by the Development Review Committee (DRC). The Community Appearance Committee (CAC) was created to add an additional layer of review by Staff. Prior to filing building permit, which require design professionals to provide detailed plans of construction (mechanical, plumbing, electrical, etc.), the CAC may offer comments on preliminary concepts avoid costly redesigns of a proposal. Although, given the scope of CAC, several applications (in particular single-family houses) are exempt from certain regulations (for example Fire Codes). Given the fact that the DRC serve as both the DRC & the CAC, providing staff the flexibility of reducing the minimum number of members to 4 would be a better use of resources and limit the number of Staff member to attend the CAC versus those in attendance at the DRC.

IV. RECOMMENDATION/ACTION

The Department recommends the Board enter into the record the Development Review Report (DRR) and all other substantial competent evidence presented at the hearing, adopt the findings and conclusions contained herein, and forward the record to the City Commission with a recommendation that the proposed Ordinance amending the LDR be adopted.

V. ATTACHMENTS

1. N/A