

EXECUTIVE BRIEF REGULAR MEETING

AGENDA DATE: November 16, 2021

DEPARTMENT: Community Sustainability

TITLE:

Ordinance 2021-09 - First Reading – Deletion of administrative appeals process to the City Commission for land development decisions

SUMMARY:

Ordinance No. 2021-09 proposes to amend Chapter 26, Land Development Regulations, to delete the administrative appeal process from final decisions of the Planning & Zoning Board (PZB) and Historic Resources Preservation Board (HRPB) to the City Commission. If adopted, all such appeals would proceed directly to the circuit court.

BACKGROUND AND JUSTIFICATION:

The proposed amendments will remove the administrative appeal requirement for affected parties and applicants to appeal to the City Commission final decisions of the PZB and HRPB prior to seeking review in circuit court. If adopted, the ordinance will allow affected parties and applicants to appeal PZB and HRPB final decisions directly to circuit court, which is the initial appellate court in challenges to local land development decisions. This will help to streamline the process for such land development decisions and alleviate the administrative step, time and expense of going before the City Commission. The proposed ordinance does not delete the administrative appeal process for challenges of a local development review officer's decision to PZB or HRPB.

The PZB unanimously recommended approval to the City Commission of Ordinance 2021-09 at their October 6, 2021 meeting.

The HRPB unanimously recommended approval to the City Commission of Ordinance 2021-09 at their October 13, 2021 meeting.

MOTION:

Move to approve/disapprove Ordinance 2021-09 on first reading and schedule the second reading and public hearing for December 7, 2021.

ATTACHMENT(S):

Fiscal Impact – N/A
Ordinance 2021-09