

AT THE REQUEST OF THE CITY COMMISSION

ORDINANCE NO.: 2010-21

AN ORDINANCE OF THE CITY OF DADE CITY, FLORIDA AMENDING ORDINANCE NO. 2007-0968, CREATING AN ARCHITECTURAL REVIEW BOARD TO IMPLEMENT ARCHITECTURAL DESIGN GUIDELINES; REPLACING THE ARCHITECTURAL REVIEW BOARD WITH THE DEVELOPMENT REVIEW COMMITTEE; ADDING A CITIZEN APPOINTMENT TO THE DEVELOPMENT REVIEW COMMITTEE FOR REVIEW OF PLANS SUBMITTED ACCORDING TO THIS ORDINANCE; PROVIDING FOR SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on November 27, 2007, the City Commission approved Ordinance No. 2007-0967 creating architectural design guidelines applicable to the downtown community redevelopment plan area and creating a citizen architectural review board; and

WHEREAS, Ordinance No. 2007-0968 provides for implementation of the design guidelines by a citizen architectural review board; and

WHEREAS, at this time, the City would like to amend this ordinance to eliminate the architectural review board and to instead provide for implementation of the design guidelines by the City Development Review Committee.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COMMISSION OF DADE CITY, FLORIDA, AS FOLLOWS:

Section 1. The following sections of Ordinance No. 2007-0968 are hereby amended:

Section A, Definitions, is hereby amended as follows:

For the purposes of this ordinance, Board means the architectural review board established pursuant to this resolution City's Development Review Committee.

Section C, Establishment, is hereby amended as follows:

There is hereby established an architectural review board hereinafter referred to as board. City's Development Review Committee (DRC) shall be designated to implement the policies set forth in Ordinance No. 2007-0967, as amended. The boards DRC's jurisdiction shall be limited to the community redevelopment plan area as defined by the City Commission.

Section D, Composition, Procedures, Authority, is hereby amended as follows:

1. ~~**Membership.** For the purposes of this ordinance and Ordinance No. 2007-0967, as amended, one (1) citizen member of the CRA Design Review Committee shall sit with the DRC to implement the design guidelines. The absence of the citizen member at any DRC meeting, however, shall not preclude the DRC from acting upon a submitted application. The CRA Design Review Committee shall appoint the citizen member on an annual basis. The board shall consist of seven (7) members who shall be appointed by the City Commission as follows: One (1) member shall be appointed by each Commissioner, and two (2) additional members shall be appointed from the development Advisory Committee and the Historic Preservation Committee respectively by consensus of a majority of the Commission. Members shall be chosen on the basis of experience or interest in the fields of architecture, City planning and conservation of architectural, historical, or cultural resources.~~

~~The membership of the board shall, whenever possible, consist of an architect and a general contractor. All members shall be engaged in business within the community redevelopment district or own property within the City of Dade City. "Engaged in business" shall mean owning a business, practicing a profession, or performing a service for compensation, or serving as an officer or director of a corporation or other business entity so engaged.~~

2. ~~**Terms of Office.** All appointments shall be made for staggered terms of three (3) years.~~
3. ~~**Officers, Rules of Procedure.** The board shall elect from its membership a chairperson and vice chairperson who shall serve for a term of one (1) year. In the absence or disability of the chairperson the vice chairperson shall perform the duties of the chairperson. The Community Development Director or his designee shall serve ex officio as secretary of the board but shall have no vote. The board shall adopt rules for transaction of its business and shall keep a record of its resolutions transactions findings and determinations which record shall be a public record. Meetings of the board shall be held at the call of the chairperson and at such time as the board may determine. No business shall be conducted by the board without the presence of a quorum of four (4) voting members. No application for certificate of appropriateness shall be denied except by the affirmative vote of a majority of those members present except that at least three (3) members must vote in order for any action to be official.~~

Section 2. Repealer. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 3. Severability. That if any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance shall take effect as provided in the City Charter and Chapter 163, Florida Statutes.

The foregoing Ordinance No.: 2010-21 was read and passed on introduction on April 27, 2010, and read and approved following a public hearing in open and regular meeting by the City Commission of Dade City, Florida on the 11th day of May, 2010.

ATTEST:

CITY OF DADE CITY, FLORIDA

By: James D. Class
James D. Class, City Clerk

By: Scott Black
Scott Black, Mayor

Approved as to legal form and content

Karla S. Owens
Karla S. Owens, City Attorney