



25440 W Newberry Road  
Newberry FL 32669  
Tel: 352-472-2161  
www.ci.newberry.fl.us

Date & Time Received: \_\_\_\_\_  
Employee Initials: \_\_\_\_\_

### Application Planning and Zoning Board &/or Historic Architectural Review Board

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_ City of Newberry Resident? \_\_\_\_\_ How long? \_\_\_\_\_

Occupation: \_\_\_\_\_ Employer: \_\_\_\_\_

Applying for:  Planning and Zoning Board  Historic Architectural Review Board

See other side for Board descriptions. If you fulfill any of the specific composition criteria, please include that below. Please see the attached excerpts from the City's Land Development Regulations regarding each Board.

Please tell us why you wish to be a part of this committee.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List any experience, skills, education, memberships, or knowledge you possess, that would bring benefit to the board if you were appointed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Upon execution of this application, you are also certifying to the following:

1. I am willing to file a Form 1 financial disclosure statement as required by Section 112.3145, F.S., when serving on the Planning and Zoning Board &/or Historic Architectural Review Board.
2. I am able to attend the meetings of the Board as required by the "Guidelines for Citizen Advisory Boards and Committees."
3. My personal and business affairs within the City are in compliance with all City rules and regulations.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Thank you for your application. We will be in contact once the Commission has made a decision on this matter.

Submit Applications to:  
Judy Rice, City Clerk  
25440 W. Newberry Road  
Newberry, Florida 32669  
Tel: 352-472-2446  
Fax: 352-472-7026  
[www.ci.newberry.fl.us](http://www.ci.newberry.fl.us)

### **Planning and Zoning Board**

Planning and Zoning Board meetings are scheduled on the first Monday of each month immediately following the Historic Architectural Review Board meeting which begins at 6 PM in the Newberry City Hall. If the first Monday of the month is a holiday, the adjusted meeting date is scheduled well in advance.

The Planning and Zoning Board shall consist of six residents of the city and one person appointed by the Alachua County School Board.

Of the six resident members of the board, five residents shall be appointed by the City Commission and one, as a non-voting ex officio member, shall be the Mayor.

The one person appointed by the Alachua County School Board to serve on the board shall serve as a non-voting ex-officio member.

No member of the Planning and Zoning Board shall be an employee of the city.

***The Planning and Zoning Board's responsibilities*** include reviewing and making recommendations to the City Commission regarding development and use of land within the City of Newberry, including development proposals, preliminary plats, rezonings, special exceptions, special and temporary use permits, site and development plans, and amendments to the City's land development regulations, and Comprehensive Plan.

### **Historic Architectural Review Board**

Historic Architectural Review Board meetings are scheduled on the first Monday of each month at 6 PM in the Newberry City Hall. If the first Monday of the month is a holiday, the adjusted meeting date is scheduled well in advance.

The Historic Architectural Review Board shall consist of no less than three and up to seven residents of the city who shall be appointed by the City Commission and serve without compensation.

In addition, two nonresidents having historic preservation or architectural experience may be appointed as ad-hoc, nonvoting members.

The composition of the historic architectural review board should, if possible, include a city resident-at-large and a property owner from a historic district. The remaining members of the board shall, if possible, be selected from the following:

1. An architect;
2. A property owner within a historic district;
3. A contractor, real estate broker or attorney;
4. A city resident-at-large;
5. A representative of the Chamber of Commerce; and
6. A member of the Planning and Zoning Board.

No member of the historic architectural review board shall be an employee of the city.

***The Historic Architectural Review Board's responsibilities*** include identifying, preserving and interpreting the City's history and historic sites, as well as reviewing and making decisions on certificate of appropriateness applications for changes to the exterior of structures and properties within the Historic District.

## **CODE OF ORDINANCES OF THE CITY OF NEWBERRY, FLORIDA**

### **Section 3.1. - Planning and zoning board.**

#### *3.1.1. Planning and zoning board: organization.*

*3.1.1.1. Establishment.* A planning and zoning board is hereby established for the city.

*3.1.1.2. Appointment.* The planning and zoning board shall consist of six residents of the city and one person appointed by the Alachua County School Board. Of the six resident members of the board, five residents shall be appointed by the city commission and one, as a non-voting ex officio member, shall be the Mayor. The one person appointed by the Alachua County School Board to serve on the board shall serve as a non-voting ex-officio member. No member of the planning and zoning board shall be an employee of the city.

The city commission may by resolution designate members of the planning and zoning board to perform the functions of the board of adjustment. If the city commission so elects, the terms of office of members of the planning and zoning board shall run concurrently with said members' term of office on the board of adjustment.

*3.1.1.3. Term of office.* The term of office of the five members appointed by the city commission shall be for three years; provided, however, that of the five members first appointed by the city commission to the planning and zoning board at the effective date of these Land Development Regulations, two shall be appointed for two years and three shall be appointed for three years, and that all appointments thereafter shall be for three years. The term of office on the planning and zoning board of the Mayor shall be concurrent with his or her term of office as Mayor.

*3.1.1.4. Removal for cause.* Members of the planning and zoning board may be removed for cause by the city commission after filing of written charges, a public hearing, and a majority vote of the city commission.

*3.1.1.5. Removal for absenteeism.* The term of office of any member (excepting the Alachua County School Board appointee ex-officio member, who is exempt from this absenteeism removal provision) of the planning and zoning board who is absent from two of three consecutive, regularly scheduled meetings of the planning and zoning board, without cause and without prior approval of the chair, shall be declared vacant by the city commission.

*3.1.1.6. Appointments to fill vacancies.* Vacancies in planning and zoning board membership shall be filled by appointment by the city commission for the unexpired term of the member affected. It shall be the duty of the chair of the planning and zoning board to notify the city commission within ten days after any vacancy shall occur among members of the planning and zoning board. The Alachua County School Board shall make the appointment to fill any vacancy of the one ex-officio school board appointee to the planning and zoning board.

### 3.1.2. *Planning and zoning board: procedure.*

3.1.2.1. *Rules.* The planning and zoning board shall establish rules for its own operation not inconsistent with the provisions of applicable state statutes or of these Land Development Regulations. Such rules of procedure shall be available in a written form to persons appearing before the planning and zoning board and to the public.

3.1.2.2. *Officers.* The planning and zoning board shall elect from within the board a chair, who shall be the presiding member; a vice-chair, who shall preside in the chair's absence or disqualification; and a secretary, who may be a member of the planning and zoning board. Terms of all elected officers shall be for one year. Elected officers shall serve no more than two consecutive terms in the same position. Where the planning and zoning board elects the land development regulation administrator as secretary, he or she shall serve as the secretary for the planning and zoning board until such time that the planning and zoning board elects someone else.

3.1.2.3. *Meetings and quorum.* The planning and zoning board shall meet at regular intervals at the call of the chair, at the written request of three or more regular members, or within 30 days after receipt of a matter to be acted upon by the planning and zoning board, provided that the planning and zoning board shall hold a least one regularly scheduled meeting each month, on a day to be scheduled by the planning and zoning board (if for any month there are no agenda items scheduled, the planning and zoning board may post a notice of meeting cancellation at city hall and subsequently cancel the meeting for that month with no agenda items). Three members of the planning and zoning board shall constitute a quorum.

All meetings of the planning and zoning board shall be public. A record of all its resolutions, transactions, findings, and determinations shall be made, which record shall be a public record on file in the office of the land development regulation administrator.

3.1.2.4. *Disqualification of members.* If any member of the planning and zoning board shall find that his or her private or personal interests are involved in a matter coming before the planning and zoning board, he or she shall disqualify himself or herself from all participation in that case. No member of the planning and zoning board shall appear before the planning and zoning board as agent or attorney for any person.

3.1.2.5. *Decisions.* The concurring vote of a majority of the members of the planning and zoning board, who are present and voting, shall be necessary to pass any motion which is considered by the planning and zoning board.

3.1.2.6. *Appropriations, fees, and other income.* The city commission shall make available to the planning and zoning board such appropriations as it may see fit for expenses necessary in the conduct of planning and zoning board work.

3.1.3. *Planning and zoning board: functions, powers, and duties: generally.* The functions, powers, and duties of the planning and zoning board in general shall be:

1. *Maintenance of information.* To acquire and maintain such information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions. Such information and material may include maps and photographs of manmade and natural physical features of the city, statistics on past trends and present conditions with respect to population, property values, economic base, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the city.

2. *Comprehensive plan.* To prepare and recommend to the city commission for adoption, and from time to time amend and revise a comprehensive and coordinated general plan (the Comprehensive Plan) for meeting present requirements and such future requirements as may be foreseen.

3. *Action affecting development.* To recommend principles and policies for guiding action affecting development in the city.

4. *Development proposals.* To prepare and recommend to the city commission ordinances, regulations, and other proposals promoting orderly development along the lines indicated as desirable by the Comprehensive Plan.

5. *Proposed developments.* To determine whether specific proposed developments conform to the principles and requirements of the Comprehensive Plan, especially relating to the management of concurrency requirements as stated within the Comprehensive Plan and these Land Development Regulations.

6. *Historic preservation.* To serve as the city's historic preservation agency to meet the requirements and carry out the policies and responsibilities of the Comprehensive Plan and article 11 of these Land Development Regulations.

7. *Preliminary plats.* To review preliminary plats to determine conformity with the Comprehensive Plan and these Land Development Regulations and make recommendations to the city commission.

8. *Capital improvement.* To conduct an annual review of the city's Capital Improvement Element of the Comprehensive Plan, in conformance with the Procedure for Monitoring and Evaluation of the Capital Improvements Element (see chapter VIII of the Comprehensive Plan). This review is conducted to ensure that the fiscal resources are available to provide the public facilities needed to support the established level of service standards.

9. *Public hearings.* To conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the Comprehensive Plan and ordinances, codes, and regulations related to it.

10. *Studies.* To make any necessary special studies on the location, adequacy, and conditions of specific facilities in the city. These may include but are not limited to studies on housing, commercial and industrial conditions and facilities, recreation, public and private utilities, roads and traffic, transportation, parking, and the like.

11. *Inform city commission.* To keep the city commission informed and advised on these matters.

12. *Other duties.* To perform such other duties as may be lawfully assigned to it, or which may have bearing on the preparation or implementation of the Comprehensive Plan.

All employees of the city shall, upon request and within a reasonable time, furnish to the planning and zoning board such available records or information as may be required in its work. The planning and zoning board may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized agents or employees of the city, and shall have such other powers as are required for the performance of official functions in carrying out of the purposes of the planning and zoning board.

3.1.4. *Planning and zoning board: powers and duties: special exceptions.* It is the intent of these Land Development Regulations that all proposed special exceptions shall be heard in the first instance by the planning and zoning board as set out in articles 12 and 13 of these Land Development Regulations.

3.1.5. *Planning and zoning board: powers and duties: amendments.* It is the intent of these Land Development Regulations that all proposed amendments shall be heard in the first instance by the planning and zoning board as set out in articles 13 and 16 of these Land Development Regulations.

3.1.6. *Planning and zoning board: powers and duties: land and water fills, dredging, excavation, and mining.* It is the intent of these Land Development Regulations that all proposals for land and water fills, dredging, excavation, and mining shall be heard in the first instance by the planning and zoning board as set out in article 14 of these Land Development Regulations.

3.1.7. *Planning and zoning board: powers and duties: bulkheads, docks, piers, wharves, and similar structures.* It is the intent of these Land Development Regulations that all proposals to erect or enlarge bulkheads, docks, piers, wharves, and similar structures shall be heard in the first instance by the planning and zoning board as set out in article 14 of these Land Development Regulations.

3.1.8. *Planning and zoning board: powers and duties: temporary use permits.* It is the intent of these Land Development Regulations that temporary use permits which are issued by the city commission

shall be heard in the first instance by the planning and zoning board as set out in article 14 of these Land Development Regulations.

3.1.9. *Planning and zoning board: powers and duties: site and development plans.* It is the intent of these Land Development Regulations that all applications for site and development plan approval shall be heard and recommendation made by the planning and zoning board, to the board of adjustment, as set out in article 14 of these Land Development Regulations.  
(Ord. No. 2017-12, § 1, 7-10-2017)

### **Section 3.3. - Historic architectural review board.**

#### **3.3.1. *Historic architectural review board: organization.***

3.3.1.1. *Establishment.* A historic architectural review board is hereby established for the city.

3.3.1.2. *Appointment.* The historic architectural review board shall consist of no less than three and up to seven residents of the city who shall be appointed by the city commission and serve without compensation. In addition, two nonresidents having historic preservation or architectural experience may be appointed as ad-hoc, nonvoting members.

The composition of the historic architectural review board should, if possible, include a city resident-at-large and a property owner from a historic district. The remaining members of the board shall, if possible, be selected from the following:

1. An architect;
2. A property owner within a historic district;
3. A contractor, real estate broker or attorney;
4. A city resident-at-large;
5. A representative of the Chamber of Commerce; and
6. A member of the planning and zoning board.

No member of the historic architectural review board shall be an employee of the city.

3.3.1.3. *Term of office.* The term of office shall be for three years; provided, however, that of the seven members first appointed to the historic architectural review board at the effective date of these Land Development Regulations two shall be appointed for one year, two shall be appointed for two years, and three shall be appointed for three years, and that all appointments thereafter shall be for three years.

3.3.1.4. *Removal for cause.* Members of the historic architectural review board may be removed for cause by the city commission after filing of written charges, a public hearing, and a majority vote of the city commission.



3.3.1.5. *Removal for absenteeism.* The term of office of any member of the historic architectural review board who is absent from two of three consecutive, regularly scheduled meetings of the historic architectural review board, without cause and without prior approval of the chair, shall be declared vacant by the city commission.

3.3.1.6. *Appointments to fill vacancies.* Vacancies in historic architectural review board membership shall be filled by appointment by the city commission for the unexpired term of the member affected within 60 days of the vacancy. It shall be the duty of the chair of the historic architectural review board to notify the city commission within ten days after any vacancy shall occur among members of the historic architectural review board.

3.3.1.7. *Purpose.* The purpose of the historic architectural review board is to promote the health, morals, economic, educational, aesthetic, cultural and general welfare of the public through:

- (1) The identification, protection, enhancement, perpetuation and use of districts, sites, buildings, structures, objects and areas that are reminders of past eras, events and persons important in local, state or national history, or which provide significant examples of architectural styles of the past, or which are unique and irreplaceable assets to the city and its neighborhoods, or which provide this and future generations examples of the physical surroundings in which past generations lived;
- (2) The enhancement of property values, the stabilization of neighborhoods and business centers of the city, the increase of economic and financial benefits to the city and its inhabitants, and the promotion of local interests;
- (3) The preservation and enhancement of varied architectural styles, reflecting the city's cultural, social, economic, political and architectural history; and
- (4) The enrichment of human life in its educational and cultural dimensions in order to serve spiritual as well as material needs by fostering knowledge of the living heritage of the past.

### 3.3.2. *Historic architectural review board: procedure.*

3.3.2.1. *Rules.* The historic architectural review board shall establish rules for its own operation not inconsistent with the provisions of applicable state statutes or of these Land Development Regulations. Such rules of procedure shall be available in a written form to persons appearing before the historic architectural review board and to the public.

3.3.2.2. *Officers.* The historic architectural review board shall elect from within the board a chair, who shall be the presiding member; a vice-chair, who shall preside in the chair's absence or disqualification. The land development regulation administrator shall serve as the secretary for the historic architectural review board. Terms of all elected officers shall be for one year. Elected officers shall serve no more than two consecutive terms in the same position.

3.3.2.3. *Meetings and quorum.* The historic architectural review board shall meet at least four times per year at regular intervals at the call of the chair, or at the written request of a majority of members, or

within 30 days after receipt of a matter to be acted upon by the historic architectural review board. A majority of the appointed regular members of the board shall constitute a quorum.

All meetings of the historic architectural review board shall be public and have a publicly available agenda. All decisions of the historic architectural review board shall be made in a public forum. A record of all its resolutions, transactions, findings, and determinations shall be made, which record shall be a public record on file in the office of the land development regulation administrator.

3.3.2.4. *Disqualification of members.* If any member of the historic architectural review board shall find that his or her private or personal interests are involved in a matter coming before the historic architectural review board, he or she shall disqualify himself or herself from all participation in that case. No member of the historic architectural review board shall appear before the historic architectural review board as agent or attorney for any person.

3.3.2.5. *Decisions.* The concurring vote of a majority of the members of the historic architectural review board, who are present and voting, shall be necessary to pass any motion which is considered by the historic architectural review board.

3.3.2.6. *Appropriations, fees, and other income.* The city commission shall make available to the historic architectural review board such appropriations as it may see fit for expenses necessary in the conduct of historic architectural review board work.

3.3.2.7. *State reporting requirements.* The historic architectural review board shall meet the following requirements in reporting to the state historic preservation officer:

- (1) Provide the state historic preservation officer with 30 calendar day's prior notice of all four regular meetings of the board and provide the state historic preservation officer with agendas of all meetings.
- (2) Submit minutes of each meeting to the state historic preservation officer within 30 calendar days of the meeting date.
- (3) Submit record of attendance of the historic architectural review board to the state historic preservation officer within 30 calendar days after each meeting.
- (4) Submit public attendance figures for each meeting to the state historic preservation officer within 30 calendar days of each meeting.
- (5) Notify the state historic preservation officer of change in historic architectural review board membership within 30 calendar days of action.
- (6) Notify the state historic preservation officer immediately of all new historic designations or alterations to designated properties.
- (7) Submit amendments to article 11 of these Land Development Regulations to the state historic preservation officer for review and comment at least 30 calendar days prior to adoption.
- (8) Submit an annual report by November 1, covering activities of previous period (October 1 through September 30) that includes the following information:
  - a. A copy of the rules of procedure;
  - b. A copy of historic preservation ordinance;

- c. Resume of commission members;
- d. Changes to the commission;
- e. New local designations;
- f. New National Register listings;
- g. Review of survey and inventory activity with a description of the system used;
- h. Program report on each grant-assisted activity; and
- i. Number of projects reviewed.

3.3.3. *Historic architectural review board: functions, powers, and duties: generally.* The functions, powers, and duties of the historic architectural review board in general shall be:

1. **Maintain information.** To acquire and maintain such information and materials as are necessary to an understanding of the history of the city. Such information and material may include maps, photographs and such other information as is important or likely to be important in providing for historic preservation in the city.
2. **Recommend policies.** To recommend principles and policies for guiding action affecting historic preservation in the city.
3. **Present proposals.** To prepare and recommend to the planning and zoning board for recommendation to the city commission ordinances, regulations, and other proposals providing for historic preservation along the lines indicated as desirable by the Comprehensive Plan.
4. **Compliance of developments.** To determine whether specific proposed developments and redevelopments within historic districts and redevelopment of city historic designated properties outside of historic districts conform to the principles and requirements of these Land Development Regulations and the Comprehensive Plan regarding historic preservation.
5. **Public hearings.** To conduct such public hearings as may be required to gather information necessary for the drafting, establishment, and maintenance of the historic preservation ordinances, codes, and regulations.
6. **Studies.** To make any necessary special studies concerning the designation of historic districts and designated historic properties outside historic districts in the city.
7. **Keep board and commission informed.** To keep the planning and zoning board and city commission informed and advised on these matters.
8. **Historic sites, structures.** To perform those powers and duties specified in section 11.2 of these Land Development Regulations.
9. **Attend pertinent informational or education meetings, workshops, and conferences.** Members of the commission may attend informational sessions to report to the historic architectural review board and the city commission about pertinent historic preservation issues and information.
10. **Other duties.** To perform such other duties as may be lawfully assigned to it, or which may have bearing on the preparation or implementation of the Comprehensive Plan regarding historic preservation.

All employees of the city shall, upon request and within a reasonable time, furnish to the historic architectural review board such available records or information as may be required in its work. The

historic architectural review board may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized agents or employees of the city, and shall have such other powers as are required for the performance of official functions in carrying out of the purposes of the historic architectural review board.

(Ord. No. 10-07, § 1, 4-9-2007)