City of Birmingham
A Walkable Community

MEMORANDUM

Community Development Department

DATE: **October 22, 2014**

TO: **Joseph A. Valentine, City Manager**

FROM: **Jana L. Ecker, Planning Director**

SUBJECT: **Public Hearing for Amendment of Chapter 82, Planning, to establish Alternate Member positions for the Planning Board**

On October 13, 2014, the City Commission directed the Planning Department and the City Attorney to prepare ordinance amendments to establish two alternate member positions for the Planning Board.

Currently, the Planning Board composition is established in Chapter 82, Planning, and provides that the board shall consist of seven members whose residences are located in the City.

Please see attached ordinance language that, if adopted, would establish two alternate members to serve on a rotating bases as needed in the absence of a regular member or where a regular member has abstained due to a conflict of interest.

SUGGESTED ACTION:

To adopt the proposed amendments to Chapter 82, Planning, Article II. Planning Board, Section 82-27, Composition, to establish not more than two alternate members to the Planning Board.

CITY OF BIRMINGHAM

ORDINANCE NO. _____

AN ORDINANCE TO AMEND PART II OF THE CITY CODE CHAPTER 82, PLANNING, ARTICLE II. PLANNING BOARD, SECTION 82-27. COMPOSITION.

THE CITY OF BIRMINGHAM ORDAINS:

Part II of City Code Chapter 82, Planning, Article II. Planning Board, Section 82-27, Composition, shall be amended to read:

Sec. 82-27. - Composition.

(a) The ~~p~~Planning ~~b~~Board shall consist of seven regular members whose residences are located in the ~~c~~City.

(b) One member of the ~~p~~Planning ~~b~~Board shall be an architect duly registered in this state, if such person is available. The other members shall represent, insofar as possible, different occupations and professions such as, but not limited to, the legal profession, the financial or real estate professions, and the planning or design professions. One of the members of the ~~p~~Planning ~~b~~Board shall be a building owner in the central business district or Shain Park Historic District.

(c) The ~~c~~City ~~m~~Manager, ~~c~~City ~~e~~Engineer and ~~c~~City ~~p~~Planner, or the authorized representatives of any of them, and the student representative, shall be members ex officio of the planning board and shall have all rights of membership thereon, except the right to vote.

(d) The City Commission may also appoint not more than two alternate members for the same term as regular members of the Planning Board. The alternate member may be called on a rotating basis to sit as a regular member of the Planning Board in the absence of a regular member. An alternate member may also be called to service in the place of a regular member for the purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member having been appointed shall serve in the case until a final decision has been made. The alternate member shall have the same voting rights as a regular member of the Planning Board.

(Code 1963, § 5.401; Ord. No. 1811, 7-28-03)

Ordained this ___ day of, _____2014, but to become effective upon publication in a newspaper of general circulation within the City of Birmingham.

_____
Scott D. Moore, Mayor

_____
Laura M. Pierce, City Clerk

I, Laura M. Pierce, City Clerk of the City of Birmingham, do hereby certify that the foregoing ordinance was passed by the Commission of the City of Birmingham, Michigan at a regular meeting held _____, 2014 and that a summary was published _____, 2014.

_____
Laura M. Pierce, City Clerk