



HISTORIC TOWN OF EATONVILLE, FLORIDA

SPECIAL TRAINING WORKSHOP FOR ELECTED AND APPOINTED OFFICIALS

AGENDA

(SESSION FOUR)

Thursday, March 30, 2023 at 6:30 PM

Town Hall - 307 E Kennedy Blvd

****This is a combined training workshop that will consist of the Town Council, the Planning & Zoning Board, the Historical Preservation Board, the Board of Adjustments, and others not limited to****

****PUBLIC NOTICE:**

Today's Special Training Workshop is an opportunity for Town Council, the Planning & Zoning Board, the Historical Preservation Board, the Board of Adjustments of the Town of Eatonville to acquire training on related topics pertaining to the Planning and Development Process. The information presented is intended to assist officials in understanding the policy and procedures of the Town of Eatonville to include best practices in the decision-making process. *****There will be no voting on any matters, or any decisions made on any proposition during this Training Workshop*****

Sunshine Meetings are meetings of two or more members of the Town Council Member and Board Members gathering to discuss a topic that might possibly be voted on in the future. Florida's Government-in-the-Sunshine law requires that there be a public record of that discussion.

The Sunshine law requires that:

Meetings are open to the public

Reasonable advance notice of such meetings are to be given

Minutes of the meeting must be taken.

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. EXPLANATION OF TRAINING WORKSHOP SESSION #4**
- IV. COMMENTS**
 - 1. Final Staff Remarks**
- V. ADJOURNMENT**

The Town of Eatonville is subject to the Public Records Law. Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

****PUBLIC NOTICE****

This is a Public Meeting, and the public is invited to attend. This Agenda is subject to change. Please be advised that one (1) or more Members of any of the Town's Advisory Boards/Committees may attend this Meeting and may participate in discussions. Any person who desires to appeal any decision made at this meeting will need a verbatim record of the proceedings and for this purpose may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based – per Section 286.0105 Florida Statutes. Persons with disabilities needing assistance to participate in any of these proceedings should contact the Town of Eatonville at (407) 623-8910 "at least 48 hours prior to the meeting, a written request by a physically handicapped person to attend the meeting, directed to the chairperson or director of such board, commission, agency, or authority" - per Section 286.26



HISTORIC TOWN OF EATONVILLE, FLORIDA

TOWN COUNCIL WORKSHOP

MARCH 30, 2023 AT 06:30 PM

Cover Sheet

****NOTE**** Please do not change the formatting of this document (font style, size, paragraph spacing etc.)

ITEM TITLE: Training For Elected and Appointed Officials (Section 4)

TOWN COUNCIL ACTION:

TRAINING WORKSHOP	YES	Department: LEGISLATIVE (CLERK OFFICE)
INTRODUCTIONS		Exhibits: <ul style="list-style-type: none"> • Training Materials
CONSENT AGENDA		
COUNCIL DISCUSSION		
ADMINISTRATIVE		

REQUEST: (No Decision Item) For Town Council to participate in the First Quarter Training Workshop for Elected and Appointed Officers (SECTION 1) that provides an overview of the Town of Eatonville's Planning and Development Policies and Development Process presented by the Town Planning Consultant and Town Attorney.

SUMMARY: Discussions have been made with recommendation towards organizing a training for elected and appointed officials on the Planning and Development process in the Town of Eatonville. This would be four-part training within the 1st Quarter providing education on the major components of the planning and development process; related to the Town's Comprehensive Plan and Land Development Code. This proposed training is not limited to site and development plans, special exceptions, land use, zoning, permitting, and legalities to consider. The training is being organized to include the Town Council, Planning & Zoning Board, and the Historic Preservation Board. The proposed schedule is provided below: The training schedule below approved to move forward at the consensus of Town Council.

- Part 1 - Tuesday, March 7, 6:30 p.m.
- Part 2 - Thursday, March 9, 6:30 p.m.
- Part 3 - Tuesday, March 28, 6:00 p.m. (Time Change)
- Part 4 - Thursday, March 30, 6:30 p.m.

RECOMMENDATION: N/A

FISCAL & EFFICIENCY DATA: N/A



Memorandum

To: Town of Eatonville Board Training
From: Tara Salmieri, AICP
Date: March 23, 2023
Re: **Topic 4 Training Materials**

Three Boards will be discussed in our upcoming training session for March 30th, 2023. Each Board should review the LDC as attached prior to the Thursday meeting. We will be going over each board, however, the details are found in the relevant section of the code.

If you desire to search for the online content, the following is also provided as links to each board as codified in Municode:

- 1- Board of Zoning Adjustment duties [here](#)
- 2- Historic Preservation Board Duties [here](#)
- 3- Planning Board Duties [here](#)

During Topic 4, we will also be discussing development process as follows and identify who reviews, recommends and approves each topic:

- 1- Development Agreements
- 2- Plat approval process (Town Council)
- 3- Site Plan Approvals (staff review then it goes to the planning board for recommendation then Town Council approves, denies BASED on Code and Development Agreements)
- 4- Building Permit(s)/Construction Meetings
- 5- Development begins

DIVISION 3. BOARD OF ADJUSTMENT

Sec. 44-108. Established.

Pursuant to the provisions of the applicable state statutes, as amended, a board of adjustment, hereinafter referred to as the board of adjustment, is hereby established in the town.

(LDC 1982, ch. 15, § 15-2; Ord. No. 2002-2, § 1(6-5), 4-2-2002)

Sec. 44-109. Appointment.

The board of adjustment shall consist of five residents who shall be appointed by the town council. In addition to the regular members of the board of adjustment, the town council shall be authorized to appoint two alternate members. Said alternate members may be called upon to sit upon said board of adjustment in the temporary absence or disability of any regular member, or may act when a member is otherwise disqualified in a particular case, and during such participation, shall have the rights and responsibilities of a regular member. No member or alternate member of the board of adjustment shall be a paid or elected official or employee of the town.

(LDC 1982, ch. 15, § 15-2.1; Ord. No. 2002-2, § 1(6-5.1), 4-2-2002)

Sec. 44-110. Term of office; removal for cause; vacancies.

- (a) The term of office shall be for three years and shall be staggered so that not more than two terms expire within any one year by applying the procedure for appointing planning board members referenced in division 2 of this article. Alternate members shall be appointed for a term of three years.
- (b) Members of the board of adjustment shall be removable for cause after filing of written charges, a public hearing, and a majority vote of the town council.
- (c) Appointments to fill vacancies shall be for the unexpired term or term of the member whose term becomes vacant. Such appointments to fill vacancies shall be made in the same manner as the original appointment and shall be made within 30 days after the vacancy occurs.

(LDC 1982, ch. 15, § 15-2.2; Ord. No. 2002-2, § 1(6-5.2), 4-2-2002)

Sec. 44-111. Procedures.

- (a) The board of adjustment shall establish rules and regulations for its own operation consistent with the provisions of applicable state statute and this chapter.
- (b) The board of adjustment shall elect a chairperson and vice-chairperson. The chairperson shall be the presiding member of the board of adjustment and the vice-chairperson shall be the presiding member in the chairperson's absence or disqualification. The board of adjustment shall appoint a secretary who may be a member of the board of adjustment or an employee of the town. The terms of all officers elected and appointed shall be for one year with eligibility for reelection or reappointment.

- (c) The board of adjustment shall meet at regular intervals, at the call of the chairperson, 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 board of adjustment. Three members of the board of adjustment shall constitute a quorum.
- (d) The chairperson, or in his absence the acting chairperson, may administer oaths and compel the attendance of witnesses.
- (e) All meetings of the board of adjustment shall be public. A record of all its resolutions, transactions, findings and determinations shall be made, which shall be a public record on file with the office of the town clerk.

(LDC 1982, ch. 15, § 15-2.3; Ord. No. 2002-2, § 1(6.5.3), 4-2-2002)

Sec. 44-112. Decisions.

The concurring vote of a majority of the members of the board of adjustment shall be necessary to reverse any order, requirement, decision, or determination of the planning director or to decide in favor of the appellant in respect to any matter upon which it is required to pass under the terms of this chapter or to effect any variations of this chapter.

(LDC 1982, ch. 15, § 15-2.4; Ord. No. 2002-2, § 1(6.5.4), 4-2-2002)

Sec. 44-113. Powers and duties.

The board of adjustment shall have the following powers and duties:

- (1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the planning director in the enforcement of this chapter.
- (2) To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship.

(LDC 1982, ch. 15, § 15-2.5; Ord. No. 95-11, § 4(6-5.5(3)), 10-1-1996; Ord. No. 2002-2, § 1(6.5.5), 4-2-2002)

Sec. 44-114. Appeals.

Appeals to the board of adjustment may be taken by any person aggrieved by any officer, board or commission of the town affected by any decision of the administrative official under any provision of this chapter.

- (1) *Staying of work on premises.* An appeal to the board of adjustment stays all work on the premises and all proceedings in furtherance of the action appealed, unless the official from whom the appeal was taken shall certify to the board of adjustment, by reason of acts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings or work shall not be stayed except by a restraining order which may be granted by the board of adjustment to a court of record on application, on notice of the officer from whom the appeal is taken and on due cause shown.
- (2) *Procedure.*
 - a. Any person appealing any decision of an administrative official shall make such appeal within 30 days after rendition of the order. Requirement, decision or determination appealed from in writing to the board of adjustment and file the same, and ten copies thereof, with supporting facts and data with the planning director. This does not, however, restrict the filing of a request for a variance by any person at any time as provided for elsewhere in this article.

- b. Upon receipt of the appeal, the planning director shall forthwith examine such appeal or request application and endorse his recommendation thereon together with all documents, plans, papers or other materials constituting the record upon which the action appealed was taken and transmit same to the board of adjustment. Concurrently, the planning director shall transmit a copy of said appeal together with all documents, plans, papers, or other materials constituting the record to the town attorney for his review and opinion. The town attorney shall present his opinion to the board of adjustment with respect to two items as follows:
1. As to whether the appeal is, in fact, an appeal and within the province of the board of adjustment.
 2. The merits of the appeal proper if requested by the board of adjustment.
- (3) *Hearing of appeal.* Before rendering a decision upon an appeal, the board of adjustment shall hold a public hearing. The board of adjustment shall fix a reasonable time of day for the hearing, give public notice thereof, as well as due notice to the parties involved. Upon the hearing, any party may appear in person or by agent or by attorney.

(LDC 1982, ch. 15, § 15-2.6; Ord. No. 2002-2, § 1(6.5.6), 4-2-2002)

Sec. 44-115. Variances.

- (a) The board of adjustment shall authorize upon appeal such variance from the terms of this article as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this article would result in unnecessary and undue hardship. In order to authorize any variance from the terms of this article, the board of adjustment must and shall find:
- (1) That the variance is in fact, a variance as set forth within this article and within the province of the board of adjustment upon the opinion of the town attorney.
 - (2) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.
 - (3) That the special conditions and circumstances do not result from the actions of the applicant.
 - (4) That granting the variance requested will not confer on the applicant any special privilege that is denied by this article to other lands, buildings, or structures in the same zoning district.
 - (5) That literal interpretation of the provisions of this article would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this article and would work unnecessary and undue hardship on the applicant.
 - (6) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 - (7) That the granting of the variance will be in harmony with the general intent and purpose of this article, and that such variance will not be detrimental to the public welfare.
- (b) In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with this article. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this article. The board of adjustment may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed or both. Under no circumstances shall the board of adjustment grant a variance to permit a use not generally or by special exception permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of this article on the zoning district. No nonconforming use of

neighboring lands, structures or buildings in the same zoning districts shall be considered grounds for the authorization of a variance.

(Ord. No. 2002-2, § 1(6-5.7), 4-2-2002)

Sec. 44-116. Judicial remedy by circuit court.

Any person jointly or severally aggrieved by any decision of the board of adjustment or any officer, department, board of commission of the town may apply to the circuit court in the judicial circuit where the board of adjustment is located for judicial relief within 30 days after rendition of the decision by the board of adjustment. The proceedings in the circuit court shall consist either by trial de novo, which shall be governed by the state rules of civil procedure, and by petition for writ or certiorari which shall be governed by the state appellate rules. The election of remedies shall lie with the appellant.

(Ord. No. 95-11, § 4(6-5.8), (6-5.9), 10-1-1996; Ord. No. 2002-2, § 1(6-5.8), 4-2-2002)

Secs. 44-117—44-145. Reserved.

DIVISION 2. PLANNING BOARD

Sec. 44-76. Creation, appointment.

A planning board for the town is hereby created and established, consisting of five voting members and one nonvoting member appointed by the county school board and as many alternate members as the town council shall deem it necessary to appoint, which alternate members shall have the same qualifications as members. The qualification of the nonvoting member shall be left to the discretion of the county school board. The length of term for the nonvoting member shall be left to the discretion of county school board. A nonvoting member shall not be counted to establish a quorum. The nonvoting member shall receive notice of all meetings of the planning board but such nonvoting member shall receive a special notice, identified as such, when the scheduled meetings of the planning board consider comprehensive plan amendments and rezoning that would, if approved, increase residential density on the property that is the subject of the application. The nonvoting member may elect to receive only special notices or all other notices with no attachments or enclosures. The town council may, from time to time, by ordinance, increase the number of members of such board. Said voting members and alternate members shall be appointed by the town council (amended April 2, 2002, by Ordinance No. 2002-2) and approved by resolution of the town council, and each voting member and alternate member shall be a resident of the town and may not serve on any other official advisory board of the town at the same time. The voting members shall elect a chairperson, vice-chairperson and secretary from its membership of voting members. The planning director, the town attorney, and such other officers and officials of the town as may be required, shall be considered as advisors to the planning board and may be called upon from time to time to meet with said board.

(LDC 1982, ch. 15, § 15-1.1; Ord. No. 2002-2, § 1(1-4), 4-2-2002; Ord. No. 2003-14, § 2, 11-18-2003)

Sec. 44-77. Meetings, quorum.

- (a) All meetings of the planning board shall be public and open to all residents and interested parties. The board shall meet at least once during each calendar month and at such additional times as it shall be deemed necessary and convenient. Whenever possible, the regular monthly meeting shall be held on the second Thursday of each month during the evening hours.
- (b) Four members of the planning board shall constitute a quorum. An affirmative vote of a majority of members attending a meeting shall be required to cause a favorable vote on any matter properly before the board for action.

(LDC 1982, ch. 15, § 15-1.2)

Sec. 44-78. Rules, regulations and procedures.

The town council may, by resolution, fix and determine procedures for appearing before the planning board, and may promulgate rules and procedures for presentation of matters before such board, for notifying interested parties, for charging and collecting application fees, for conducting and holding hearings, and for calling in advisors or assistance from time to time. All rules and regulations of this nature previously adopted by the town council shall continue in full force and effect until properly amended. The planning board may additionally adopt rules of procedure provided that such rules of procedure are not inconsistent with any rules previously adopted by the

town council. The board shall keep minutes of its proceedings, showing the vote of each member upon each question submitted to it. If a member is absent, such fact shall appear upon the minutes. Copies of the board's minutes shall be filed with the town clerk and shall become a public record.

(LDC 1982, ch. 15, § 15-1.3)

Sec. 44-79. Alternate members.

In the case of the temporary absence or disqualification of any member of the planning board, the chairperson shall call upon an alternate member of his choosing to serve as an alternate on the planning board during the continuance of such absence or disqualification of such member. In no event shall an alternate serve in such capacity for more than six consecutive months, nor shall a meeting of the planning board be conducted where a majority of the sitting members are alternates. Alternate members shall have the same power as regular members while sitting on the planning board.

(LDC 1982, ch. 15, § 15-1.4)

Sec. 44-80. Length of term.

- (a) Regular members of the planning board shall be appointed to serve a term of three years, except where such a term would not end on September 20 of any particular year, that term shall be extended for an additional time in excess of three years to ensure that it shall conclude on September 30 of the year. Vacancies shall be filled to complete a term of office shall show the same expiration date. Alternate members shall be appointed in the same manner as regular members and shall have the same term of membership.
- (b) Initial appointments to the board shall be made according to the following schedule:
 - (1) One member for three years;
 - (2) Two members for two years;
 - (3) Two members for one year.

All subsequent appointments shall be for the full three-year term.

(LDC 1982, ch. 15, § 15-1.5)

Sec. 44-81. Duties.

The duties of the planning board shall be as follows:

- (1) To act in an advisory capacity to the town council on questions relating to zoning, and to conduct and hold public hearings on all matters or proposals to change zoning regulations, and report its findings and recommendations on such matters and proposals to the town council.
- (2) To study an existing comprehensive land use element, with the view to improving same so as to provide for the development, general improvement, and probable future growth of the town and, from time to time, make recommendations to the town council for changes in the existing comprehensive land use element so as to incorporate new developments, or for the adoption of a new comprehensive land use element.
- (3) To study all other required and optional elements of the town's comprehensive plan and act in an advisory capacity to the town council with respect to the comprehensive plan, including, from time to

time, making recommendations for changes in the plan or for the adoption of a new comprehensive plan or portion thereof.

- (4) To investigate and recommend approval or disapproval of all new plats to be presented to the town council for approval.
- (5) To investigate and make recommendations upon all site and development plans to be presented to the town council for approval.
- (6) To investigate and make recommendations to the town council with respect to all requests for approval of special exception uses as provided in this chapter.
- (7) To perform such other duties as may from time to time be assigned to the planning board by the town council. Those duties and responsibilities shall be performed in the same manner and with the same procedures except where changed herein or in future acts of the town council.

(LDC 1982, ch. 15, § 15-1.6; Ord. No. 96-11, § 1(1-4.7F.), 10-1-1996)

Sec. 44-82. Town council action.

In making zoning ordinance amendments or granting site plan, subdivision, or other development approvals, which are contrary to the recommendations of the planning board, three affirmative votes of the town council shall be required to overturn the recommendation of the planning board.

(LDC 1982, ch. 15, § 15-1.7; Ord. No. 2002-2, § 1(1-5), 4-2-2002)

Secs. 44-83—44-107. Reserved.

ARTICLE V. HISTORIC PRESERVATION BOARD

Sec. 48-147. Establishment.

The historic preservation board is hereby established to implement the historic preservation provisions of this chapter.

(LDC 1982, ch. 11, § 11.5(intro.); Ord. No. 96-04, § V, 12-17-1996)

Sec. 48-148. Board membership.

- (a) The historic preservation board shall have five members appointed by the town council. One member of the historic preservation board shall be a registered architect and another a local historian, if available. The appointments shall be made on the basis of civic pride, integrity, experience, and interest in the field of historic preservation. The town council should appoint a representative from each of the following areas of expertise:
 - (1) History.
 - (2) Real estate or real property appraisal.
 - (3) Urban planning.
 - (4) Engineering or building construction.
- (b) Whenever possible, each member shall reside in the town.
- (c) Each member shall be appointed to a three-year term except that, initially, two members shall be appointed for a term of two years, and one member shall be appointed for a term of three years. No person may serve more than two consecutive three-year terms. Persons disqualified by this provision may be reappointed after one year elapses after the expiration of the second term of service.
- (d) When a position becomes vacant before the end of the term, the town council shall appoint a substitute member within 60 days to fill the vacancy for the duration of the vacated term. A member whose term expires may continue to serve until a successor is appointed and qualified.
- (e) An individual who misses three consecutive, regularly scheduled meetings of the historic preservation board without good cause shall be deemed to have resigned from that board and is not eligible for reappointment to that or any other board for at least one year. In that event, the town clerk shall notify the individual that his position will be declared vacant by the town council at the next regularly scheduled town council meeting unless the individual demonstrates good cause for having been absent. In addition, the town council may terminate the appointment of any board member for cause, including, but not limited to, excessive absences and conflicts of interest, upon giving notice and an opportunity to be heard. The town council shall take any and all action it deems appropriate in its sole discretion.

(LDC 1982, ch. 11, § 11.5.1; Ord. No. 96-04, § V(A), 12-17-1996; Ord. No. 2003-2, § 1, 7-15-2003; Ord. No. 2010-05, § 1, 3-2-2010)

Sec. 48-149. Officers.

The members of the historic preservation board shall annually elect a chair and vice-chair from among the members and may create and fill other offices as the historic preservation board deems necessary.

(LDC 1982, ch. 11, § 11.5.2; Ord. No. 96-04, § V(B), 12-17-1996)

Sec. 48-150. Subcommittees.

- (a) The historic preservation board shall create whatever subcommittees it deems necessary to carry out the purposes of the historic preservation board.
- (b) The chair of the historic preservation board shall annually appoint the membership of each subcommittee from the members of the historic preservation board.

(LDC 1982, ch. 11, § 11.5.3; Ord. No. 96-04, § V(C), 12-17-1996)

Sec. 48-151. Staffing.

The planning director shall appoint a town employee to serve as secretary to the historic preservation board, recorder and custodian of all board records.

(LDC 1982, ch. 11, § 11.5.4; Ord. No. 96-04, § V(D), 12-17-1996)

Sec. 48-152. Compensation.

Members shall not be compensated.

(LDC 1982, ch. 11, § 11.5.5; Ord. No. 96-04, § V(E), 12-17-1996)

Sec. 48-153. Funding.

The town council shall appropriate funds to permit the historic preservation board to perform its prescribed functions.

(LDC 1982, ch. 11, § 11.5.6; Ord. No. 96-04, § V(F), 12-17-1996)

Sec. 48-154. Required meetings.

The historic preservation board shall meet at least four times each year and minutes of each meeting shall be kept. Meetings will be conducted according to rules of procedure adopted by the board.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(G), 12-17-1996)

Sec. 48-155. Board to adopt the rules of procedure.

The historic preservation board shall adopt the rules of procedure as the recognized authority.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(H), 12-17-1996)

Sec. 48-156. Responsibilities of local board.

The responsibilities of the historic preservation board shall be complementary to those of the state historic preservation board office.

(LDC 1982, ch. 11, § 11.5.7; Ord. No. 96-04, § V(I), 12-17-1996)

Secs. 48-157—48-180. Reserved.

ARTICLE VI. GENERAL FUNCTIONS, POWERS, AND DUTIES

Sec. 48-181. General responsibility of planning director.

It shall be the general responsibility of the planning director to take appropriate action to ensure that the historic preservation provisions of this chapter are implemented.

(LDC 1982, ch. 11, § 11.6; Ord. No. 96-04, § VI(A), 12-17-1996)

Sec. 48-182. Specific responsibility of historic preservation board.

- (a) It shall be the specific responsibility of the historic preservation board to:
- (1) Update the official inventory of cultural resources and submit to the town council recommendations and documentation concerning the updating.
 - (2) Develop programs to stimulate public interest in urban neighborhood conservation, to participate in the adaptation of existing codes, ordinances, procedures, and programs to reflect urban neighborhood conservation policies and goals.
 - (3) Explore funding and grant sources and advise property owners concerning which might be available for identification, protection, enhancement, perpetuation, and use of historic, architectural, archeological, and cultural resources.
 - (4) Cooperate with agencies of the town, county, regional, state and federal governments in plan proposed and future projects to reflect historic presentation concerns and policies, and assist in the development of proposed and future land use plans.
 - (5) Advise property owners and local governmental agencies concerning the proper protection, maintenance, enhancement, and preservation of cultural resources.
 - (6) Advise the town council concerning the effects of local governmental actions on cultural resources.
 - (7) Review and recommend the designation of sites, buildings, structures, objects, and districts, both public and private, as historically or architecturally significant.
 - (8) Approve or deny petitions for certificates of appropriateness required under the historic preservation regulations in this chapter.
 - (9) Notify the planning director who shall take appropriate action when it appears that there has not been compliance with the historic preservation regulations of this chapter.
 - (10) Assist in developing a historic preservation element to be incorporated into the town comprehensive plan and, if necessary, make recommendations for amendments to historic preservation goals, objectives and policies in the plan.
- (b) All local officials, owners of record and application shall be given a minimum of 30 days, and not more than 75 days, prior to commission meetings in which to comment on or object to the listing of a property in the National Register.
- (c) Objection by property owners must be notarized to prevent nomination to the National Register.
- (d) The state historic preservation officer will be provided with 30 days prior notice to all meetings.

- (e) The process of initiating and continuing the identification of historical properties within the jurisdiction inventory materials shall be compatible with the state files.
- (f) The historic preservation board shall review all proposed National Register nomination within its jurisdiction.
- (g) The historic preservation board shall be afforded representation at any pertinent informational or educational meetings workshops and conferences.
- (h) The town council shall provide funding for seeking expertise on proposals or matters requiring evaluation by a professional of a discipline not represented on the historic preservation board.

(LDC 1982, ch. 11, § 11.6; Ord. No. 96-04, § VI(B), 12-17-1996)

Secs. 48-183—48-202. Reserved.