



MEMORANDUM TO VENICE CITY COUNCIL

FROM: Roger Clark, AICP, Planning and Zoning Director *Roger Clark*

DEPARTMENT: Planning and Zoning

THROUGH CHARTER OFFICER: Edward Lavallee, City Manager

E-SIGN:

Ed Lavallee
Edward Lavallee (Jun 3, 2022 09:22 EDT)

DATE: June 3, 2022

MEETING DATE: Tuesday, June 14, 2022

COUNCIL ACTION REQUESTED: Presentation with Action Requested

SUPPORTS STRATEGIC PLAN: Goal Six: Preserve the Venice Quality of Life through Proper Planning

SUBJECT / TOPIC: Additional Information on the City Board Structure and the Certified Local Government Designation

BACKGROUND INFORMATION: At the May 24, 2022 City Council Meeting, discussion occurred on the proposed future combination of the City's Architectural Review Board (ARB) and Historical Preservation Board (HPB) into the Historic and Architectural Preservation Board (HAPB) as reflected in the draft Land Development Regulations (LDRs). This item was not voted on and additional information was requested on the topic.

The City of Venice Comprehensive Plan specifies in Strategy LU 1.4.3(5), that the City "pursue the Certified Local Government (CLG) designation". The proposed board structure topic was presented and discussed in detail at the joint Planning Commission and City Council meeting held on February 8, 2022. Additionally, City Council directed staff at the February 8th, 2022 Council meeting to *proceed with investigating the application into the Certified Local Government Program*. Since that Council direction, City staff have been researching the CLG and communicating directly with the State Division of Historical resources to ensure the new LDRs were crafted to best qualify the City for CLG approval. The current LDR language and proposed combined board structure will meet the CLG application guidelines, as verified by the State Division of Historical Resources. There are indeed additional options available and the purpose of this memorandum is help clarify those options for City Council consideration.

City staff, including the Planning Director and City Attorney, held a conference call on May 27, 2022 with Mariah Justice, Certified Local Government Coordinator with Department of State Division of Historical Resources. Ms. Justice clarified the question regarding the ability to achieve CLG certification while maintaining two governing boards and the current options are detailed below. She was very clear in her response, that a two-board structure is achievable, however, not as the City's ARB and HPB boards are currently structured. The City's current dual-board structure and code language will not meet the CLG guidelines and will not allow for CLG approval without future modification.

Options for Future Board Structure:

- **OPTION 1:** Proceed with the current LDR draft language for a single combined regulatory board. This code will meet the CLG guidelines and the City may begin the application process immediately. The new board would be made up of willing members from both the existing ARB and HPB boards to provide expertise on both architectural design review and historic preservation. This is the most operationally efficient option and will remove the current authority and responsibility overlaps. This is also the option recommended by the CLG staff and the Planning Commission for several reasons, the primary being that historic preservation is fundamentally connected to architectural design and should not be addressed independently.
- **OPTION 2:** Approve the updated LDRs while keeping the current two-board structure intact, and direct staff to modify the code in the future to allow for CLG qualification. The City would not qualify for CLG immediately, however, the code can be revised in the future to allow for the two-board structure. In order to qualify for CLG with two boards, there cannot be overlapping and redundant authority and duties. Therefore, certain authorities would have to be cooperatively transferred between the two boards and concessions made to create two boards that have a clear separation of duties. For example, it would be permissible for one board to designate new historic properties and for the other board to handle the design, alteration, demolition, and relocation review approvals for all historic and theme district and all designated properties. It would not be permissible for one board to have review authority over a certain group of properties and another board to have authority over a separate group of properties within the same district. The two boards can indeed function complementary to each other as long as they perform different and distinct regulatory functions. This option will take some time to achieve, as staff will need to craft updated code language that details the new division of authority for the boards.
- **OPTION 3:** Approve the updated LDRs while keeping the current two-board structure and authorities intact. The City would not meet the CLG guidelines and would not qualify for CLG due to the current board structure of the ARB and HPB.

STAFF RECOMMENDATION: Consistent with the draft LDRs, staff recommends Option 1, as this would be the most effective operational model as recommended by CLG staff. Should Council prefer to pursue Options 2 or 3, staff will revise the draft LDRs accordingly and continue to work diligently to bring these updated LDRs to a successful completion.

Yes	N/A	
☒	☐	Document(s) Reviewed for ADA compliance (required if for agenda posting)
☒	☐	City Attorney Reviewed/Approval
☐	☒	Risk Management Review
☐	☒	Finance Department Review/Approval
		Funds Availability (account number): Click or tap here to enter text.

Original(s) attached: CLG Powerpoint Presentation from Joint Workshop
Cc: James R. Clinch, Assistant City Manager Kelly Fernandez, City Attorney