

City of Broken Arrow
Policy for Nominating individuals to the City of Broken Arrow
Planning Commission and Board of Adjustment

Effective Date: July 3, 2017

Purpose: This policy establishes the process of nominating members to the City of Broken Arrow Planning Commission and Board of Adjustment.

Background: Title 11 O.S. Section 45-102 requires the nomination of all members of the Planning Commission to be made by the Mayor and confirmed by the governing body of the municipality. In September of 2016, the City Council passed ordinance No. 3445 to be in compliance the State Law

When a municipality is exercising zoning powers, as conferred by Title 11, Sections 11-43-101 through 11- 43-109, the governing body of the municipality shall provide by ordinance for the appointment of a Board of Adjustment. Ordinance No. 2964 fulfills the State Statue requirement.

Traditionally, members of Planning Commission and Board of Adjustment were nominated by each district and at-large member and confirmed by the City Council. To be in compliance with the changes in the law and with the Council Members finding it important to continue to have input on such appointments, each Council Member will recommend members for the Boards to the Mayor. The Mayor will make the final nomination of all members and the governing body will have the responsibility of confirming such nominees.

This policy provides guidance to the City Council and Staff on the process for nominating members to both the Planning Commission and Board of Adjustment.

Policy:

Planning Commission:

1. Appointments for the Planning Commission:
 - a. The members of the Planning Commission shall be nominated and appointed pursuant to ordinance.
 - i. Each Council Member will recommend a member for the Board to the Mayor.
 - ii. The members shall be nominated by the Mayor.
 - iii. All appointments shall be subject to the confirmation by a majority vote of the entire membership of the council.
 - iv. The council may decide upon the proposed appointment by a majority vote of the quorum present and voting.
 - v. Failure to reach a decision upon a proposed appointment shall not prevent action thereon at a later regularly scheduled meeting of the council.
2. Terms:
 - a. Appointments to the Planning Commission shall be for staggered three-year terms.
 - b. When a member of the Planning Commission has finished their term, they may be recommended for reappointed or a new appointment made by the Mayor.
3. Removal from office:
 - a. The council may remove members of the Planning Commission, for cause; provided, that any individual whose removal is being considered by the council shall be entitled to notice and an opportunity to be heard prior to the decision to remove said individual.

4. Residency:
 - a. All members of the Planning Commission must reside within the city during their terms of office.

Board of Adjustment:

5. Appointments for the Board of Adjustment:
 - a. The members of the Board of Adjustment shall be nominated and appointed pursuant to ordinance.
 - i. Each Council Member will recommend a member for the Board to the Mayor.
 - ii. The members shall be nominated by the Mayor.
 1. As the board consists of five (5) members, the mayor will confer with each district council member to see if they would like to recommend an individual for appointment.
 - iii. All appointments shall be subject to the confirmation by a majority vote of the entire membership of the council.
 - iv. The council may decide upon the proposed appointment by a majority vote of the quorum present and voting.
 - v. Failure to reach a decision upon a proposed appointment shall not prevent action thereon at a later regularly scheduled meeting of the council.
6. Terms:
 - a. Appointments to the Board of Adjustment shall be for staggered three-year terms.
 - b. When a member of the Board of Adjustment has finished their term, they may be recommended for reappointed or a new appointment made by the Mayor.
7. Removal from office:
 - a. The council may remove members of the Board of Adjustment, for cause; provided, that any individual whose removal is being considered by the council shall be entitled to notice and an opportunity to be heard prior to the decision to remove said individual.
8. Residency:
 - a. All members of the Board of Adjustment must reside within the city during their terms of office.