

**SARASOTA COUNTY GOVERNMENT**  
**BOARD AGENDA REQUEST / CONTRACT APPROVAL REQUEST**  
**STAFF REPORT**

SUBJECT:	Ordinance No. 2011-070, amending Ordinance No. 98-007, relating to comprehensive planning and the procedures for processing plan amendments.
MEETING DATE:	November 9, 2011
PREPARED BY:	Planning and Development Services

REPORT:

The State of Florida recently approved new legislation (House Bill No. 7207) on June 2, 2011, which comprehensively revised the existing mid-1980s growth management statutes, and resulted in the new *Community Planning Act*, Chapter 2011-139. The Sarasota County Commission directed staff to update the processing ordinance for amendments at their July 13, 2011, meeting. The following changes reflect the proposed amendments to the procedures outlined in Article III, Division 2 of Chapter 94 of the County Code relating to comprehensive planning and procedures for processing plan amendments. These revisions are being proposed to update the County Code, and to bring it into conformance with the new state legislation.

Section 94-81. Findings.

- Proposed deletions relate to previous Board actions for revising specific portions of sections in the processing ordinance, and sub-items have been renumbered accordingly.

Section 94-82. Definitions.

- Proposed additions and deletions reflect revisions to the definition of terms used within the processing ordinance. The revisions make the processing ordinance consistent with state statutes.

Section 94-83. Applicability.

- Proposed additions and deletions reflect revisions to nomenclature in sections of state statutes changed by the *Community Planning Act* recently enacted by the State Legislature.

Section 94-84. Private Sector Initiation of Comprehensive Plan Amendments.

- Sub-section (a)(1), the Board directed staff at their July 13, 2011, meeting to revise the processing ordinance to allow a privately initiated amendment to be submitted to the County for consideration at any time. Planning Services will recommend to the Board whether or not the proposed amendment can be processed as a stand alone effort or whether it would be more appropriate to include it in the annual cycle.
- Additional proposed additions and deletions reflect statutory changes in procedural and processing requirements.

Section 94-85. County Initiation of Comprehensive Plan Amendments.

- Sub-section (a), a county initiated amendment may now be submitted at any time.
- Sub-section (a), any county department initiating an amendment must now submit the amendment to the Local Planning Authority (LPA) for review, and the LPA will authorize the submitting department to proceed with the now required two part scoping process outlined in sub-section (c) of this section.
- Sub-section (b), the requirement to present all proposed amendments to the Board in April of the calendar year for authorization to proceed with any specific amendment, has been eliminated. Also, the ability for the Board to now withdraw any amendment at any time is being proposed as an addition to this section.

**SARASOTA COUNTY GOVERNMENT**  
**BOARD AGENDA REQUEST / CONTRACT APPROVAL REQUEST**  
**STAFF REPORT**

REPORT (cont.):

REPORT:

- Revised sub-section (c), a new two-part scoping process is being proposed for the amendment process: Part 1 – receiving direction from either the LPA or Board to proceed with the scoping process for the proposed amendment; and, Part 2 – proceed with defining the amendment, identifying issues associated with it, and development of a level of work effort and evaluation needed to process the amendment.
- Former sub-section (c), (d), and (e) in this section are being proposed for deletion because the requirements contained therein have been eliminated under the new state legislation.

Section 94-86. Procedures for Processing Comprehensive Plan Amendments.

- Sub-section (a)(1), the requirement to hold the LPA transmittal public hearing in July of the calendar year is being proposed for elimination. With amendments being able to be initiated at any time, it is essential that the LPA hearing be capable of being scheduled to fit into the processing schedule for an amendment.
- Sub-section (a)(2), the information being proposed for deletion is contained in other locations such as the Zoning Ordinance.
- Sub-sections (a)(3) and (b)(3), the proposed additions/deletions are updated name changes.
- Sub-sections (c)(1) and (c)(3), the proposed deletion of the requirements and time periods in these sub-sections is because these items are no longer applicable.

Sections 94-87 and 88. Public Participation in the Comprehensive Plan Amendment Process and Requirement of Substantial Compliance with Procedures.

- The proposed additions and deletions in these two sections represent name change revisions and procedural/processing changes.

Section 94-91. Reservation.

- The automatic sunset provision is being proposed to be eliminated, and this section is also being proposed to be redesignated from Automatic Sunset to Reservation (relating to additional sections to be added to the chapter).