



Legislation Details (With Text)

File #: ORD 2019-001 **Name:** Land Development Code Amendment-Notice to Tenants
Type: Ordinance **Status:** Passed
File created: 12/17/2018 **In control:** City Commission
On agenda: 2/14/2019 **Final action:** 2/14/2019

Title: AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE,” BY AMENDING ARTICLE I, “ADMINISTRATION, REGULATIONS AND PROCEDURES,” DIVISION 3, “IMPLEMENTATION PROCEDURES,” SECTIONS 13-31, “LAND USE PLAN MAP AMENDMENTS,” 13-33, “VARIANCES,” 13-35, “SPECIAL LAND USE,” 13-36, “ZONING MAP AMENDMENTS,” 13-36.1, “PROCEDURES FOR ACCEPTANCE OR CONVEYANCE/VACATION/ABANDONMENT OF STREETS, ALLEYWAYS, ROADS, OR PUBLIC RIGHTS-OF-WAY,” AND 13-36.2, “PROCEDURES FOR ACCEPTANCE OR CONVEYANCE/VACATION/ABANDONMENT OF SPECIFIC PURPOSE EASEMENTS;” BY AMENDING ARTICLE III, “ZONING REGULATIONS,” DIVISION 2, “ZONING CLASSIFICATIONS AND GENERAL REQUIREMENTS,” SECTION 13-321, “MEDICAL MARIJUANA TREATMENT CENTERS AND MEDICAL MARIJUANA DISPENSARIES;” AND DIVISION 3, “ZONING DISTRICT REGULATIONS AND TABLES,” SECTIONS 13-349, “REZONING OF LAND TO PUD,” AND 13-356, “SAME-REZONING OF LAND TO PCD,” IN ORDER TO PROVIDE FOR PUBLIC NOTICE TO TENANTS OCCUPYING PARCELS, UNITS, OR PROPERTIES WITHIN THE SAME COMMERCIAL PROPERTY OR PLAZA AS THE PARCEL, UNIT, OR PROPERTY UNDER CONSIDERATION. (SECOND READING)(PUBLIC HEARING)

Sponsors:

Indexes: Land Development Code, Ordinance, SUSTAINABLE DEVELOPMENT

Code sections: 13 - Land Development

Attachments: 1. ORDINANCE 2019-001-LDC Amendment-Tenant Public Notice, 2. BACKUP-Ordinance No. 2017-008-Notice Requirements, 3. MINUTES-Draft PZ Meeting Excerpt 2019-0109

Date	Ver.	Action By	Action	Result
2/14/2019	1	City Commission		
1/24/2019	1	City Commission		

AGENDA ITEM REPORT

TITLE:

AN ORDINANCE AMENDING THE CITY’S CODE OF ORDINANCES, BY AMENDING CHAPTER 13, “LAND DEVELOPMENT CODE,” BY AMENDING ARTICLE I, “ADMINISTRATION, REGULATIONS AND PROCEDURES,” DIVISION 3, “IMPLEMENTATION PROCEDURES,” SECTIONS 13-31, “LAND USE PLAN MAP AMENDMENTS,” 13-33, “VARIANCES,” 13-35, “SPECIAL LAND USE,” 13-36, “ZONING MAP AMENDMENTS,” 13-36.1, “PROCEDURES FOR ACCEPTANCE OR CONVEYANCE/VACATION/ABANDONMENT OF STREETS, ALLEYWAYS, ROADS, OR PUBLIC RIGHTS-OF-WAY,” AND 13-36.2, “PROCEDURES FOR ACCEPTANCE OR CONVEYANCE/VACATION/ABANDONMENT OF SPECIFIC PURPOSE EASEMENTS;” BY AMENDING ARTICLE III, “ZONING REGULATIONS,” DIVISION 2, “ZONING CLASSIFICATIONS AND GENERAL REQUIREMENTS,” SECTION 13-321, “MEDICAL MARIJUANA TREATMENT

CENTERS AND MEDICAL MARIJUANA DISPENSARIES;" AND DIVISION 3, "ZONING DISTRICT REGULATIONS AND TABLES," SECTIONS 13-349, "REZONING OF LAND TO PUD," AND 13-356, "SAME-REZONING OF LAND TO PCD," IN ORDER TO PROVIDE FOR PUBLIC NOTICE TO TENANTS OCCUPYING PARCELS, UNITS, OR PROPERTIES WITHIN THE SAME COMMERCIAL PROPERTY OR PLAZA AS THE PARCEL, UNIT, OR PROPERTY UNDER CONSIDERATION. (SECOND READING)(PUBLIC HEARING)

BACKGROUND:

This item was approved on First Reading at the January 24, 2019, City Commission Meeting.

The City Commission gave direction to City staff at its September 24, 2015, workshop to address Code-required public notification procedures for transparency and consistency. Specifically, it was the desire of the City Commission that all applications for zoning, land use map amendments, special land uses, and vacation and abandonment of property interests should be publicly noticed by a four by four (4' x 4') sign and that all property owners within five hundred (500) feet should be advised of the proposed changes. To achieve that goal as well as updating other aspects of Chapter 13, "Land Development Code," within the City's Code of Ordinances, the City Commission adopted Ordinance No. 2017-008 on January 11, 2018.

DISCUSSION:

In order to provide more transparency and notice to the City's residents and business community, the City Commission gave direction to staff at its December 13, 2018, meeting to require the same notice given to property owners under the current provisions be provided to tenants occupying parcels, units, or properties within the same commercial property or plaza as the parcel, unit, or property under consideration. The Planning and Zoning Board reviewed the changes to the notice requirements for development applications on January 9, 2019, and they voted to approve same.

RECOMMENDATION:

Staff recommends approval of this ordinance.

FISCAL IMPACT: N/A