



## Legislation Text

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File #: ORD 2017-008, Version: 1

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## AGENDA ITEM REPORT

### TITLE:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 13, "LAND DEVELOPMENT CODE," IN ORDER TO PROVIDE FOR UPDATED TERMINOLOGY AND PROCEDURES FOR REVIEW AND PROCESSING OF DEVELOPMENT APPLICATIONS.  
(SECOND READING)(PUBLIC HEARING)

### BACKGROUND:

**This item was approved on First Reading at the December 14, 2017, City Commission Meeting.**

During the last two years, the City Commission has held workshops to discuss the development review and approval process, including public notice requirements and procedures for processing development applications. At the September 24, 2015, Workshop, staff was directed to address Code-required notification procedures for transparency and consistency. Specifically, that all zoning, special land use, and vacation and abandonment applications, as well as land use map amendments, should be publicly noticed by a 4' x 4' sign and that all owners within 500 feet should be advised of the proposed changes. At the July 26, 2017, Workshop, the City Commission gave further direction that the process for all development applications should be changed to give the City Commission final approval for all development components that the Planning and Zoning Board had final authority over.

### DISCUSSION:

Throughout the past year, City Staff has searched through the City's Code of Ordinances and found many sections of the Code that require updating in order to effectuate these changes. As evidenced by the numerous sections proposed for amendment, this effort included not only revisions related to the subject matter, but involved updates to terminology, including department names, titles, outside agencies and other miscellaneous terminology. While all of these updates make for a voluminous amendment, the significant changes include:

- Standardizing the direct notification to property owners to a 500 foot radius, where certain applications previously required a 300 foot radius;
- Requiring a 4' x 4' public notice sign for all applications, where certain applications previously omitted this requirement;
- Providing for the City Commission to have final authority on all development applications that the Planning and Zoning Board previously had; and

- Addressing the procedures for transferring certain types of interests in land: 1) fee simple public rights-of-way; and 2) non-fee simple specific purpose easements. Pursuant to the City Charter, Sections 310 and 313, the City must transfer certain interests in land by ordinance and others may be transferred by resolution. These proposed changes allow the City to accept or convey public rights-of-way by ordinance, while a specific purpose easement may only be accepted by resolution and conveyed by ordinance. The procedures will provide uniformity among City departments handling these types of applications and direction to applicants seeking to dedicate a public right-of-way or convey a public utility easement to the City.

**RECOMMENDATION:**

The Planning and Zoning Board, at its February 8, 2017, meeting recommended approval of the proposed changes to the notice requirements for development applications. At their October 11, 2017, meeting they recommended approval of the proposed changes related the City Commission having final authority on development review applications, as well as the proposed changes related to the acceptance or conveyance of public rights-of-way and easements.

**FISCAL IMPACT:** N/A