

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COUNTYWIDE RULES; ADDING PROVISIONS FOR A SENIOR HOUSING BONUS; REVISING AND CLARIFYING THE PROCESS FOR MAP ADJUSTMENTS; CLARIFYING PROCEDURES FOR CONTINUING AND WITHDRAWING COUNTYWIDE PLAN MAP AMENDMENT APPLICATIONS; CLARIFYING THE PUBLIC HEARING SCHEDULE FOR AMENDMENTS TO THE COUNTYWIDE PLAN STRATEGIES AND RULES; ADDING AND AMENDING DEFINITIONS; UPDATING SECTION NUMBERS, REFERENCES AND TERMINOLOGY FOR INTERNAL CONSISTENCY; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners, acting pursuant to its countywide planning authority, has repealed the former Countywide Comprehensive Plan and replaced it by adoption of Ordinance No. 15-30 on August 7, 2015, which has been subsequently amended; and

WHEREAS, as part of Ordinance 15-30, the Board adopted the Countywide Plan Strategies, Countywide Plan Map, and the Countywide Rules, which collectively comprise the Countywide Plan; and

WHEREAS, the Pinellas Planning Council is operating under the fictitious name of Forward Pinellas; and

WHEREAS, the Pinellas Planning Council, pursuant to Section 6(7)(b), Chapter 2012-245, Laws of Florida, is authorized to develop rules, standards, policies, and objectives that will implement the Countywide Plan; and

WHEREAS, the Pinellas Planning Council pursuant to Section 10(3)(a), Chapter 2012-245, Laws of Florida, is authorized to initiate amendment to a rule or strategy of the Countywide Plan, as determined necessary by the Council to establish effective countywide planning; and

WHEREAS, the Countywide Rules provide for local density and intensity bonuses to be established to meet specified planning objectives of the Countywide Plan; and

WHEREAS, the Pinellas Planning Council has determined that it is necessary and appropriate to adopt a density and intensity bonus, inclusive of relevant definitions, to incentivize the creation of additional housing options for the senior population; and

WHEREAS, the Countywide Rules provide for ministerial adjustment of the Countywide Plan Map boundaries of the Preservation and Recreation/Open Space categories and the delineation of submerged lands; and

WHEREAS, the Pinellas Planning Council has determined that it is necessary and appropriate to clarify the intent of the map adjustment process, including relevant definitions, and provide for an administrative approval process; and

WHEREAS, the Pinellas Planning Council has determined that it is necessary and appropriate to clarify the public hearing process for proposed amendments to the Countywide Plan Map, Countywide Plan Strategies, and Countywide Rules; and

WHEREAS, the Pinellas Planning Council has determined that it is necessary and appropriate to update the definition of the Agricultural-Light land use to allow for additional animal-related uses; and

WHEREAS, the requisite procedures concerning notice and public hearing for amendment of the Countywide Rules have been met.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pinellas County, Florida, pursuant to its countywide planning authority, in regular meeting duly assembled on [DATE], as follows:

SECTION 1. The portions of Article 4, Plan Criteria and Standards; Article 6, Countywide Plan Map Amendment; Article 7, Countywide Plan Map and Countywide Rules Administration; and Article 8, Terms and Definitions are hereby amended as set forth in Exhibit "A". All other portions of the Countywide Rules not included in this ordinance are preserved and remain as previously set forth.

SECTION 2. Severability. It is declared to be the intent of the Board of County Commissioners that if any section, subsection, sentence, clause, phrase, or provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

SECTION 3. Filing of Ordinance; Effective Date. Pursuant to Section 125.66, Florida Statutes, a certified copy of this Ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners. This Ordinance shall become effective upon filing with the Department of State.

APPROVED AS TO FORM
By: David S. Sadowsky
Office of the County Attorney