

AN ORDINANCE BY THE PASCO COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE; CHAPTER 200 DECISION MAKING BODIES AND OFFICIALS; SECTION 204 PLANNING COMMISSION, AMENDING THE APPOINTMENT OF MEMBERS; AND OTHER SECTIONS, AS NECESSARY, FOR INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY; REPEALER; PROVIDING FOR SEVERABILITY; INCLUSION INTO THE LAND DEVELOPMENT CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Pasco County, Florida, is authorized under Chapters 125, 162, 163, 177, and 380 Florida Statutes, to enact zoning and other land development regulations to protect the health, safety and welfare of the citizens of Pasco County; and

WHEREAS, on July 10, 2018, the Board of County Commissioners adopted Ordinance 18-27, which amended the composition, appointment of members, meetings, and general functions of the Pasco County Planning Commission; and

WHEREAS, Ordinance 18-27 was codified in Section 200 of the Land Development Code; and

WHEREAS, the Pasco County Board of County Commissioners desires to amend the appointment of Planning Commission Members and their terms; and

WHEREAS, the Local Planning Agency conducted a public hearing on October 28, 2021 and found the proposed amendments consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners conducted duly noticed public hearings on November 9, 2021 and December 7, 2021, where the Board of County Commissioners considered all oral and written comments received at public hearings, including staff reports and information received during said public hearings and found the proposed amendment consistent with the Pasco County Comprehensive Plan; and

WHEREAS, the citizens of Pasco County were provided with ample opportunity for comment and participation in this amendment process through Horizontal Roundtable and Interested Parties meeting, public meetings and public hearings; and

WHEREAS, in exercise of said authority the Board of County Commissioners of Pasco County, Florida, has determined that it is necessary and desirable to amend the restated Pasco County Land Development Code to implement policy direction and to correct internal inconsistencies.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1. Authority.

This ordinance is enacted pursuant to Chapter 125 and 163, Florida Statutes, as amended and under the home rule powers of the County.

SECTION 2. Legislative Findings of Fact.

The foregoing Whereas clauses, incorporated herein, are true and correct.

SECTION 3. Applicability and Effect.

The applicability and effect of this amendment shall be as provided for in Section 103.1 of the restated Land Development Code.

SECTION 4. Repealer.

Any and all ordinances in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 5. Amendment.

The Pasco County Land Development Code Section 204 Planning Commission is hereby amended as follows:

DECISION MAKING BODIES AND OFFICIALS

SECTION 204. PLANNING COMMISSION

204.1. Planning Commission

- A. The PC shall be comprised of seven (7) voting members, all of whom, except one (1), shall be appointed by the BCC; **one (1) member is to be appointed by each commissioner and there shall be one (1) at-large member selected by a majority of the BCC.** The PC members' terms shall be ~~staggered, with specific terms determined by resolution of the BCC~~ **run concurrently with the term of office of the commissioner who appointed them, with the at-large member serving a four (4) year term.** The remaining member shall be appointed by the School Board (district appointee), pursuant to Section 163.3174(1), Florida Statutes.

SECTION 6. Severability.

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause, or provision of this Ordinance shall be declared invalid, the remainder of this Ordinance shall be construed as not having contained said section, subsection, sentence, clause, or provisions and shall not be affected by such holding.

SECTION 7. Effective Date.

A certified copy of this ordinance shall be filed with the Florida Department of State by the Clerk to

the Board by electronic mail within ten (10) days after adoption and shall take effect on February 17, 2022.

ADOPTED with a quorum present and voting this 7th day of December, 2021.

(SEAL)

BOARD OF COUNTY
COMMISSIONERS
OF PASCO COUNTY, FLORIDA

ATTEST:

NIKKI ALVAREZ-SOWLES, ESQ
PASCO COUNTY CLERK & COMPTROLLER

CHAIRMAN