

# SARASOTA COUNTY GOVERNMENT

## *Planning and Development Services*

**TO:** Sarasota County Commission  
**THROUGH:** Jonathan R. Lewis, County Administrator  
**FROM:** Matthew R. Osterhoudt, Director, Planning and Development Services  
**DATE:** April 6, 2021  
**SUBJECT:** **Initiation of Comprehensive Plan amendments**

### **RECOMMENDED MOTION(S) OR ACTION(S):**

(Public hearing) To adopt Ordinance 2021-016, amending Chapter 94, Article III, Section 94-85 (a) of the County Code relating to initiation of Comprehensive Plan amendments.

### **BACKGROUND/ANALYSIS:**

Chapter 94, Article III, Section 94-85 (a) of the County Code (shown below) allows that at least 20 registered voters may request the County to initiate a Comprehensive Plan amendment at any time for processing upon authorization.

Section 94-85 County initiation of Comprehensive Plan amendments (bold emphasis added).

- (a) The Board, the LPA, a department of County government, **or no fewer than 20 registered voters, each of whom resides, owns real property, or owns or operates a business within the unincorporated area of Sarasota County**, may request the County to initiate a Comprehensive Plan amendment at any time, for processing as a County-initiated amendment, subject to the provisions of Section 94-87 (d). A department of the County government must submit a proposed comprehensive plan amendment to the LPA. Planning staff will schedule the proposed amendment for consideration by the LPA at the earliest regularly scheduled meeting of the LPA, and the LPA shall forward a recommendation to the Board of County Commissioners. Prior to the LPA meeting, Planning Staff will conduct a scoping process for the proposed amendment per Sub-section (c) of this Section, and present the results of this study at the LPA meeting. The Board may waive the scoping requirement by a majority vote.

According to the current language, the registered voters may forward policy or Future Land Use Map changes including those affecting lands owned by others. A request to examine Section 94-85 (a) was forwarded to the Sarasota County Board of County Commissioners (“Board”) through a letter by the Planning Commission based on a discussion at their regular meeting on August 20, 2020. This analysis would include a comparison of other jurisdictions’ policies on the initiation of Comprehensive Plan amendments with similar provisions to the County.

In a review of regional jurisdictions as to whom may initiate a Comprehensive Plan amendment, staff found no similar provision where a group may initiate an amendment that would then become a publicly initiated amendment. In a broader look country wide, staff also found that jurisdictions require an owner or authorized agent of the effected property to be the applicant and is considered a privately initiated

amendment, unless brought forward by elected officials directed to staff as a publicly initiated amendment.

On March 9, 2020, the Board authorized a public hearing on an ordinance amending Chapter 94, Article III, Division 2, Section 94-85 (a) of the County Code.

**RELEVANT PRIOR BOARD ACTION:**

1. March 9, 2021 Board authorized an amendment to Chapter 94, Article III, Section 94-85 of the County Code.

**OUTREACH:**

N/A

**PROCUREMENT ACTION:**

N/A

**FUNDING:**

N/A

**STRATEGIC PLAN ALIGNMENT:**

Goal: Great Place to Live

Objective: Maintain a safe community - reality and perception

**NEXT STEPS:**

The adoption of Ordinance 2021-016 will amend Chapter 94, Article III, Section 94-85 (a) of the County Code to amend the provision of 20 registered voters initiation of a public Comprehensive Plan amendment.

**STAFF RECOMMENDATION(S):**

Staff recommends adoption of Ordinance 2021-016 of the County Code relating to registered voters' initiation of a Comprehensive Plan amendment for processing as a County initiated amendment.

**ATTACHMENTS:**

1. Notice of Advertisement for Public Hearing
2. Ordinance No. 2021-016
3. Ordinance Impact Statement