

Plan and Code Amendment Manual

A Guide to the Requirements for Municipal Comprehensive Plan, Zoning, and Land Development Regulation Amendments

For Municipalities in Pinellas County

**Prepared by the Pinellas Planning Council
May 2003 – Final Draft**

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Pinellas Planning Council

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May, 2003

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EXECUTIVE SUMMARY

The comprehensive plan and land development regulation amendment process, including amendment of the future land use plan and zoning maps, is a complex process, with multiple steps and a variety public notice requirements throughout. This manual includes a summary of the major amendment process requirements, as well as a more detailed description of the steps involved, and is intended to describe in an easy to follow format what takes place during the various amendment processes. It includes the majority of the amendments that local governments process each year, but does not cover the special requirements for urban infill areas or requirements associated with regional activity centers, for example.

The manual contains four main sections:

- I. Future Land Use Plan Map Amendments
- II. Comprehensive Plan Text Amendments
- III. Zoning Map Amendments
- IV. Land Development Regulation Amendments

The primary legislation involving each step is included to allow the user to check for further details that are too lengthy to include in this summary. Each citation has been summarized and paraphrased to increase their ease of use and the user is strongly advised to consult the applicable legislation referenced in order to ensure compliance with all requirements. It is also advised that local legal staff be consulted to ensure that local restrictions and requirements are coordinated with the steps included in this manual.

Additionally, the legal advertisement requirements are complex and not always clear on which way to provide public notice of amendments. The Florida Department of Community Affairs was consulted in the development of the steps involving advertisements, but due to the complexity and lack of clear connection between the two main statutes involved, it is still suggested that the municipality carefully review the requirements as they are written in the statutes.

Green boxes represent local government responsibilities in preparation for, or after a public meeting or hearing. Blue boxes represent local government meetings or hearings. Yellow boxes involve entities outside the local government, such as the Pinellas Planning Council, and the Florida Department of Community Affairs. Lastly, salmon colored boxes refer to follow-up information.

Summary
Future Land Use Plan Map Amendments – Small Scale Initiated by the Local Government

Step 1
Legal Ad – 10 Days Prior to LPA
Mailed Notice – 30 Days Prior to LPA

Step 2
Inform School Board of LPA Meeting

Step 3
LPA Public Hearing

Step 4
Adoption Hearing with Commission/Council

Step 5
Request PPC/CPA Action

Step 6
Send to FDCA and Others

Effective 31 days after adoption/or PPC/CPA action – whichever is last

Local government must determine that a Countywide FLUP amendment is warranted

Local government will receive notice of PPC/CPA action in a letter

I. Future Land Use Plan Map Amendments

A. Small Scale¹ - Initiated by the Local Government

Step	Action	Reference ²
Step 1	Place legal advertisement to appear at least 10 days prior ³ to the Local Planning Agency (LPA) hearing. Additionally, the municipality must mail notice 30 days prior to the date set for the public hearing ⁴ included in Step 3 below.	163.3174(4)(a) 163.3187(1)(c)2.a. 166.041(3)(c)1
Step 2	Certain local governments ⁵ must inform ⁶ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Hold public hearing with the LPA.	163.3174(1) 163.3174(4)(a)
Step 4	Hold adoption public hearing with Commission/Council. The local government must make a determination at a public hearing that the map amendment should be submitted to the PPC as a Countywide Future Land Use Plan (FLUP) map amendment.	163.3187(1)(c)3 Chapter 88-464, Sec. 10(4)(a), Laws of Florida
Step 5	Transmit the request for amendment of Countywide FLUP map to the Pinellas Planning Council (PPC) and the Countywide Planning Authority (CPA) (if authorized at adoption hearing).	Article 5, Countywide Rules
Step 6	Send adopted amendment to the Florida Department of Community Affairs (FDCA), the Tampa Bay Regional Planning Council, and others ⁷ .	163.3187(1)(c)2.b. 163.3187(3)(a)

Follow -up	Receive notice of PPC/CPA action in letter form.	
Follow -up	Amendment is effective 31 days after adoption (if not challenged) or after PPC/CPA action – whichever is later.	163.3187(3)(a)

Public Notice Requirements for Small Scale Future Land Use Plan Map Amendments Initiated by the Local Government	
<p>Mailed Notice:</p> <ul style="list-style-type: none"> • Include the substance of the proposed ordinance as it affects the property owner. • Include the time and place for the public hearing(s). • Keep a copy of the amendment available for public inspection. 	166.041(3)(c)1
<p>Legal Advertisement:</p> <ul style="list-style-type: none"> • No size limitation. • No limitation on where the ad appears in the newspaper. • Include the date, time, and place of public hearing. • Include title of proposed ordinance. • Include location where the ordinance can be inspected and that interested parties can appear and be heard. 	166.041(3)(c)2

Summary
Future Land Use Plan Map Amendments – Small Scale Initiated by Other than the Local Government

Step 1
Legal Ad – 10 Days Prior to LPA

Step 2
Inform School Board of LPA Meeting

Step 3
LPA Public Hearing

Step 4
Legal Ad – 10 Days Prior to Adoption

Step 5
Adoption Hearing with Commission/Council

Step 6
Request PPC/CPA Action

Step 7
Send to FDCA and Others

Effective 31 days after adoption/or PPC/CPA action – whichever is last

Local government will receive notice of PPC/CPA action in a letter

Local government must determine that a Countywide FLUP amendment is warranted

I. Future Land Use Plan Map Amendments

B. Small Scale⁸ - Initiated by Other than the Local Government

Step	Action	Reference ⁹
Step 1	Place legal advertisement to appear at least 10 days prior ¹⁰ to the Local Planning Agency (LPA) hearing.	163.3187(1)(c)2.a. 166.041(3)(c)1
Step 2	Certain local governments ¹¹ must inform ¹² and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Hold public hearing ¹³ with the LPA.	163.3174(1)
Step 4	Place legal advertisement at least 10 days prior to adoption.	163.3187(1)(c)2.a. 166.041(3)(c)
Step 5	Hold adoption public hearing with Commission/Council. The local government must make a determination at a public hearing that the amendment should be submitted to the PPC as a Countywide Future Land Use Plan (FLUP) amendment.	163.3187(1)(c)3 Chapter 88-464, Sec. 10(4)(a), Laws of Florida
Step 6	Transmit the request for amendment of Countywide FLUP map to the Pinellas Planning Council (PPC) and the Countywide Planning Authority (CPA) (if authorized at adoption hearing).	Article 5, Countywide Rules

Step 7	Send adopted amendment to the Florida Department of Community Affairs (FDCA) (if approved) and others ¹⁴ .	163.3187(1)(c)2.b. 163.3187(3)(a)
Follow -up	Receive notice of PPC/CPA action in letter form.	
Follow -up	Amendment is effective 31 days after adoption (if not challenged) or after PPC/CPA action – whichever is later.	163.3187(3)(a)

Public Notice Requirements for Small Scale Future Land Use Plan Map Amendments Initiated by Other than the Local Government

<p>Legal Advertisement:</p> <ul style="list-style-type: none"> • No size limitation. • No limitation on where the ad appears in the newspaper. • Include the date, time, and place of public hearing. • Include title of proposed ordinance. • Include location where the ordinance can be inspected and that interested parties can appear and be heard. 	166.041(3)(c)2
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Summary
Future Land Use Plan Map Amendments – Large Scale Regardless of Initiator

Step 1
Legal Ad – 10 Days Prior to LPA

Step 2
Inform School Board of LPA Meeting

Step 3
LPA Public Hearing

Step 4
Legal Ad –7 Days Prior to 1st Reading

Effective 31 days after adoption/or PPC/CPA action – whichever is last

Step 5
Transmittal Hearing with Commission/Council

Local government must determine that a Countywide FLUP amendment is warranted

Local government will receive notice of PPC/CPA action in a letter

Step 6
Request PPC/CPA Action

Future Land Use Plan Map Amendments – Large Scale Regardless of Initiator (Continued)



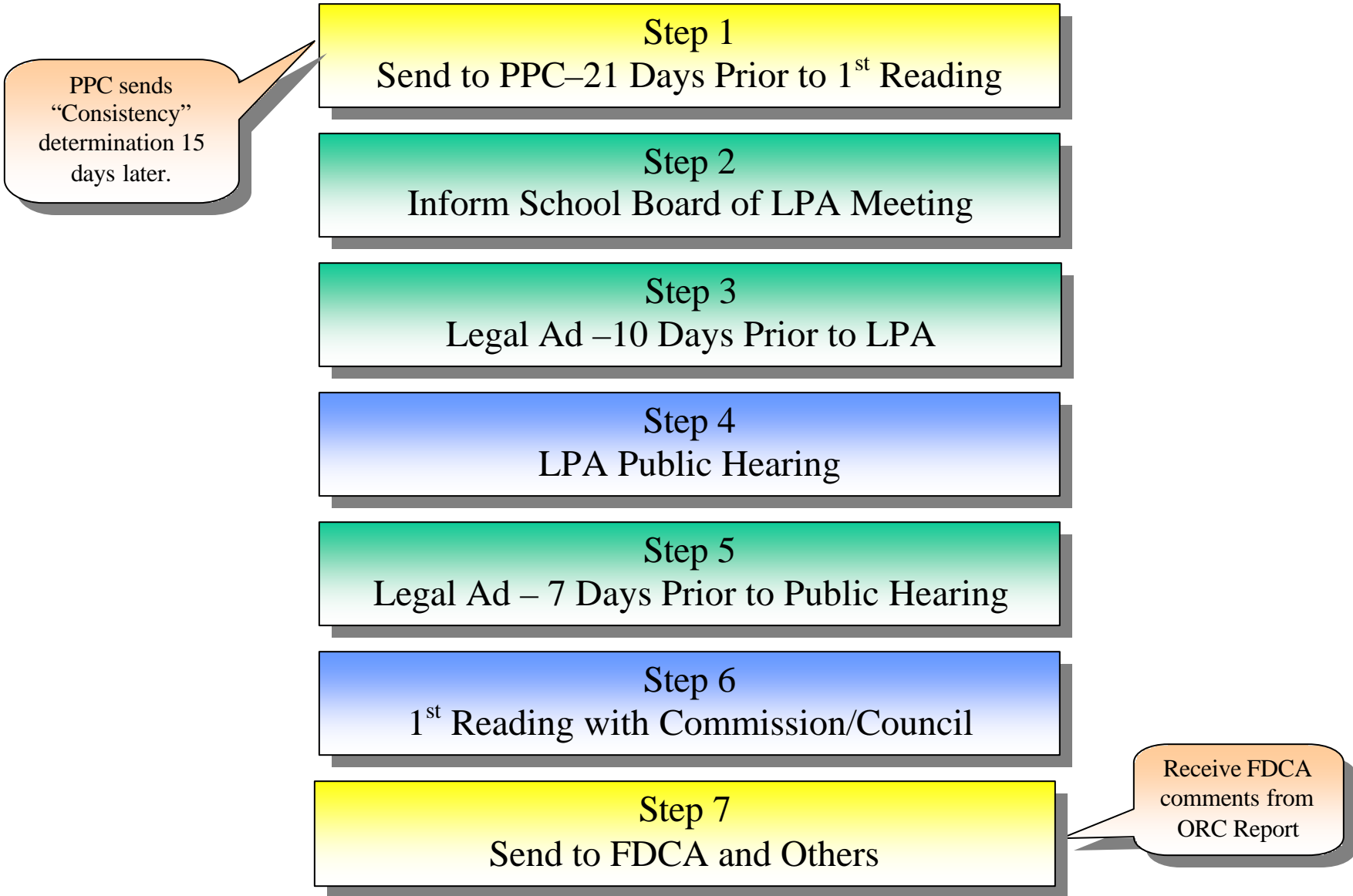
I. Future Land Use Plan Map Amendments		
C. Large Scale¹⁵ - Regardless of Initiator		
Step	Action	Reference¹⁶
Step 1	Place legal advertisement to appear at least 10 days prior ¹⁷ to the Local Planning Agency (LPA) hearing.	163.3174(1) 163.3174(4)(a) 163.3164(18)
Step 2	Certain local governments ¹⁸ must inform ¹⁹ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Hold public hearing ²⁰ with the LPA.	163.3174(1) 163.3184(4)(a)
Step 4	Place legal ad ²¹ to appear at least 7 days prior to transmittal public hearing.	163.3184(15)(b)1 163.3184(15)(e)
Step 5	Hold transmittal public hearing (1 st reading) with Commission/Council. The local government must make a determination at a public hearing that the amendment should be submitted to the Pinellas Planning Council (PPC) as a Countywide Future Land Use Plan (FLUP) map amendment.	163.3184(15)(b)1 Chapter 88-464, Sec. 10(4)(a), Laws of Florida
Step 6	Request amendment of Countywide FLUP map by the PPC and the Countywide Planning Authority (CPA) (if authorized on 1 st reading).	Article 5, Countywide Rules
Step 7	Send amendment to the Florida Department of Community Affairs (FDCA) ²² (if authorized for transmittal) and others ²³ .	163.3184(3)(a)

Follow-up	Receive FDCA review comments in an Objections, Recommendations, and Comments Report (ORC Report).	163.3184(6)(c)
Follow-up	Receive notice of PPC/CPA action in letter form.	
Step 8	Schedule public hearing for adoption within 60 days of FDCA ORC Report.	163.3184(7)(a)
Step 9	Place legal ad ²⁴ to appear at least 5 days prior to Commission/Council public hearing.	163.3184(15)(b)2
Step 10	Hold adoption public hearing (2 nd reading) with Commission/Council.	163.3184(15)(b)2
Step 11	Send notice of adoption to FDCA (and “others” ²⁵) within 10 working days of adoption.	163.3184(7)(a)
Follow-up	Receive “notice of intent” published and mailed by FDCA	163.3184(8)(a) 163.3184(8)(c)1
Follow-up	Final order issued by the FDCA.	163.3189(2)(a)
Follow-up	Amendment is effective 21 days after FDCA notice of intent (if not challenged).	163.3184(9)(a)

**Public Notice Requirements for Large Scale Future Land Use Plan Map
Amendments Regardless of Initiator**

Legal Advertisement: <ul style="list-style-type: none">• 2 columns wide by 10 inches tall.• Headline no smaller than an 18 point.• Not located in the legal or classified sections.• Substantially in the form in 166.041(3)(c)2.b., FS. (includes title of the ordinance)• Include a geographic location map.	166.041(3)(c)2
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Summary
Amendments to the Goals, Objectives, and Policies, and Text of the Comprehensive Plan



Amendments to the Goals, Objectives, and Policies, and Text of the Comprehensive Plan (Continued)



II. Amendments to the Goals, Objectives, and Policies, and the Text of the Comprehensive Plan

Step	Action	Reference ²⁶
Step 1	Send “Consistency” related amendments 21 days prior to the initial public hearing by Commission or Council to the Pinellas Planning Council (PPC) for administrative review with Countywide Rules.	Section 3.4.1.1 Countywide Rules.
Step 2	Certain local governments ²⁷ must inform ²⁸ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed comprehensive plan amendments that change residential densities or involve major infrastructure that may impact public schools.	163.31777 and Interlocal Agreement
Step 3	Place legal advertisement to appear at least 10 days prior ²⁹ to the Local Planning Agency (LPA) hearing.	163.3174(1) 163.3174(4)(a) 163.3164(18)
Step 4	Hold public hearing with the LPA.	163.3174(1) 163.3184(4)(a)
Step 5	Place legal ad ³⁰ to appear at least 7 days prior to transmittal public hearing.	163.3184(15)(b)1
Follow -up	PPC “Consistency” determination letter sent within 15 days of receipt of amendment in Step 1.	Section 3.4.1.2 Countywide Rules.
Step 6	Hold transmittal public hearing (1 st reading) with Commission/Council.	163.3184(15)(b)1

Step 7	Send amendment to the Florida Department of Community Affairs (FDCA) (if authorized for transmittal) and others ³¹ .	163.3184(3)(a)
Follow -up	Receive FDCA review comments in an Objections, Recommendations, and Comments Report (ORC Report).	163.3184(6)(c)
Step 8	Schedule public hearing within 60 days of FDCA ORC Report.	163.3184(7)(a)
Step 9	Place legal ad ³² to appear at least 5 days prior to Commission/Council public hearing.	163.3184(15)(b)2
Step 10	Hold adoption public hearing (2 nd reading) with Commission/Council.	163.3184(15)(b)2
Step 11	Send notice of adoption to FDCA (and “others”) within 10 working days of adoption.	163.3184(7)(a)
Follow -up	Receive “notice of intent” published and mailed by FDCA.	163.3184(8)(a) 163.3184(8)(c)1
Follow -up	Final order issued by the FDCA.	163.3189(2)(a)
Follow -up	Amendment is effective 21 days after FDCA notice of intent (if not challenged).	163.3184(9)(a)

Step 12	Send adopted, certified copy of the amendment to the PPC for filing.	Section 3.4.1.3, Countywide Rules
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Public Notice Requirements for Amendments to the Goals, Objectives, and Policies and Text of the Comprehensive Plan	
Legal Advertisement: <ul style="list-style-type: none"> • 2 columns wide by 10 inches tall. • Headline no smaller than an 18 point. • Not located in the legal or classified sections. • Substantially in the form in 166.041(3)(c)2.b., FS³³ (includes title of the ordinance). 	166.041(3)(c)2

Summary

Zoning Map Amendments – 10 Contiguous Acres or More, Initiated By Local Government

Step 1

Legal Ad – 10 Days Prior to LPA

Step 2

Inform School Board

Step 3

LPA Public Hearing

Step 4

Legal Ad – 7 Days Prior to Public Hearing

Step 5

1st Reading with Commission/Council

Step 6

Legal Ad – 5 Days Prior to Public Hearing

Step 7

2nd Reading with Commission/Council

III. Zoning Map Amendments

A. 10 Contiguous Acres or More - Initiated by the Local Government

Step	Action	Reference ³⁴
Step 1	Place legal advertisement to appear at least 10 days prior ³⁵ to the Local Planning Agency (LPA) hearing.	163.3174(1) 166.041(3)(c)2.b.
Step 2	Certain local governments ³⁶ must inform ³⁷ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Hold public hearing with the LPA ³⁸ .	163.3174(4)(c)
Step 4	Place legal advertisement at least 7 days prior to the first public hearing. In lieu of this advertisement, mailed notice can be provided to each person owning real property within the area covered by the ordinance.	166.041(3)(c)2.a. 166.041(3)(c)2.c.
Step 5	Hold first public hearing by Commission/Council.	166.041(3)(c)2.a.
Step 6	Place legal advertisement at least 5 days prior to the second public hearing ³⁹ . In lieu of this advertisement, mailed notice can be provided to each person owning real property within the area covered by the ordinance.	166.041(3)(c)2.a. 166.041(3)(c)2.c.
Step 7	Hold second public hearing by Commission/Council.	166.041(3)(c)2.a.

Public Notice Requirements for Zoning Map Amendments - 10 Contiguous Acres or More Initiated by the Local Government	
<p>Legal Advertisement:</p> <ul style="list-style-type: none"> • 2 columns wide by 10 inches tall. • Headline no smaller than an 18 point. • Not located in the legal or classified sections. • Substantially in the form in 166.041(3)(c)2.b., FS (includes title of the ordinance) • Include a geographical location map. 	166.041(3)(c)2.b.
<p>Mailed Notice (in lieu of advertisement):</p> <ul style="list-style-type: none"> • Clear explanation of ordinance. • Include time and place for public hearing(s). • Include a geographic location map. 	166.041(3)(c)2.c.

Summary
Zoning Map Amendments – Less Than 10 Contiguous Acres, Initiated By Local Government

Step 1
Legal Ad – 10 Days Prior to LPA

Step 2
Inform School Board

Step 3
LPA Public Hearing

Step 4
Public Hearing with Commission/Council

Ordinance can be adopted at this public hearing.

III. Zoning Map Amendments

B. Less Than 10 Contiguous Acres - Initiated by the Local Government

Step	Action	Reference ⁴⁰
Step 1	Place legal advertisement to appear at least 10 days prior ⁴¹ to the Local Planning Agency (LPA) hearing. Additionally, the municipality must mail notice 30 days prior to the date set for the public hearing ⁴² .	163.3174(1) 166.041(3)(c)1
Step 2	Certain local governments ⁴³ must inform ⁴⁴ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Hold public hearing to consider ordinance with the LPA ⁴⁵ .	163.3174(4)(c)
Step 4	Hold public hearing to consider ordinance by Commission/Council. The ordinance can be adopted at this public hearing ⁴⁶ .	166.041(3)(c)1

Public Notice Requirements for Zoning Map Amendments Less Than 10 Contiguous Acres Initiated by the Local Government	
<p>Mailed Notice:</p> <ul style="list-style-type: none"> • Include the substance of the proposed ordinance as it affects the property owner. • Include the time and place for the public hearing(s). • Keep a copy available for public inspection. 	166.041(3)(c)1
<p>Legal Advertisement:</p> <ul style="list-style-type: none"> • Place ads in a newspaper of general circulation. • Include date, time, and place of meeting. • Include the title of the ordinance. • Include where the ordinance can be inspected. • State that interested parties may appear and be heard. 	166.041(3)(a)

Summary
Zoning Map Amendments – Any Size, Initiated By Other Than Local Government

Step 1
Legal Ad – 10 Days Prior to LPA

Step 2
Inform School Board

Step 3
LPA Public Hearing

Step 4
1st Reading with Commission/Council

Step 5
Legal Ad – 10 Days Prior to Public Hearing

Step 6
2nd Reading with Commission/Council

III. Zoning Map Amendments

C. Any Size - Initiated by Other Than the Local Government

Step	Actions	References ⁴⁷
Step 1	Place legal advertisement to appear at least 10 days prior ⁴⁸ to the Local Planning Agency (LPA) hearing.	163.3174(1) 166.041(3)(c)2.b.
Step 2	Certain local governments ⁴⁹ must inform ⁵⁰ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Hold public hearing with the LPA ⁵¹ .	163.3174(4)(c)
Step 4	Hold first public hearing to consider ordinance by Commission/Council.	166.041(3)(a) 166.041(3)(c)
Step 5	Place legal advertisement at least 10 days prior to adoption ⁵² .	166.041(3)(a)
Step 6	Hold second public hearing to consider ordinance by Commission/Council.	166.041(3)(a)

**Public Notice Requirements for Zoning Map Amendments Any Size
Initiated by Other Than the Local Government**

Legal Advertisement:

- Place ads in a newspaper of general circulation.
- Include date, time, and place of meeting.
- Include the title of the ordinance.
- Include where the ordinance can be inspected.
- State that interested parties may appear and be heard.

166.041(3)(a)

Summary
Land Development Regulation Amendments – Text Not Including the List of Permitted, Conditional, or Prohibited Uses

PPC sends
“Consistency”
determination 15
days later.

Step 1
Send to PPC–21 Days Prior to 1st Reading

Step 2
Inform School Board of LPA Meeting

Step 3
Legal Ad –10 Days Prior to LPA

Step 4
LPA Public Hearing

Step 5
1st Reading with Commission/Council

Step 6
Legal Ad – 10 Days Prior to Public Hearing

Land Development Regulation Amendments – Text Not Including the List of Permitted, Conditional, or Prohibited Uses (Continued)

Step 7

Adoption Hearing with Commission/Council

Step 8

Send Adopted, Certified Copy to PPC

V. Land Development Regulation Amendments

A. Text - Not Including the List of Permitted, Conditional, or Prohibited Uses

Step	Action	Reference ⁵³
Step 1	Send “Consistency” related amendments 21 days prior to the initial public hearing to the Pinellas Planning Council (PPC) for administrative review with Countywide Rules.	Section 3.4.1.1 Countywide Rules.
Step 2	Certain local governments ⁵⁴ must inform ⁵⁵ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Place legal advertisement to appear at least 10 days prior ⁵⁶ to the Local Planning Agency (LPA) hearing.	163.3174(1) 166.041(3)(c)2.b.
Step 4	Hold public hearing with the LPA ⁵⁷ .	163.3174(4)(c) 163.3194(2)
Follow-up	PPC “Consistency” determination letter sent within 15 days of receipt of amendment in Step 1.	Section 3.4.1.2 Countywide Rules.
Step 5	Hold first public hearing by Commission/Council.	166.041(3)(a)
Step 6	Place legal advertisement at least 10 days prior to adoption.	166.041(3)(a)

Step 7	Hold second public hearing by Commission/Council.	166.041(3)(a)
Step 8	Send adopted, certified copy of the amendment to the PPC for filing ⁵⁸ .	Section 3.4.1.3, Countywide Rules

**Public Notice Requirements for Land Development Code Text Amendments
Not Including the List of Permitted, Conditional, or Prohibited Uses**

<p>Legal Advertisement:</p> <ul style="list-style-type: none"> • Place ads in a newspaper of general circulation. • Include date, time, and place of meeting. • Include the title of the ordinance. • Include where the ordinance can be inspected. • State that interested parties may appear and be heard. 	166.041(3)(a)
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Summary
Land Development Regulation Amendments – Amendments to the List of Permitted, Conditional, or Prohibited Uses Within a Zoning Category

PPC sends
“Consistency”
determination 15
days later.

Step 1
Send to PPC–21 Days Prior to 1st Reading

Step 2
Inform School Board of LPA Meeting

Step 3
Legal Ad –10 Days Prior to LPA

Step 4
LPA Public Hearing

Step 5
Legal Ad – 7 Days Prior to Public Hearing

Step 6
1st Reading with Commission/Council

Land Development Regulation Amendments – Amendments to the List of Permitted, Conditional, or Prohibited Uses Within a Zoning Category (Continued)

Step 7
Legal Ad – 5 Days Prior to 2nd Public Hearing

Receive FDCA
comments from
ORC Report

Step 8
2nd Public Hearing with Commission/Council

Step 9
Send Adopted, Certified Copy to PPC

V. Land Development Regulation Amendments

B. Amendments to the List of Permitted, Conditional, or Prohibited Uses Within a Zoning Category

Step	Action	Reference ⁵⁹
Step 1	Send “Consistency” related amendments 21 days prior to the initial public hearing to the Pinellas Planning Council (PPC) for administrative review with Countywide Rules.	Section 3.4.1.1 Countywide Rules.
Step 2	Certain local governments ⁶⁰ must inform ⁶¹ and include the School Board staff representative as a member of the LPA as a non-voting member in advance of proposed future land use plan amendments that change residential densities.	163.31777 and Interlocal Agreement
Step 3	Place legal advertisement to appear at least 10 days prior ⁶² to the Local Planning Agency (LPA) hearing.	163.3174(1) 166.041(3)(c)2.b.
Step 4	Hold public hearing with the LPA ⁶³ .	163.3174(4)(c) 163.3194(2)
Step 5	Place legal advertisement at least 7 days prior to the first public hearing. In lieu of this advertisement, mailed notice can be provided to each person owning real property within the area covered by the ordinance.	166.041(3)(c)2.a. 166.041(3)(c)2.c.
Follow-up	PPC “Consistency” determination letter sent within 15 days of receipt of amendment in Step 1.	Section 3.4.1.2 Countywide Rules.
Step 6	Hold first public hearing by Commission/Council.	166.041(3)(c)2.a.

Step 7	Place legal advertisement at least 5 days prior to the second public hearing ⁶⁴ . In lieu of this advertisement, mailed notice can be provided to each person owning real property within the area covered by the ordinance.	166.041(3)(c)2.a. 166.041(3)(c)2.c.
Step 8	Hold second public hearing by Commission/Council.	166.041(3)(c)2.a.
Step 9	Send adopted, certified copy of the amendment to the PPC for filing ⁶⁵ .	Section 3.4.1.3, Countywide Rules

Public Notice Requirements for Amendments to the List of Permitted, Conditional, or Prohibited Uses within a Zoning Category	
Legal Advertisement: <ul style="list-style-type: none"> • 2 columns wide by 10 inches tall. • No smaller than an 18 point headline. • Not located in the legal or classified sections. • Substantially in the form in 166.041(3)(c)2.b., FS. (includes title of the ordinance). 	166.041(3)(c)2.b.
Mailed Notice (in lieu of advertisement): <ul style="list-style-type: none"> • Include clear explanation of the ordinance. • Notify of time and place of any public hearing. • No geographic map required. 	166.041(3)(c)2.c.

Endnotes

¹ As defined by Section 163.3187(1)(c)3, Florida Statutes.

² Florida Statutes (FS), unless otherwise noted.

³ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution, it is suggested that this step be followed.

⁴ “Public hearing” is interpreted to mean the adoption hearing by the commission or council.

⁵ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

⁶ The notification must be in the form approved by the School Board.

⁷ See Rule 9J-11.015, Florida Administrative Code, for specific transmittal requirements for adopted small-scale amendments. Also, note that Section 163.3187(3)(a), FS, states that the FDCA does not review small-scale amendments nor issue a notice of intent.

⁸ As defined by Section 163.3187(1)(c)3, FS.

⁹ Florida Statutes (FS), unless otherwise noted.

¹⁰ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution, it is suggested that this step be followed.

¹¹ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

¹² The notification must be in the form approved by the School Board.

¹³ “Public hearing” is interpreted to mean the adoption hearing by the commission or council.

¹⁴ See Rule 9J-11.015, Florida Administrative Code, for specific transmittal requirements for adopted small-scale amendments. Also, note that Section 163.3187(3)(a), FS, states that the FDCA does not review small-scale amendments nor issue a notice of intent.

¹⁵ As defined by Section 163.3187(1)(c)3, FS.

¹⁶ Florida Statutes (FS), unless otherwise noted.

¹⁷ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution, it is suggested that this step be followed.

¹⁸ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

¹⁹ The notification must be in the form approved by the School Board.

²⁰ “Public hearing” is interpreted to mean the adoption hearing by the commission or council.

²¹ If the amendment changes the future land use map, the required advertisements shall be in the format prescribed in Section 166.041(3)(c)2.b, FS, (as per Section 163.3184(15)(e), FS).

²² See Section 163.3184(6)(a), FS, for options concerning requesting FDCA review of amendment.

²³ See Rule 9J-11, Florida Administrative Code, for specific transmittal requirements.

²⁴ If the amendment changes the future land use map, the required advertisements shall be in the format prescribed in Section 166.041(3)(c)2.b, FS, (as per Section 163.3184(15)(e), FS).

²⁵ See Rule 9J-11, Florida Administrative Code, for specific transmittal requirements.

²⁶ Florida Statutes (FS), unless otherwise noted.

²⁷ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

²⁸ The notification must be in the form approved by the School Board.

²⁹ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution, it is suggested that this step be followed.

³⁰ If the amendment changes the list of permitted, conditional, or prohibited uses within a future land use category, the required advertisements shall be in the format prescribed in Section 166.041(3)(c)2.b, FS, (as per Section 163.3184(15)(e), FS).

³¹ See Rule 9J-11, Florida Administrative Code, for specific transmittal requirements.

³² If the amendment changes the list of permitted, conditional, or prohibited uses within a future land use category, the required advertisements shall be in the format prescribed in Section 166.041(3)(c)2.b, FS, (as per Section 163.3184(15)(e), FS).

³³ If the amendment changes the list of permitted, conditional, or prohibited uses within a future land use category, the required advertisement shall be in the format prescribed in Section 166.041(3)(c)2.b, FS (as per Section 163.3184(15)(e), FS). It is not clear that this format is required for text amendments not involving goals, objectives, and policies, but in order to reduce confusion from ad to ad it is suggested that this format be used.

³⁴ Florida Statutes (FS), unless otherwise noted.

³⁵ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution it is suggested that this step be followed.

³⁶ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

³⁷ The notification must be in the form approved by the School Board.

³⁸ Sections 163.3174, and 166.041, FS, do not state that a public hearing with notice, or notice in any form is necessary for these amendments. However, in an abundance of caution, it is suggested that the municipality follow these steps. These are the same steps as used in the amendment of the comprehensive plan's goals, objectives, and policies.

³⁹ The meeting must be at least 10 days after the first public hearing in Step 5.

⁴⁰ Florida Statutes (FS), unless otherwise noted.

⁴¹ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution it is suggested that this step be followed.

⁴² "Public hearing" is interpreted to mean the first reading by the commission or council.

⁴³ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

⁴⁴ The notification must be in the form approved by the School Board.

⁴⁵ Sections 163.3174, and 166.041, FS, do not state that a public hearing with notice, or notice in any form is necessary for these amendments. However, in an abundance of caution, it is suggested that municipalities follow these steps. These are the same steps as used in the amendment of the comprehensive plan's goals, objectives, and policies.

⁴⁶ Section 161.041(3)(c)1, FS, allows the local government to adopt the ordinance after just one public hearing. If the local government decides to hold a second public hearing, as required many times by their charters, it appears as though the mailed notice in Step 1 will suffice, as long as it states the date and time, etc. for the second reading.

⁴⁷ Florida Statutes (FS), unless otherwise noted.

⁴⁸ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution, it is suggested that this step be followed.

⁴⁹ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

⁵⁰ The notification must be in the form approved by the School Board.

⁵¹ Sections 163.3174, and 166.041, FS, do not state that a public hearing with notice, or notice in any form is necessary for these amendments. However, in an abundance of caution, it is recommended that these steps be followed. These are the same steps as used in the amendment of the comprehensive plan's goals, objectives, and policies.

⁵² Even though Section 166.041 is not explicit in requiring the second meeting be at least 10 days after the first public hearing in Step 5, in an abundance of caution, it is suggested that municipalities follow this procedure. This is the same requirement used for amendments to the list of permitted, conditional, and prohibited uses.

⁵³ Florida Statutes (FS), unless otherwise noted.

⁵⁴ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

⁵⁵ The notification must be in the form approved by the School Board.

⁵⁶ No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution, it is suggested that this step be followed.

⁵⁷ Sections 163.3174, and 166.041, FS, do not state that a public hearing with notice, or notice in any form is necessary for these amendments. However, in an abundance of caution, it is suggested that municipalities follow these steps. These are the same steps as used in the amendment of the comprehensive plan's goals, objectives, and policies.

⁵⁸ This submission should be code replacement pages as opposed to ordinance format. If Municipal Code Corp. is used and the PPC had a copy of the code in this format please ensure that we are on the mailing list to receive updates.

⁵⁹ Florida Statutes (FS), unless otherwise noted.

⁶⁰ Clearwater, Dunedin, Gulfport, Largo, Madeira Beach, Oldsmar, Pinellas County, Pinellas Park, Safety Harbor, Seminole, St. Petersburg, St. Pete Beach, and Tarpon Springs.

⁶¹ The notification must be in the form approved by the School Board.

⁶² No specific reference has been found that requires the 10-day notice. However, Section 166.041(3)(a), FS, is implicated in this instance and is also cited by the FDCA in their publications relating to comprehensive plan amendments. Therefore, in an abundance of caution, it is suggested that this step be followed.

⁶³ Sections 163.3174, and 166.041, FS, do not state that a public hearing with notice, or notice in any form is necessary for these amendments. However, in an abundance of caution, it is suggested that municipalities follow these steps. These are the same steps as used in the amendment of the comprehensive plan's goals, objectives, and policies.

⁶⁴ The meeting must be at least 10 days after the first public hearing in Step 5.

⁶⁵ This submission should be code replacement pages as opposed to ordinance format. If Municipal Code Corp. is used and the PPC had a copy of the code in this format please ensure that we are on the mailing list to receive updates.