

AN ORDINANCE AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ARTICLE 300, SECTION 301.3 RELATING TO DEVELOPMENT REVIEW COMMITTEE MEMBERSHIP; REPLACING ASSISTANT COUNTY ADMINISTRATOR FOR DEVELOPMENT SERVICES WITH PRESIDENT OF THE PASCO ECONOMIC DEVELOPMENT COUNCIL, OR HIS DESIGNATED EMPLOYEE; PROVIDING FOR REPEALER, MODIFICATION, SEVERABILITY, INCLUSION IN CODE, AND AN EFFECTIVE DATE.

WHEREAS, the Pasco County Board of County Commissioners (“County Commission”) previously adopted provisions relating to the creation and membership for the Development Review Committee (“DRC”) in Section 301.3 of the Land Development Code, which lists the Assistant County Administrator for Development Services as a required member of DRC; and

WHEREAS, all County staff that present agenda items to DRC (including the Planning and Growth Management Department, the Zoning and Site Development Department, and the Engineering Services Department) report to the Assistant County Administrator for Development Services, and

WHEREAS, Section 286.011, Florida Statutes (the Government in the Sunshine Law) limits communications between the Assistant County Administrator for Development Services and the other members of DRC relating to DRC agenda items, except at a noticed public meeting, and

WHEREAS, removing the Assistant County Administrator for Development Services from DRC will allow for greater communication between the members of DRC and the Assistant County Administrator for Development Services, and the departments under his control, which will result in more uniform and predictable staff recommendations and decision making for DRC agenda items, and

WHEREAS, because of the limited voting authority of the District School Board representative on DRC, there will be a greater possibility of tie votes if the Assistant County Administrator for Development Services is removed from DRC without a replacement, and

WHEREAS, the Economic Development Element of the Pasco County Comprehensive Plan, and in particular Policies ED 1.1.1, ED 1.1.2, ED 1.2.2, ED 1.2.3, and ED 1.2.5 encourage continued Pasco County coordination with the Pasco Economic Development Council to develop and maintain programs to attract new, value-added target businesses to Pasco County, and to remove disincentives to attract such businesses; and

WHEREAS, the County Commission finds that adding the President of the Pasco Economic Development Council, or his designated employee, as a member of the DRC will help Pasco County attract new, value-added target businesses to Pasco County, and help remove disincentives to attract such businesses to Pasco County; and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in the County, notifying the public of this proposed ordinance and of a public hearing; and

WHEREAS, a public hearing before the County Commission was held pursuant to the published notice described above, at which the parties in interest and all other citizens so desiring has an opportunity to be and were in fact heard; and

WHEREAS, the County Commission, acting as the Local Planning Agency, finds that enactment of these revisions is consistent with and furthers the goals and objectives and policies of the County's Comprehensive Plan, including specifically the Economic Development Element of the Comprehensive Plan.

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

SECTION 1. FINDINGS.

The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

SECTION 2. AMENDMENTS TO SECTION 317.

The provisions of Section 301.3 of the Pasco County Land Development Code, are hereby amended as follows:

301.3 Development Review Committee

A. Creation.

1. This is hereby created a development review committee under the direction and control of the County Administrator.

B. Membership.

1. The development review committee shall be composed of the following:

- a. County Administrator or his designee.
- b. ~~Assistant County Administrator of Development Services~~President of the Pasco Economic Development Council, or his designated employee.
- c. Assistant County Administrator of Public Works.
- d. Assistant County Administrator of Utilities Services.
- e. Office of Management and Budget Director.
- f. Representative appointed by the District School Board of the County.

C. Officers.

1. The chairman of the Development Review Committee shall be the County Administrator or his designee.

SECTION 3. REPEALER

All provisions of the Land Development Code of Pasco County, as amended, and ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any conflict.

SECTION 4. 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 6. APPLICABILITY.

For purposes of jurisdictional applicability, this Ordinance shall apply in all unincorporated areas of the county. This Ordinance shall apply in a municipality within Pasco County only if the municipality expressly adopts this ordinance and repeals all ordinances inconsistent with these provisions.

SECTION 5. INCLUSION IN CODE.

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Pasco County Land Development Code, and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 6. EFFECTIVE DATE.

A certified copy of this Ordinance shall be filed with the Department of State by the Clerk to the Board within ten (10) days after adoption of this Ordinance, and this Ordinance shall take effect upon filing with the Department of State.

ADOPTED this ____ day of _____, 2010.

(S E A L)

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

BY: _____
PAULA S. O'NEIL, Ph.D.
CLERK & COMPTROLLER

BY: _____
PAT MULIERI, Ed.D., CHAIRMAN