

NCSPHS AMENDMENT

The Neighborhoods, Community Services, Public Health and Safety Committee offers the following amendment to File 2022-400:

- (1) On **page 1, line 5**, after "ORDINANCE" **insert** "AMENDING SECTION 11.106 (DUTIES OF THE LEGISLATIVE SERVICES DIVISION), CHAPTER 11 (OFFICE OF THE COUNCIL SECRETARY), *ORDINANCE CODE*, TO INCREASE NOTICE TO AFFECTED PROPERTY OWNERS FROM 350 FEET TO 500 FEET; AMENDING SECTION 650.407 (NOTICE REQUIREMENTS FOR PROPOSED AMENDMENTS TO FLUMS), PART 4 (AMENDMENTS TO THE COMPREHENSIVE PLAN), CHAPTER 650 (COMPREHENSIVE PLANNING FOR FUTURE DEVELOPMENT), *ORDINANCE CODE*, TO INCREASE NOTICE TO AFFECTED PROPERTY OWNERS FROM 350 FEET TO 500 FEET;";
- (2) On **page 1, line 10½**, **insert** a new Section 1 and Section 2 to read as follows:

"Section 1. Amending Section 11.106 (Duties of the Legislative Services Division), Chapter 11 (Office of the Council Secretary), Ordinance Code. Section 11.106 (Duties of the Legislative Services Division), Chapter 11 (Office of the Council Secretary), *Ordinance Code*, is hereby amended to read as follows:

Chapter 11

OFFICE OF THE COUNCIL SECRETARY

*** * ***

Sec. 11.106. - Duties of the Legislative Services Division.

The Legislative Services Division shall have the following duties:

* * *

(i) Mail a copy of any complaint against the City, involving litigation which has as its basis the appeal of a decision of the Council to either approve or deny a petition for rezoning to all property owners lying within ~~350~~500 feet of the property which is the subject of the litigation.

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Section 2. Amending Section 650.407 (Notice requirements for proposed amendments to FLUMs), Part 4 (Amendments to the Comprehensive Plan), Chapter 650 (Comprehensive planning for future development), Ordinance Code. Section 650.407 (Notice requirements for proposed amendments to FLUMs), Part 4 (Amendments to the Comprehensive Plan), Chapter 650 (Comprehensive planning for future development), *Ordinance Code*, is hereby amended to read as follows:

CHAPTER 650

COMPREHENSIVE PLANNING FOR FUTURE DEVELOPMENT

* * *

PART 4. AMENDMENTS TO THE COMPREHENSIVE PLAN

* * *

Sec. 650.407. - Notice requirements for proposed amendments to FLUMs.

* * *

(c) *Public hearing notice for changes to the actual*

list of permitted, conditional or prohibited uses within a future land use category or changes in the actual future land use map designation of a parcel or parcels of land. Proposed comprehensive plan amendment changes to the actual list of permitted, conditional or prohibited uses within a future land use category or changes in the actual future land use map designation of a parcel or parcels of land, shall be adopted in compliance with the notice and hearing requirements of F.S. § 163.3184(11) and 163.3187(2) and shall, for changes to the actual future land use map designation of a parcel or parcels of land also comply with the following requirements:

- (1) Notice of a time and place of the public hearing which are required to be held by the City with respect to the comprehensive plan amendment shall be prepared by the Department to include the information listed below and shall be copied and mailed by the Department at least 14 days in advance of the Planning Commission public hearing to all owners of real property within ~~350~~500 feet of the boundaries of the land upon which the amendment is requested and to the applicable CPAC and to all registered neighborhood organizations

qualified to receive notices of rezonings under Section 656.124(f) of the Zoning Code; provided, that, where the applicant is the owner of land not included in the application and the unincluded land is part of or adjoins the parcel upon which the request is made, the Director may, in his discretion, require mailed notice to be given to the owners of adjacent property. For the purpose of notice requirements to adjacent owners, the names and addresses of the owners shall be deemed to be those on the current tax records in the office of the Property Appraiser at the time the application is filed, provided, however, that where such notice is determined by the Director to be insufficient to ensure actual notice to a majority of adjacent owners, he may require mailed notice to be given to the actual owners, as indicated by a current title search of the public records. Mailed notices received by adjacent owners and qualified registered neighborhood organizations as specified hereinabove should contain the following information:

* * *";

(3) Renumber remaining Sections accordingly;

(4) On page 1, line 16, strike "* * *";

(5) On page 8, line 22½, insert the following:

"Sec. 656.140. - Appeals from the decisions of the Commission or Downtown Development Review Board.

* * *

(b) Any person who owns, or lives or operates a business on property within ~~350~~500 feet of property that has been granted or denied a variance, waiver, exception; or

* * *

Sec. 656.141. - Notice of appeal.

(a) The notice of appeal shall be filed with the Legislative Services Division and contain:

* * *

(2) A statement of the interest of the person seeking review which is sufficient to show how that person is adversely affected, if not within ~~350~~500 feet;

* * *

(5) A written list, certified by the staff secretary to the Commission or Downtown Development Review Board, of all owners of real property within ~~350~~500 feet of the boundaries of the land which is the subject of the appeal, and, if the appeal concerns an application for a waiver of the

minimum distance requirements from a church or school for a liquor license location, the list shall include all churches and schools within 1,500 feet identified pursuant to Section 656.804.

* * *";

- (6) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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