
Sec. 94-33. - Comprehensive plan consistency and amendments.

- a. *Intent.* All development within the city, including all development orders; all building, electrical, plumbing, mechanical and paving permits; and public improvements shall be consistent with the comprehensive plan. All amendments to the comprehensive plan shall be considered pursuant to the requirements of state law.
- b. *Consistency review by planning and zoning administrator.* The planning and zoning administrator shall be responsible for the enforcement of this consistency requirement. The planning and zoning administrator shall initiate consistency reviews of development orders and requests for development orders as determined necessary, or as requested by the city commission, planning board, or the mayor.
- c. *Procedures for formal consistency review.*
 1. *Notification of applicant.* To initiate a formal consistency review, the planning and zoning administrator shall notify the applicant for a development order if there is a question regarding the application's consistency with the comprehensive plan.
 2. *Coordination with development order processing.* In the event such a review is initiated, application requiring planning board or city commission review shall be processed concurrently with consistency review. No other applications shall be processed until a final determination is rendered as described in this chapter.
 3. *Finding by the planning and zoning administrator.* Within ten working days of notice to the applicant, the planning and zoning administrator shall do all of the following:
 - a. Make a written finding of the application as "consistent" or "not consistent" with the comprehensive plan, including the factual basis for the finding;
 - b. Forward copies of this finding to the applicant, the planning board, and the city commission; and
 - c. Attach a copy of the finding to the application.
 4. *Effect of planning and zoning administrator's finding.* A finding of "consistent" may permit the continued processing of the application unless an appeal is filed pursuant to subsection 94-37(d). A finding of "not consistent" shall constitute a denial of the application unless an appeal is filed pursuant to subsection 94-37(d).
- d. *Procedures for comprehensive plan amendments.* The following conditions shall apply to applications for amending the city's comprehensive plan:
 1. The process for amending the comprehensive plan shall be guided by the provisions of F.S. chapter. 163, the Florida Administrative Code (FAC) rules implementing it, and in accordance with the provisions of the comprehensive plan.
 2. Amendments to the text, tables, charts, and maps of the comprehensive plan shall be initiated only by the city or the local planning agency (planning board).
 3. Amendments to the future land use map (FLUM) shall be initiated only by the owner of the parcel(s) or the city; and shall be proposed only as a result of one or more of the following factors:
 - a. *Changed projections.* Changed projections (e.g., regarding public service needs) in the comprehensive plan, including but not limited to amendments that would ensure provision of public facilities;
 - b. *Changed assumptions.* Changed assumptions (e.g., regarding demographic trends or land availability) in the comprehensive plan, including but not limited to the fact that growth in the area, in terms of the development of vacant land, new development, and the availability of public services, has altered the character of the area such that the proposed amendment is now reasonable and consistent with the land use characteristics;
 - c. *Data errors or updates.* Data errors, including errors in mapping and natural features, or data updates of a significant nature in the comprehensive plan;
 - d. *New issues.* New issues that have arisen since the adoption of the comprehensive plan; and
 - e. *Additional detail or comprehensiveness.* Recognition of a need for additional detail or comprehensiveness in the comprehensive plan.
 4. *Compliance with state law.* Amendments to the comprehensive plan shall be considered in strict accord with the requirements of F.S. § 163.3187.

5. *Public hearings.* To the extent not inconsistent with F.S. ch. 163, the provisions in section [94-39](#), relating to public hearings and related matters, shall apply.

(Code 1979, § 33-13; Ord. No. 4449-13, § 3, 3-19-2013)