

June 10, 2019

Mr. D. Ray Eubanks
Plan Processing Administrator
Florida Department of Economic Opportunity
Division of Community Development
107 East Madison Street
Caldwell Bldg., MSC 160
Tallahassee, FL 32399-0800

**RE: Pasco County Large Scale Comprehensive Plan Amendment – CPAL19(13)
2025 Comprehensive Plan Text Amendment**

Dear Mr. Eubanks:

Pasco County is submitting CPAL19(13) 2025 Comprehensive Plan Text Amendment, for review by the Florida Department of Economic Opportunity (DEO). The Board of the County Commissioners (BCC) is requesting an **expedited plan review** by the DEO of the proposed Comprehensive Plan Amendment.

The Local Planning Agency (LPA) held a public hearing on May 23, 2019, to consider the proposed amendment. The BCC held a transmittal public hearing on June 4, 2019, to consider the proposed amendments and transmittal to the DEO.

Project Description:

On June 15, 1989, the Board of County Commissioners adopted Pasco County's 2025 Comprehensive Plan. The Comprehensive Plan has been subsequently revised numerous times since the original date and this text amendment proposal is the first of what will be series of further text clarification and updates for 2019. The purpose of this text amendment is to provide clarity on how Policy FLU 1.4.4 and Objective FLU 1.1 have been interpreted and amend the language to support the intended execution of said Policy and Objective.

One hard copy and two compact disks of the amendment are included in this transmittal package.

Copies of the proposed amendment has been forwarded directly to the Tampa Bay Regional Planning Council; Southwest Florida Water Management District; Florida Department of Transportation, District Seven; Florida Department of State; Florida Fish and Wildlife Conservation Commission; Florida Department of Agriculture and Consumer Services, Division of Forestry; and Florida Department of Environmental Protection.

Any Florida DEO comments and requests should be forwarded to:

Planning and Development Department
West Pasco Government Center
ATTN: Amy E. Hyler, Planner II
8731 Citizens, Suite 320
New Port Richey, FL 34654-5598
Telephone: (727) 847-8193

Email: emonaco@pascocountyfl.net & ahyler@pascocountyfl.net

If there are any questions or comments, please contact me at emonaco@pascocountyfl.net or call (727) 847-8193.

Sincerely,



Ernest D. Monaco
Executive Planner

Attachments:

Agenda Memo; Proposed Ordinance w/Exhibits; Maps; UNA; School Board; Affidavit of Publication

cc: **VIA – Email – Required**

Dan C. Santos, AICP, Growth Management Supervisor, Florida Department of Transportation, District Seven,
11201 N. McKinley Drive, Mail Station 7-500, Tampa, FL 33612-6456, email to: Daniel.Santos@dot.state.fl.us
Ivana Kajtezovic, Planning Program Manager, Tampa Bay Water, 2575 Enterprise Road, Clearwater, FL 33763,
email to: ikajtezovic@tampabaywater.org
Deena Woodward, Historic Preservation Planner, Florida Department of State, Bureau of Historic Preservation,
500 South Bronough Street, Tallahassee, FL 32399-0250, email to: Deena.Woodward@DOS.MyFlorida.com
Trisha Neasman, AICP, Planning Supervisor, Southwest Florida Water Management District, 2379 Broad Street,
Brooksville, FL 34604-6899, email to: trisha.neasman@swfwmd.state.fl.us
Scott Sanders, Florida Fish and Wildlife Conservation Commission, Conservation Planning Services, 620 South
Meridian Street, MB-585, Tallahassee, FL 32399-1600, email to:
FWCConservationPlanningServices@myfwc.com
Suzanne E. Ray, Department of Environmental Protection, Office of Intergovernmental Programs,
3900 Commonwealth Boulevard, Mail Station 47, Tallahassee, FL 32399-3000, email to:
Plan.Review@dep.state.fl.us
Kylene Casey, Operations & Management Consultant II- Growth Management Liaison, Dept. of Education, Office of
Educational Facilities, 325 West Gaines Street, Suite 1014, Tallahassee, FL 32399-0400, email to:
kylene.casey@fldoe.org
John Meyer, Tampa Bay LEPC & DRI Coordinator, Tampa Bay Regional Planning Council, 4000 Gateway Centre
Boulevard, Suite 100, Pinellas Park, FL 33782, email to: johnm@tbrpc.org
Department of Agriculture & Consumer Services, Attn: Comprehensive Plan Review, Office of Policy and Budget, The
Capitol, Plaza Level 8, Tallahassee, FL 32399-0800, email to: compplans@freshfromflorida.com

VIA – Email

George Romagnoli, AICP, Development Director, City of New Port Richey,
5919 Main St., New Port Richey, FL 34652, email to romagnolig@cityofnewportrichey.org
Joe Moreda, Director, AICP, Planning and Zoning Services, Hillsborough County, 601 E. Kennedy Boulevard, 20th
Floor, Tampa, FL 33602, email to: moredaj@hillsboroughcounty.org
Thomas Deardorff, FAICP, Director, Growth Management Department, Polk County, P.O. Box 9005, Drawer GM01,
Bartow, FL 33831-9005, email to: thomasdeardorff@polk-county.net
Ron Pianta, AICP, Director, Hernando County, Planning Department, 20 N. Main Street, Room 262, Brooksville,
FL 34601, email to: rpianta@hermandocounty.us
Karl Holley, Director of Development Services, Sumter County Planning Department, 209 N. Florida Street, Room
301, Bushnell, FL 33513, email to: karl.holley@sumtercountyfl.gov
Jake Stowers, Executive Director, Pinellas County Planning Dept., 310 Court St, Clearwater, FL 33756, email to:
jstowers@pinellascounty.org and,
Renea Vincent, Planning Director, Pinellas County Planning Dept., 310 Court St, Clearwater, FL 33756, email to:
rvincent@co.pinellas.fl.us
Cristian Arias, Senior Planner, City of New Port Richey, Development Services
Department, 5919 Main St., New Port Richey, FL 34652, email to AriasC@cityofnewportrichey.org
Jocilyn Martinez, Assistant City Manager, City of Port Richey, 6333 Ridge Rd., Port Richey, FL 34668, e-mail to:
j.martinez@cityofportrichey.com
Michael Sherman, AICP, Community Development Director, City of Dade City, Community Development Department,
P.O. Box 1355, 38020 Meridian Avenue, Dade City, FL 33526, email to: msherman@dadacityfl.com
Andrea Calvert, CMC, Town Clerk, Town of St. Leo, P.O. Box 2479, St. Leo, FL 33574, email to:
townclerk@townofstleo.org
Todd Vandenberg, City of Zephyrhills, 5335 - 8th Street, Zephyrhills, FL 33542, email to:
vandenberg@ci.zephyrhills.fl.us
Mark G. LeCouris, City Manager, City of Tarpon Springs, 324 E. Pine Street, Tarpon Springs, Florida 34689, email to:
thickey@ctsfl.us
Melissa Zomitta, Hillsborough City-County Planning Commission, 601 E. Kennedy Boulevard,
18th Floor, Tampa, Florida 33602, email to: zomittam@plancom.org
Tony Garcia, Hillsborough City-County Planning Commission, 601 E. Kennedy Boulevard,
18th Floor, Tampa, Florida 33602, email to: garciat@plancom.org
Matt Lewis, Hillsborough County, Executive Planner, Infrastructure and Growth Planning, Transportation Planning
and Development Division, Public Works, 601 E. Kennedy Boulevard, Tampa, Florida 33602, email to:
LewisM@hillsboroughcounty.org
Richard M. Tonello, Supervisor, Pasco County Schools, Department of Planning, 11815 Tree Breeze Dr.
New Port Richey, FL 34654. rtonello@pasco.k12.fl.us
Planning and Development Department, pddstaff@pascocountyfl.net
Central Permitting (Only to: Esther Oluyemi, Building Construction Services Director, eoluyemi@pascocountyfl.net, &
Mark DeRaedt, Lead Development Review Technician, Central Permitting-NPR, mderaedt@pascocountyfl.net
Mike Carballa, Director, Utilities - Engineering and Contracts Management Dept. - mcarballa@pascocountyfl.net
Charles Cullen, Engineering Manager, Utilities - ccullen@pascocountyfl.net
Ray Cleaver, P.E. Engineer I, Utilities - rcleaver@pascocountyfl.net
Debra V. Smith – Senior Development Review Technician, Utilities Engineering, dsmith@pascocountyfl.net
Jeremy Edwards, Supervisor, GIS, jedwards@pascocountyfl.net
Tracy Wolf, Executive Assistant, Development Services, twolf@pascocountyfl.net
Erica Jones – Administrative Secretary II, Development Services, ejones@pascocountyfl.net

AGENDA SUMMARY SHEET



Meeting Type: Pasco County Commission
Department: Planning and Development Agenda Coordinators
Memorandum Number: PDD19-0983

Subject: COMPREHENSIVE PLAN AMENDMENT (CONSENT) – CPAL19(13) 2025
Comprehensive Plan Text Amendment – Transmittal of Proposed
Comprehensive Plan Text Amendment to Objective FLU 1.1: Principles for
Growth Management; and a Text Amendment to Policy FLU 1.4.4: Residential
Compatibility: Buffer Standards Between Residential and Nonresidential Land
Uses

Recommendation: Approve



**BOARD OF COUNTY COMMISSIONERS
AGENDA MEMORANDUM**

COMMISSION DISTRICT: ALL

FILE NO.: PDD19-0983

DATE: 5/13/2019

SUBJECT: COMPREHENSIVE PLAN AMENDMENT (CONSENT) – CPAL19(13) 2025 Comprehensive Plan Text Amendment – Transmittal of Proposed Comprehensive Plan Text Amendment to Objective FLU 1.1: Principles for Growth Management; and a Text Amendment to Policy FLU 1.4.4: Residential Compatibility: Buffer Standards Between Residential and Nonresidential Land Uses (Public Hearing: BCC: 6/4/2019 at 1:30 p.m., DC; BCC: 7/9/2019 at 1:30 p.m., DC)

THRU: Don L. Rosenthal, M.B.A., CPM, Assistant County Administrator (Development Services)

FROM: Nectarios C. Pittos, AICP, Planning and Development Director

RECOMMENDED BOARD ACTION:

Authorize Transmittal to the Department of Economic Opportunity (DEO) and other reviewing agencies of the proposed Comprehensive Plan text Amendment CPAL19(13), amending OBJECTIVE FLU 1.1: Principles for Growth Management and POLICY FLU 1.4.4: Residential Compatibility: Buffer Standards between Residential and Nonresidential Land Uses.

BACKGROUND SUMMARY/ALTERNATIVE ANALYSIS:

PROJECT OVERVIEW

On June 15, 1989, the Board of County Commissioners adopted Pasco County's 2025 Comprehensive Plan. The Comprehensive Plan has been subsequently revised numerous times since the original date and this text amendment proposal is the first of what will be series of further text clarification and updates for 2019.

The Pasco County Planning and Development Department (formally known as the Growth Management Department) and Pasco County Board of County Commissioners (collectively, the "County") have always interpreted Objective FLU 1.1 and Policy FLU 1.4.4 as follows:

Objective FLU 1.1: Principles for Growth Management: As an intent for the County to pursue a vision for the future growth and development of the County that preserves and enhances the quality of its communities. The County has never interpreted Objective FLU 1.1 as intending to preserve or enhance property values.

Policy FLU: 1.4.4 Residential Compatibility: Buffer Standards Between Residential and Nonresidential Land Uses: As intended to require future Land Development Code amendments to establish in the Land Development Code buffer standards between residential and nonresidential land uses to protect residential land uses from certain sensory intrusions identified in said policy. The County has never interpreted Policy FLU 1.4.4 to be self-executing, primarily because the Comprehensive Plan does not contain objective standards or criteria for the protection of residential uses from sensory intrusions.

Other parties have recently interpreted Objective FLU 1.1 as intending to preserve or enhance property values and have interpreted Policy FLU 1.4.4 as being self-executing. Therefore, the Planning and Development Department is recommending said Policy and Objective be amended to clarify the County's long-standing interpretations of such Objective and Policy.

This agenda memo was prepared by: *Amy E. Hyler, Planner II*

LPA/BCC ACTIONS

On May 23, 2019, the Local Planning Agency (LPA) held a public hearing on the proposed text amendment to the Comprehensive Plan and recommended approval to the Board of County Commissioners (BCC).

On June 4, 2019, the BCC held a public hearing on the proposed text amendment to the Comprehensive Plan and authorized transmittal to DEO and other reviewing agencies.

PLANNING DISCUSSION

1. Objective FLU 1.1. The proposed amendment to the 2025 Comprehensive Plan is as follows:

OBJECTIVE FLU 1.1: PRINCIPLES FOR GROWTH MANAGEMENT

To pursue a vision for the future growth and development of the County that both preserves and enhances the quality ~~and value~~ of its communities. This vision relies upon a solid foundation for future planning which is reflected in its adopted Future Land Use Map and capital improvements program and which:

- Establishes market areas and market area visions;
- Protects rural neighborhoods and effectively limits urban sprawl;
- Relies upon a lands-acquisition program that is designed to preserve key ecosystems and protect wildlife, water resources, and natural areas;
- Includes an economic incentives program to attract targeted business industries and create new high-paying jobs; and
- Provides a solid infrastructure support system.

2. Policy FLU 1.4.4. The proposed amendment to the 2025 Comprehensive Plan is as follows:

POLICY FLU 1.4.4: RESIDENTIAL COMPATIBILITY: BUFFER STANDARDS BETWEEN RESIDENTIAL AND NONRESIDENTIAL LAND USES

The County shall ~~protect residential uses from the sensory intrusions of adjacent uses and shall amend~~ the Land Development Code by December 2008 to include methods of protecting neighborhoods from the sensory intrusions of adjacent nonresidential uses that may affect the long-term viability of those neighborhoods. Sensory intrusions include unwanted light, noise, physical access, odor, and other sources of disruptions. These criteria shall include provisions that:

- Prevent uses that generate obnoxious, sensory intrusion from being developed or expanded in certain areas; and
- Eliminate or reduce the sensory intrusions of proposed development or redevelopment; and
- Intercept or prevent the sensory intrusion from affecting the adjacent use.

CASE HISTORY

	Date	Vote: Approve/Deny
<i>Local Planning Agency (LPA)</i>	05/23/2019	7-0: Approve
<i>Board of County Commissioners – Transmittal</i>	06/04/2019	5-0: Approve
<i>Board of County Commissioners – Adoption</i>	07/09/2019	Pending

FISCAL IMPACT/COST/REVENUE STATEMENT:

No additional funding is required for this action.

ATTACHMENT(S):

Att 1 - Affidavit of Publication

Att 2 - Proposed Ordinance

DLR/NP/EM/AEH/CPAL19(13) Agenda Memo BCC-Transmittal

Tampa Bay Times
Published Daily

STATE OF FLORIDA) ss
COUNTY OF Pasco County

Before the undersigned authority personally appeared Deirdre Almeida who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: PDD 19-062 was published in Tampa Bay Times: 5/10/19, in said newspaper in the issues of Pasco

Affiant further says the said Tampa Bay Times is a newspaper published in Pasco County, Florida and that the said newspaper has heretofore been continuously published in said Pasco County, Florida, each day and has been entered as a second class mail matter at the post office in said Pasco County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

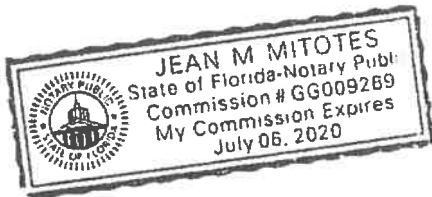
Signature of Affiant

Sworn to and subscribed before me this 05/10/2019.

Signature of Notary Public

Personally known _____ or produced identification

Type of identification produced _____



**NOTICE OF AMENDMENT TO
COMPREHENSIVE PLAN**

The Pasco County Board of County Commissioners proposes to adopt the following by ordinance:

AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A TEXT AMENDMENT TO OBJECTIVE FLU 1.1: PRINCIPLES FOR GROWTH MANAGEMENT; AND A TEXT AMENDMENT TO POLICY FLU 1.4.4: RESIDENTIAL COMPATIBILITY: BUFFER STANDARDS BETWEEN RESIDENTIAL AND NONRESIDENTIAL LAND USES; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

On May 23, 2019, at 1:30 p.m., the Planning Commission, convened as the Local Planning Agency will hold a public hearing at the West Pasco Government Center Board Room, 1st Floor, Board Room, 8731 Citizens Drive, New Port Richey, Florida to consider the consistency of the proposed amendment with the adopted Comprehensive Plan and make a recommendation to the Board of County Commissioners.

On June 4, 2019, at 1:30p.m., the Board of County Commissioners will hold a transmittal public hearing at the Historic Pasco County Courthouse, Board Room, 2nd Floor, 37918 Meridian Avenue, Dade City, FL 34654.

On July 9, 2019, at 1:30p.m., the Board of County Commissioners will hold an adoption public hearing at the Historic Pasco County Courthouse, Board Room, 2nd Floor, 37918 Meridian Avenue, Dade City, FL 34654.

[CPAL19(13) 2025 Comprehensive Plan Text Amendment]

Information concerning this matter will be on file and available for examination in the Planning & Development Department, West Pasco Government Center, 8731 Citizens Drive, New Port Richey, Suite 320, New Port Richey, Florida 34654, or on the website at www.pascocountyfl.net. For further information, you may call (727) 847-8140.

All interested parties may attend the said public hearing and be heard. Any person desiring to appeal any decision made by the Board of County Commissioners with respect to any matter considered at any hearing will need a record of the proceedings and may need to ensure that a verbatim record of the proceedings is made which includes the testimony and evidence upon which the appeal is to be based.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact either the Pasco County Customer Service Center, 8731 Citizens Drive, New Port Richey, FL 34654, (727) 847 2411 (V), or the Risk Management Office, 7536 State Street, New Port Richey, FL 34654, (727) 847-8028 (V) at least 7 days before your scheduled court appearance, or immediately upon receiving this notification if the time before the scheduled appearance is less than 7 days; if you are hearing or voice impaired, call 711.

PASCO COUNTY BOARD
OF COUNTY COMMISSIONERS

PDD 19-062

AN ORDINANCE AMENDING THE PASCO COUNTY COMPREHENSIVE PLAN; PROVIDING FOR A TEXT AMENDMENT TO OBJECTIVE FLU 1.1: PRINCIPLES FOR GROWTH MANAGEMENT; AND A TEXT AMENDMENT TO POLICY FLU 1.4.4: RESIDENTIAL COMPATIBILITY: BUFFER STANDARDS BETWEEN RESIDENTIAL AND NONRESIDENTIAL LAND USES; PROVIDING FOR REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163, Florida Statutes, authorize and require the Board of County Commissioners of Pasco County to prepare and enforce a Comprehensive Plan for the development of the County; and

WHEREAS, the Board of County Commissioners adopted a Comprehensive Plan on June 15, 1989, which has been subsequently amended; and

WHEREAS, since its original adoption, the Pasco County Planning and Development Department (formally known as the Growth Management Department) and Pasco County Board of County Commissioners (collectively, the "County") have interpreted Objective FLU 1.1: Principles for Growth Management as an intent for the County to pursue a vision for the future growth and development of the County that preserves and enhances the quality of its communities; the County has never interpreted Objective FLU 1.1 as intending to preserve or enhance property values; and

WHEREAS, since its original adoption, the County has interpreted Policy FLU: 1.4.4 Residential Compatibility: Buffer Standards Between Residential and Nonresidential Land Uses as requiring future Land Development Code amendments to establish in the Land Development Code buffer standards between residential and nonresidential land uses to protect residential land uses from certain sensory intrusions identified in Policy FLU 1.4.4; the County has never interpreted Policy FLU 1.4.4 to be self-executing, primarily because the Comprehensive Plan does not contain objective standards or criteria for the protection of residential uses from sensory intrusions; and

WHEREAS, certain parties have recently interpreted Objective FLU 1.1 as intending to preserve or enhance property values and have interpreted Policy FLU 1.4.4 as being self-executing, and the Board of County Commissioners desires to amend this Objective and Policy to clarify the County's long-standing interpretations of such Objective and Policy; and

WHEREAS, the Board of County Commissioners has considered the staff report including data and analysis and has determined that the proposed Amendment is consistent with the Part II, Chapter 163, Florida Statutes, and the Pasco County Comprehensive Plan; and

WHEREAS, the Local Planning Agency, on May 23, 2019, held a public hearing on the proposed Amendment to the Comprehensive Plan with due public notice provided, pursuant to Section 125.66(2), Florida Statutes, and recommended approval to the Board of County Commissioners; and

WHEREAS, on June 4, 2019, the Board of County Commissioners held an initial public hearing on the proposed Amendment to the Comprehensive Plan with due public notice provided, pursuant to Section 163.3184, Florida Statutes, and authorized transmittal of the proposed Amendment to the adopted Comprehensive Plan to the Florida Department of Economic Opportunity (DEO) and other agencies to obtain review and comment on the said Amendment; and

WHEREAS, the Board of County Commissioners received a letter of no comment from the DEO; and

WHEREAS, no objections have been received from any reviewing agency; and

WHEREAS, the Board of County Commissioners has considered all comments received; and

WHEREAS, the proposed Amendment is consistent with Chapter 163, Florida Statutes, and the Pasco County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners, on July 9, 2019, held an adoption public hearing on the proposed Amendment to the Comprehensive Plan with due public notice provided, pursuant to Section 163.3184, Florida Statutes, and considered all comments received during the public hearing.

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

SECTION 1. FUTURE LAND USE ELEMENT TEXT AMENDMENT.

The Pasco County Comprehensive Plan, Future Land Use Element, Chapter 2, OBJECTIVE FLU 1.1: PRINCIPLES FOR GROWTH MANAGEMENT and POLICY FLU 1.4.4: RESIDENTIAL COMPATIBILITY: BUFFER STANDARDS BETWEEN RESIDENTIAL AND NONRESIDENTIAL LAND USES are amended as follows:

OBJECTIVE FLU 1.1: PRINCIPLES FOR GROWTH MANAGEMENT

To pursue a vision for the future growth and development of the County that both preserves and enhances the quality and value of its communities. This vision relies upon a solid foundation for future planning which is reflected in its adopted Future Land Use Map and capital improvements program and which:

- Establishes market areas and market area visions;
- Protects rural neighborhoods and effectively limits urban sprawl;
- Relies upon a lands-acquisition program that is designed to preserve key ecosystems and protect wildlife, water resources, and natural areas;
- Includes an economic incentives program to attract targeted business industries and create new high-paying jobs; and
- Provides a solid infrastructure support system.

POLICY FLU 1.4.4: RESIDENTIAL COMPATIBILITY: BUFFER STANDARDS BETWEEN RESIDENTIAL AND NONRESIDENTIAL LAND USES

The County shall ~~protect residential uses from the sensory intrusions of adjacent uses and shall~~ amend the Land Development Code by December 2008 to include methods of protecting neighborhoods from the sensory intrusions of adjacent nonresidential uses that may affect the long-term viability of those neighborhoods. Sensory intrusions include unwanted light, noise, physical access, odor, and other sources of disruptions. These criteria shall include provisions that:

- Prevent uses that generate obnoxious, sensory intrusion from being developed or expanded in certain areas;
- Eliminate or reduce the sensory intrusions of proposed development or redevelopment; and
- Intercept or prevent the sensory intrusion from affecting the adjacent use.

SECTION 2. REPEALER.

All provisions of the Pasco County Comprehensive Plan adopted pursuant to Ordinance No. 89-13, as amended, in conflict herewith are hereby repealed.

SECTION 3. 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 4. EFFECTIVE DATE.

This Ordinance shall be transmitted to the Department of State by the Clerk to the Board by electronic mail within ten (10) days of the adoption of this Ordinance, and this Ordinance shall take effect upon confirmation by the Department of State of its receipt. The effective date of this Plan Amendment, if the Amendment is not timely challenged, shall be (thirty-one) 31 days after the state land planning agency notifies Pasco County that the Plan Amendment package is complete. If timely challenged, this Amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining the Amendment to be in compliance. If a final order of noncompliance is issued by the Administration Commission, this Amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency. These amendments to the Comprehensive Plan are intended to be remedial in nature and to clarify the County's long-standing interpretation of the Comprehensive Plan. Therefore, these amendments, once effective, shall apply retroactively.

SECTION 5. LEGISLATIVE FINDINGS OF FACT.

The foregoing Whereas clauses, incorporated herein, are true and correct.

ADOPTED this 9th day of July, 2019.

(SEAL)

**BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA**

ATTEST:

BY: _____

Ronald E. Oakley, CHAIRMAN