

ORDINANCE 2025- 03

An Ordinance of Franklin County, Florida, Establishing a Local Planning Agency Pursuant To Chapter 163, Florida Statutes; Providing for Repeal; Providing for Severability; and Establishing an Effective Date

WHEREAS, Chapter 163, Florida Statutes, provides for the establishment of a local planning agency by ordinance; and,

WHEREAS, the local planning agency is an advisory board that makes recommendations to the county commission; and,

WHEREAS, section 163.3174, Florida Statutes, requires a non-voting representative of the school district appointed by the school board be a member of the local planning agency; and,

WHEREAS, section 163.3174, Florida Statutes, provides that the local planning agency review rezoning requests and comprehensive plan amendments; and,

WHEREAS, section 163.3174, Florida Statutes, requires the local planning agency to provide opportunities for involvement by applicable community college boards; and,

WHEREAS, section 163.3174, Florida Statutes, requires the local planning agency to prepare the comprehensive plan and plan amendments after hearings and shall make recommendations to the county commission regarding the adoption of, or amendments to, the comprehensive plan; and,

WHEREAS, section 163.3174, Florida Statutes, requires the local planning agency to monitor and oversee the comprehensive plan and recommend change to it from time to time as may be required; and,

WHEREAS, section 163.3174, Florida Statutes, requires the local planning agency to review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the county commission regarding the consistency of the proposal with the adopted comprehensive plan; and,

WHEREAS, section 163.3174, requires the local planning agency to perform such other duties, functions, and responsibilities assigned to it by the county commission; and,

WHEREAS, Franklin County has determined that the Planning and Zoning Board of Adjustment (“PZBOA”), an advisory body which, among its other duties, first considers requests for rezoning, that it, plus one non-voting school board member, act as the local planning agency required by Chapter 163, Florida Statutes;

NOW THEREFORE BE IT ORDAINED THAT:

1. All of the preamble is incorporated herein by this reference.

2. The members of the Planning and Zoning Board of Adjustment, plus one non-voting representative of the School District appointed by the School Board, shall be the local planning agency.
3. The local planning agency is strictly limited to and shall only fulfill the duties required by Chapter 163, Florida Statutes, as amended from time to time, and not any other duty. This ordinance is not intended to, and it shall not, expand the lawful duties of the local planning agency required by Chapter 163, Florida Statutes, as it is amended from time to time.
4. All meetings of the Planning and Zoning Board of Adjustment shall also be meetings of the local planning agency when matters appear on the agenda which require a recommendation by the local planning agency to the county commission.
5. CODIFICATION: This ordinance shall be codified in the Franklin County Zoning Code as Section 361 and titled "Local Planning Agency."
6. REPEAL: All ordinances in conflict herewith are hereby repealed.
7. SEVERABILITY: If a court of competent jurisdiction enters a final order finding that any word, sentence, phrase, or paragraph of this ordinance is invalid and unenforceable, then such part of this ordinance shall be severed from the ordinance and the remainder of the ordinance remain in full force and effect.
8. EFFECTIVE DATE: This ordinance shall become effective as provided by law.

Adopted this the 7th day of May, 2025.

FRANKLIN COUNTY, a political  
subdivision of the State of Florida

ATTEST:

By: Michele Maxwell  
Michele Maxwell, Clerk of Courts

By: Ricky D. Jones  
Ricky D. Jones, Its Chairman

Approved as to form and content:

By: Thomas M. Shuler  
Thomas M. Shuler, County Attorney

