

ORDINANCE NO. 2020-02

AN ORDINANCE AMENDING THE CALHOUN COUNTY COMPREHENSIVE PLAN, BY AND THROUGH PROCEDURES REQUIRED FOR LARGE-SCALE AMENDMENTS PURSUANT TO AUTHORITY UNDER STATE STATUTES SECTION 163.3184, SPECIFICALLY APPROVING CHANGES TO THE CONSERVATION ELEMENT AND FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN, AND PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, that:

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners to prepare and enforce comprehensive plans for the development of the County; and

WHEREAS, Sections 163.3161 through 163.3217, Florida Statutes, the Community Planning Act, empowers and requires the Board of County Commissioners to (a) plan for the County's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the County; and

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the Board of County Commissioners have designated themselves as the Local Planning Agency for the unincorporated areas of the County; and

WHEREAS, supporting data and analysis documentation was prepared as background and justification for the Comprehensive Plan Amendment and;

WHEREAS, the Board of County Commissioners, acting as the Local Planning Agency, prepared the proposed amendment to the Comprehensive Plan, held a public hearing on June 16, 2020 at 3:30 p.m., and recommended approval of the amendment to the Board of County Commissioners; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, on June 16, 2020 at 5:00 p.m., the Board of County Commissioners held a public hearing, with due public notice having been provided, on the transmittal of Comprehensive Plan Amendment; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County Commissioners held a public hearing on September 15, 2020 at 5:00 p.m. on the adoption

of an ordinance for the Comprehensive Plan Amendment, with due public notice having been provided, to obtain public comment, and having considered all written and oral comments received, including the data collection and analysis packages and recommendations of the Local Planning Agency, and comments of the appropriate State agencies; and

WHEREAS, in exercise of its authority the Board of County Commissioners has determined it necessary and desirable to adopt the Comprehensive Plan Amendment to encourage the most appropriate use of land, water and resources, consistent with the public interest, and to deal effectively with future issues that may result from the use and development of land within the County.

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

Section 1. Purpose and Intent. This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, Sections 163.3161 through 163.3217, Florida Statutes, and Chapter 125, Florida Statutes, as amended;

Section 2. Calhoun County 2010-2025 Comprehensive Plan Amendment. The Calhoun County 2010-2025 Comprehensive Plan is hereby amended specifically approving changes to the Future Land Use Element and Conservation Element (see Exhibit A).

Section 3. Copy on File. A certified copy of the enacting ordinance, as well as certified copies of the Calhoun County Comprehensive Plan as revised shall be filed with the Clerk of the Circuit Court of Calhoun County and copies shall be made available to the public for a reasonable publication charge.

Section 4. Transmittal to Department of Economic Opportunity. The Board of County Commissioners has, pursuant to Section 163.3184, Florida Statutes, transmitted the Comprehensive Plan Amendment to the Department of Economic Opportunity for review and determination of compliance with the provisions of Chapter 163, Part II, Florida Statutes, and has received no objections.

Section 5. Conflicts. All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 6. Severability. If any word, phrase, clause, section, or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 7. Effective Date. Pursuant to Section 163.3184, Florida Statutes, this Ordinance and the amended version of the Calhoun County 2010-2025 Comprehensive Plan shall not become effective until the 30 day period for affected parties to file a petition has expired and the Ordinance has been officially filed with the Secretary of State.

The foregoing ordinance was adopted by the Board of County Commissioners by a vote of 5 to 0 after due notice and publication and on motion, second, and discussion at the regular meeting of September 15, 2020.

CALHOUN COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: Scott Monlyn
Scott Monlyn, Chairman

ATTEST:

Carla A Hand
CARLA HAND, Clerk of the Circuit Court