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**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

ORDINANCE NUMBER ____

**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING
COMPREHENSIVE PLAN AMENDMENT 24-09, AMENDING THE TEXT
OF CHAPTER 9, CONSERVATION AND OPEN SPACE ELEMENT, OF THE
COMPREHENSIVE GROWTH MANAGEMENT PLAN, MARTIN COUNTY
CODE; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY,
AND APPLICABILITY; PROVIDING FOR FILING WITH THE
DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE**

WHEREAS, Section 1.11, Comprehensive Growth Management Plan, and Section 163.3184, Florida Statutes, permit amendments to the Comprehensive Growth Management Plan and provide for amendment procedures; and

WHEREAS, the Local Community Planning Act requires a Comprehensive Plan to be reviewed through an Evaluation and Appraisal process every seven years on a schedule determined by the Florida Department of Commerce; and

WHEREAS, Martin County completed and adopted its Evaluation and Appraisal Report on March 5, 2024; and

WHEREAS, amendments to Chapter 9, Conservation and Open Space Element were identified in the Evaluation and Appraisal Report; and

WHEREAS, on August 15, 2024, the Local Planning Agency considered the proposed Comprehensive Plan amendment at a duly advertised public hearing; and

WHEREAS, on September 24, 2024 and October 22, 2024, at a duly advertised public hearing, this Board considered the amendment and approved such amendment for transmittal to the Division of Community Planning and Development; and

WHEREAS, on March 11, 2025, at a duly advertised public hearing, which was continued to March 25, 2025, this Board considered and addressed the comments of the various reviewing agencies; and

WHEREAS, this Board has provided for full public participation in the comprehensive planning and amendment process and has considered and responded to public comments.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

**PART I. COMPREHENSIVE GROWTH MANAGEMENT PLAN AMENDMENT
CPA 24-09.**

Comprehensive Growth Management Plan Amendment 24-09 is hereby adopted as follows: A text amendment to Chapter 9, Conservation and Open Space Element of the Martin County Comprehensive Growth Management Plan as set forth in Exhibit "A" attached hereto and incorporated by reference.

PART II. CONFLICTING PROVISIONS.

To the extent that this ordinance conflicts with special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, and other parts of the Martin County Comprehensive Growth Management Plan, the more restrictive requirement shall govern.

PART III. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART IV. APPLICABILITY OF ORDINANCE.

This Ordinance shall be applicable throughout the unincorporated area of Martin County.

PART V. FILING WITH DEPARTMENT OF STATE.

The Clerk be and hereby is directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART VI. CODIFICATION.

Provisions of this ordinance shall be incorporated into the Martin County Comprehensive Growth Management Plan, except that Parts II through VII shall not be codified. The word "ordinance" may be changed to "article," "section," or other word, and the sections of this ordinance may be renumbered or re-lettered.

PART VII. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

DULY PASSED AND ADOPTED THIS 25TH DAY OF MARCH, 2025.

ATTEST:

**BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

**BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

**BY: _____
SARAH HEARD, CHAIR**

**APPROVED AS TO FORM
& LEGAL SUFFICIENCY:**

**BY: _____
SARAH W. WOODS
COUNTY ATTORNEY**