

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

ORDINANCE NUMBER ____

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING SECTION 12.1.01, PURPOSE & INTENT, ARTICLE 12, REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, AND AN EFFECTIVE DATE.

WHEREAS, on September 10, 2019, pursuant to Ordinance Number 1110, the Board of County Commissioners (Board) adopted Comprehensive Plan Amendment 18-10, Community Redevelopment Area (CRA) Text; and

WHEREAS, on September 24, 2019, the Board adopted Ordinance Number 1111 which created Divisions 1 and 2 of Article 12, Redevelopment Code, Land Development Regulations; and

WHEREAS, Section 12.1.01, Purpose & Intent, currently discusses the applicability of the Redevelopment Code, other provision of the Land Development Regulations, the General Ordinances, and the Comprehensive Plan to development within the Community Redevelopment Areas; and

WHEREAS, it is necessary to revise Sections 12.1.01.C. and 12.1.01.D to clarify how Comprehensive Plan Amendment 18-10 and Article 12, Land Development Regulations will be implemented.

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

PART 1: AMENDMENT OF SECTION 12.1.01, PURPOSE & INTENT, ARTICLE 12, REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE

Section 12.1.01 Purpose & Intent is hereby amended as follows:

12.1.01.D.C. Function of the Redevelopment Code: consistency with other regulations. Development under the Redevelopment Code shall comply with all requirements of the Martin County Land Development Regulations (LDR) and General Ordinances, ~~except where such requirements are in conflict with the requirements of this Article 12.~~

~~In the case of conflicting requirements, between Article 12, LDR and other provisions of the LDR or the General Ordinances, Article 12 shall control, supersedes the requirements of the Martin County Land Development Regulations and General Ordinances.~~

Section 12.1.01.CD. Comprehensive Plan. All development in a CRA shall comply with the Martin County Comprehensive Growth Management Plan (CGMP). In the case of conflict between Chapter 18, Community Redevelopment, CGMP and the LDR or the General Ordinances, Chapter 18 shall control. ~~In the event of a conflict between the CGMP and a requirement of this Article, the stricter shall apply.~~

PART 2: APPLICABILITY OF ORDINANCE.

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

PART 3: CONFLICTING PROVISIONS.

Special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.

PART 4: 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 this ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstances by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstances.

PART 5: FILING WITH THE DEPARTMENT OF STATE.

The clerk shall be and is hereby 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 6: CODIFICATION

Provisions of this ordinance shall be incorporated into the Martin County Land Development Regulations, except that Parts 2 through 7 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 7: EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Office of Secretary of State.

PASSED AND DULY ADOPTED THIS _____ DAY OF _____, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS,
MARTIN COUNTY, FLORIDA

BY: _____

CAROLYN TIMMANN,
CLERK OF THE CIRCUIT
COURT AND COMPTROLLER

HAROLD E. JENKINS II
CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BY: _____

KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY