

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

ORDINANCE NUMBER

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING ARTICLE 12, REDEVELOPMENT CODES, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS; DELETING 3.261, JENSEN BEACH COMMUNITY REDEVELOPMENT AREA, AND MAKING AMENDMENTS TO OTHER ARTICLES, DIVISIONS OR SECTIONS OF THE LAND DEVELOPMENT REGULATIONS AS NECESSARY TO MAINTAIN INTERNAL CONSISTENCY; PROVIDING FOR APPLICABILITY, CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH THE DEPARTMENT OF STATE, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners has adopted the Martin County Comprehensive Growth Management Plan within which are included goals, objectives, and policies related to zoning and land development; and

WHEREAS, Chapter 163, Part II, Florida Statutes, requires the implementation of these goals, objectives and policies through the adoption of consistent land development regulations; and

WHEREAS, the proposed adoption of Article 12, Division 1 and Division 2, of the Land Development Regulations, Martin County Code, has received public hearings before the Local Planning Agency and the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners finds the proposed amendments consistent with the goals, objectives and policies of the Comprehensive Growth Management Plan,

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

PART 1: CREATION OF ARTICLE 12

Article 12, Redevelopment Code, Division 1, General, and Division 2, Jensen Beach Community Redevelopment Code, Land Development Regulations, Martin County Code, is hereby created as set forth in Exhibit A and Exhibit B, attached hereto and incorporated by reference.

PART 2: AMENDMENT OF ARTICLE 3, DIVISION 6, ZONING DISTRICTS, LAND DEVELOPMENT REGULATIONS

Article 3, Division 6, Section 3.261, Jensen Beach Community Redevelopment Area, is deleted in its entirety.

PART 3: APPLICABILITY OF ORDINANCE.

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

PART 4: 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County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this Ordinance are hereby superseded by this ordinance to the extent of such conflict, except for ordinances concerning either adoption or amendment of the Comprehensive Growth Management Plan.

PART 5: 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 6: 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 7: CODIFICATION.

Provisions of this ordinance shall be incorporated into the Martin County Land Development Regulations. 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 8: EFFECTIVE DATE.

This ordinance shall take effect upon filing with the Office of Secretary of State. Notwithstanding such effective date, applications for building permits that were submitted prior to the effective date of this ordinance may be approved if consistent with Section 3.261., LDR, as provided prior to amendment by this Ordinance.

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

ATTEST:

BOARD OF COUNTY
COMMISSIONERS,
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK
OF THE CIRCUIT COURT
AND COMPTROLLER

EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

KRISTA A. STOREY
ASSISTANT COUNTY ATTORNEY