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

**ORDINANCE NUMBER**

**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENTS CPA 19-3, UTILITIES EXTENSION, AND 19-14, CHAPTER 10, SANITARY SEWER SERVICES ELEMENT OF THE COMPREHENSIVE GROWTH MANAGEMENT PLAN, MARTIN COUNTY CODE; PROPOSING A COMBINED TEXT AMENDMENT TO CHAPTER 4, FUTURE LAND USE ELEMENT; CHAPTER 10, SANITARY SEWER SERVICES ELEMENT; AND CHAPTER 11, POTABLE WATER SERVICE ELEMENT/10 YEAR WATER SUPPLY FACILITIES WORK PLAN TO ALLOW FOR THE PROVISION OF WATER AND SEWER SERVICES TO A COUNTY OWNED PROPERTY OUTSIDE THE PRIMARY URBAN SERVICE DISTRICT; PROPOSING AMENDED POLICIES TO IMPROVE CONSISTENCY BETWEEN CHAPTER 10, SANITARY SEWER SERVICES ELEMENT AND CHAPTER 11, POTABLE WATER SERVICE ELEMENT/10 YEAR WATER SUPPLY FACILITIES WORK PLAN; AND PROPOSING OTHER MODIFICATIONS INCLUDING REMOVING REFERENCES TO INDIANTOWN; 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**, on June 6, 2019, the Local Planning Agency considered the proposed Comprehensive Plan Amendment at a duly advertised public hearing; and

**WHEREAS**, on June 18, 2019, 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 August 27, 2019 at a duly advertised public hearing 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 19-3, UTILITIES EXTENSION, AND CPA 19-14, SANITARY SEWER SERVICES ELEMENT**

Comprehensive Growth Management Plan Amendment CPA 19-3, Utilities Extension, and CPA 19-14, Sanitary Sewer Services Element, is hereby adopted as follows: Text amendments to Chapter 10, Sanitary Sewer Services Element (as set forth in Exhibit A); Chapter 11, Potable Water Services Element/10 Year Water Supply Facilities Work Plan (as set forth in Exhibit B); and Chapter 4, Future Land Use Element (as set forth in Exhibit C); 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 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, 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. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

**DULY PASSED AND ADOPTED THIS 27th DAY OF AUGUST, 2019.**

**ATTEST:**

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

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**CAROLYN TIMMANN,  
CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER**

**BY:**\_\_\_\_\_  
**EDWARD V. CIAMPI, Chairman**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

**BY:**\_\_\_\_\_  
**SARAH W. WOODS,  
COUNTY ATTORNEY**