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

ORDINANCE NUMBER

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, CREATING ARTICLE 12, REDEVELOPMENT CODE, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE; DELETING SECTION 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 (BCC) 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, on September 10, 2019, the Board of County Commissioners adopted a new chapter within the Comprehensive Growth Management Plan, Chapter 18, Community Redevelopment Element; and

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

WHEREAS, creation of Article 12, Redevelopment Code, Land Development Regulations has been proposed to implement Chapter 18 of the Comprehensive Growth Management Plan; and

WHEREAS, the Local Planning Agency held a public hearing on Article 12, Division 1 and Division 2 on June 20, 2019; and

WHEREAS, the Board of County Commissioners held public hearings on these proposed amendments of the Land Development Regulations on August 13, 2019 and September 10, 2019; and

WHEREAS, the Local Planning Agency and the Board of County Commissioners have provided for full public participation in the review of the proposed amendments; 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 I: REPEAL OF SECTION 3.261, JENSEN BEACH COMMUNITY REDEVELOPMENT AREA, ARTICLE 3, DIVISION 6, REDEVELOPMENT OVERLAY DISTRICTS, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE

The entirety of Section 3.261, Jensen Beach Community Redevelopment, Land Development Regulations, Martin County Code, is hereby repealed.

PART II: ADOPTION OF ARTICLE 12, REDEVELOPMENT CODE, DIVISION 1, GENERAL, AND DIVISION 2, JENSEN BEACH COMMUNITY REDEVELOPMENT CODE, LAND DEVELOPMENT REGULATIONS, MARTIN COUNTY CODE

Article 12, Redevelopment Code, Division 1, General and Division 2, Jensen Beach Community Redevelopment Code, Land Development Regulations, Martin County Code, attached hereto as Exhibit A, is hereby created.

PART III. CONFLICTING PROVISIONS.

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

PART IV. 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 V. APPLICABILITY OF ORDINANCE.

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

PART VI. 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 VII: 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 VIII. EFFECTIVE DATE.

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

DULY PASSED AND ADOPTED THIS 10th DAY OF SEPTEMBER, 2019.

ATTEST:

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

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

**BY: _____
EDWARD V. CIAMPI, CHAIRMAN**

**APPROVED AS TO FORM AND LEGAL
SUFFICIENCY**

**BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY**