

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

ORDINANCE NUMBER ____

**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, AMENDING
ORDINANCE NUMBER 1111; CORRECTING PART VIII.
EFFECTIVE DATE; PROVIDING FOR APPLICABILITY,
CONFLICTING PROVISIONS, SEVERABILITY, FILING WITH
THE DEPARTMENT OF STATE, AND AN EFFECTIVE DATE.**

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, Part VIII. Effective Date provided that the ordinance would be effective upon filing with the Office of Secretary of State; and

WHEREAS, Ordinance Number 1111 implements Comprehensive Plan Amendment 18-10, CRA Text and Comprehensive Plan Amendment 19-13, Jensen Beach FLUM, and the effective date of Ordinance Number 1111 must therefore be determined based on Chapter 163, Florida Statutes.

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

**PART 1: AMENDMENT OF ORINANCE NUMBER 1111, PART VIII.
EFFECTIVE DATE**

Part VIII. Effective Date of Ordinance Number 1111 is hereby amended in its entirety to read as follows:

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

The effective date of this ordinance, if Comprehensive Plan Amendment (CPA) 18-10, Community Redevelopment Area Text and CPA 19-13, Jensen Beach Future Land Use Map are not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the CPA 19-13 amendment package is complete. If either CPA 18-10 or CPA 19-13 are timely challenged, this ordinance shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining CPA 19-13 to be in compliance. No development orders, development permits, or land uses dependent on CPA 18-10 and CPA 19-13 may be

Underlined passages are added; struck-through passages are deleted.

issued or commence before CPA 18-10 and CPA 19-13 become effective.

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County, Martin County ordinances, County resolutions, or parts thereof, in conflict with this ordinance are hereby superseded by this ordinance to the extent of such conflict except for ordinances concerning either adoption or amendment of the Comprehensive Plan.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

Underlined passages are added; ~~struck-through~~ passages are deleted.

ATTEST:

BOARD OF COUNTY COMMISSIONERS,
MARTIN COUNTY, FLORIDA

BY: _____

CAROLYN TIMMANN,
CLERK OF THE CIRCUIT
COURT AND COMPTROLLER

EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

BY: _____

KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY