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

**ORDINANCE NUMBER \_\_\_\_**

**AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT 20-01, HODAPP PROPERTY, AMENDING THE FUTURE LAND USE MAP OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, 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 August 20, 2020, the Local Planning Agency considered the proposed Comprehensive Plan Amendment at a duly advertised public hearing; and

**WHEREAS**, on September 29, 2020, at a duly advertised public hearing, this Board considered the amendment for adoption; 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; and

**WHEREAS**, the Board finds the proposed amendment consistent with the goals, objectives and policies of the Comprehensive Growth Management Plan.

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

**PART I.     ADOPTION OF COMPREHENSIVE GROWTH MANAGEMENT  
PLAN AMENDMENT CPA 20-01, HODAPP PROPERTY**

Comprehensive Growth Management Plan Amendment CPA 20-01, Hodapp Property, is hereby adopted as follows: The Future Land Use Map is hereby changed from Mobile Home to Agricultural Ranchette on the 5-acre property at 7715 S.W. 39<sup>th</sup>

Street, located south of S.W. Martin Highway, and further described in Exhibit A, 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. 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 29<sup>th</sup> DAY OF SEPTEMBER, 2020.**

**ATTEST:**

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

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

**BY: \_\_\_\_\_  
HAROLD E. JENKINS II, CHAIRMAN**

**APPROVED AS TO FORM  
& LEGAL SUFFICIENCY:**

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

# Exhibit A

## Parcel I.D. Number

20-38-40-002-000-00131-0

## Legal Description:

THE WEST 1/2 OF TRACT 13 OF PALM CITY FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 42, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, LYING AND BEING IN SECTION 20, TOWNSHIP 38 SOUTH, RANGE 40 EAST, LESS THE SOUTH 25 FEET THEREOF FOR RIGHT OF WAY.

