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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 20-05, HODAPP PROPERTY TEXT, AMENDING THE TEXT OF CHAPTER 6, HOUSING ELEMENT, OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN; MARTIN COUNTY CODE; 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 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; 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 TEXT AMENDMENT CPA 20-05, HODAPP PROPERTY TEXT**

Comprehensive Growth Management Plan Text Amendment CPA 20-05, Hodapp Property Text, is hereby adopted as follows: Text amendment to Chapter 6, Housing Element, as set forth 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. 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 29th DAY OF SEPTEMBER 2020.

ATTEST:

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

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

**BY: _____
HAROLD E. JENKINS II, CHAIRMAN**

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

**BY: _____
SARAH W. WOODS,
COUNTY ATTORNEY**

Exhibit A

The following is the text amendment to Policy 6.1D.8., where the underlined language is text added and the stricken language is text deleted.

Policy 6.1D.8. *No net loss of mobile home lands.* Lands designated Mobile Home Density on the Future Land Use Map shall be changed to another designation only where (1) one or more lots, tracts or parcels have been inappropriately designated; or (1)-(2) other suitable lands can be redesignated as Mobile Home Density or (2)(3) where the proposal to change the designation is accompanied by a planned unit development application that will, at a minimum, ensure (1) a. no involuntary displacement of mobile home residents and (2)b. any site-built units that replace mobile home units qualify as affordable housing, as defined in Chapter 2, Overall Goals and Definitions, for at least 30 years after initial occupancy. The affordable units proposed in the PUD must contain a combination of units affordable to households with extremely low, very low, low, moderate, and workforce incomes as determined by the BCC.