

ORDINANCE 695

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA AMENDING THE COASTAL MANAGEMENT ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR REPEAL, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida legislature has adopted Chapter 163, F.S., which requires the City of Mexico Beach to prepare, adopt and enforce a comprehensive plan; and

WHEREAS, the Mexico Beach Planning and Zoning Board held a properly noticed public hearing to consider the proposed amendments to the Coastal Management Element of the Comprehensive Plan on February 27, 2018 (known as, "CPA 2018-01"), and recommended that the amendments be approved by the Mexico Beach City Council for adoption; and

WHEREAS, the Mexico Beach City Council held a properly noticed public hearing on May 22, 2018 to consider the transmission of CPA 2018-01 to the Department of Economic Opportunity ("DEO") for review, and after consideration of the data and analyses and public comments received during the public hearing, voted to transmit CPA 2018-01 to the DEO; and

WHEREAS, the DEO has completed its review of CPA 2018-01 and issued a "no comment" letter; and,

WHEREAS, in the exercise of its authority, the City Council of Mexico Beach finds it necessary and desirable to adopt and does hereby adopt the Comprehensive Plan Amendment 2018-01 in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the unincorporated jurisdictional boundaries of Gadsden County.

BE IT ORDAINED BY THE CITY COUNCIL OF MEXICO BEACH, FLORIDA;

SECTION I: Approval and Adoption of Amendment.

The amendment to the Coastal Management Element of the Mexico Beach Comprehensive Plan, as attached hereto as Exhibit "A" is hereby adopted and approved.

SECTION II: Repeal

All parts of the Coastal Management Element of the Mexico Beach Comprehensive Plan in existence prior to the adoption of this ordinance are hereby repealed and shall have no

further effect whatsoever.

SECTION III: Severability


If any phrase or portion of this Ordinance, or the particular application thereof, shall be held void, unenforceable or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining provisions, sentences, clauses, or phrases and their application shall not be affected and shall remain in full force and effect.

Section V: Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the County 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 Administrative 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.

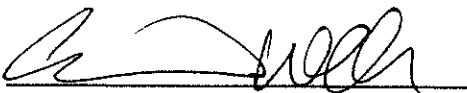
The above and foregoing Ordinance was introduced at the Regular Meeting of the City Council on the 22nd day of May, 2018. Adopted at the Regular Meeting of the City Council on the 26th day of March, 2019.

CITY OF MEXICO BEACH, FLORIDA



William A. Cathey, Mayor

ATTEST:



Adrian Welle, City Clerk