

ORDINANCE NO. 2019-05

**AN ORDINANCE OF THE CITY OF MARY ESTHER, FLORIDA;
AMENDING THE 2020 FUTURE LAND USE MAP FOR
FORMAT CONVERSION; PROVIDING FOR ADOPTION OF
AMENDMENT TO THE CITY OF MARY ESTHER
COMPREHENSIVE PLAN; PROVIDING FOR AUTHORITY,
REPEALING OF CONFLICTING ORDINANCES; PROVIDING
FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.**

***NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
MARY ESTHER, AS FOLLOWS:***

Section 1: PURPOSE AND INTENT

This ordinance is enacted to carry out the purpose, the intent of, and exercise the authority set out in, the Local Government Comprehensive Act, Sections 163.3161 through 163.3215, Florida Statutes.

Section 2: FINDINGS OF FACT

1. Chapter 163 Florida Statutes empowers the City Council of the City of Mary Esther, Florida to prepare, amend, and enforce a Comprehensive Plan for the development of the City.

2. The City of Mary Esther Planning Commission as the Local Planning Agency (LPA) for the City held a public hearing on the Comprehensive Plan Amendment on April 1, 2019, after due public notice, and considered findings and advice of all interested parties.

3. The City of Mary Esther, Florida held an adoption public hearing on June 3, 2019, to consider the Comprehensive Plan Amendment pursuant to Chapter 163.3184, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing.

4. In exercise of its authority, the City Council of the City of Mary Esther, Florida finds it necessary and desirable to adopt and does hereby adopt this Amendment to the City of Mary Esther's 2020 Future Land Use map, attached hereto as Exhibit "A" in order to encourage the most appropriate use of land, water, and resources, consistent with the public interest; and to deal effectively with future problems that may result from the use and development of land within City of Mary Esther, Florida.

Section 3: SEVERABILITY

If any provisions or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinances shall remain in full force and effect.

Section 4: 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.

SO DONE this 3rd day of JUNE 2019.

By:



Margaret McLemore, Mayor

ATTESTS:



Dana L.S. Williams, CMC
City Clerk

First reading: 04/22/19
1st Notice published: 04/08/19
2nd Rdg published: 05/20/19
Second reading: 06/03/19



