

ORDINANCE 2022-01

AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA, AMENDING THE CITY OF BUNNELL COMPREHENSIVE PLAN TO INCORPORATE CHANGES RECOMMENDED BY THE EVALUATION AND APPRAISAL REVIEW; AMENDING THE COMPREHENSIVE PLAN BY ADOPTING THE EVALUATION AND APPRAISAL REPORT AMENDMENTS; PROVIDING FOR THE TAKING OF IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR THE ADOPTION OF MAPS BY REFERENCE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, § 166.041, Florida Statutes, provides for procedures for the adoption of ordinances and resolutions by municipalities; and

WHEREAS, § 163.3161 through s. 163.3215, Florida Statutes, provide for adoption and enforcement of local government comprehensive plans pursuant to the "Community Planning Act"; and

WHEREAS, Chapter 163.3171, Florida Statutes, empowers the City Commission for the City of Bunnell to prepare and enforce a comprehensive plan for the development of the City; and

WHEREAS, the City Commission for the City of Bunnell has amended the City of Bunnell Comprehensive Plan from time to time; and

WHEREAS, on January 6, 2022, the Planning and Zoning Board for the City of Bunnell, sitting as the local planning agency, made recommendation to the City Commission for the City of Bunnell for the adoption of Evaluation and Appraisal Report-Based Amendments and to update the City of Bunnell Comprehensive Plan; and

WHEREAS, the City Commission for the City of Bunnell finds that adoption of Evaluation and Appraisal Report-Based Amendments and to update the city of Bunnell Comprehensive Plan are in the best interest of public health, safety and welfare of the residents and property owners of the City of Bunnell.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF BUNNELL, FLORIDA:

Section 1. Evaluation and Appraisal Report-Based Amendments to the Comprehensive Plan.

The City of Bunnell Comprehensive Plan, Evaluation and Appraisal Review-Based Amendments and amended elements, attached hereto and incorporated herein by reference as Exhibit "A," are hereby adopted.

Section 2. Inclusion in the Comprehensive Plan.

The City Commission intends that the provisions of this ordinance shall become and shall be made part of the Comprehensive Plan of the City of Bunnell, that the sections of this ordinance may be renumbered or re-lettered and that the word ordinance may be changed to section, article or other such appropriate word or phrase in order to accomplish such intentions.

Section 3. Conflict with Other Ordinances.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Severability.

If any section, sentence, phrase, word, or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Ordinance not otherwise determined to be invalid, unlawful, or unconstitutional.

Section 5. Effective Date.

This ordinance shall be effective thirty-one (31) days after the state planning agency notifies the City that the plan amendment package is complete, or, if this ordinance is legally challenged within thirty (30) days after adoption, upon issuance of a final order by the Department of Economic Opportunity or the Administrative Commission, whichever is later.

Section 6. Non-codification.

This Ordinance shall be not be codified in the *City Code of the City of Bunnell* or the *Land Development Code of the City of Bunnell*; provided, however, that the actions taken herein shall be depicted on the zoning maps of the City of Bunnell by the City Manager, or designee, if appropriate.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon passage and adoption.

First Reading: 10th day of January 2022.

Second and Final Reading: adopted on this 11th day of April 2022.

CITY COMMISSION, City of Bunnell, Florida.

By: Catherine D. Robinson
Catherine D. Robinson, Mayor

Approved for form and content by:

JM my
Vose Law Firm, City Attorney

Attest:

K Bates
Kristen Bates, CMC, City Clerk

