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LIBERTY COUNTY ORDINANCE NO. 13-04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA, ADOPTING COMPREHENSIVE PLAN AMENDMENTS, AS REQUIRED BY CHAPTER 163, FLORIDA STATUTES, DESIGNED TO UPDATE THE LIBERTY COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH THE FINDINGS OF THE COUNTY'S EVALUATION AND APPRAISAL REPORT; ADOPTING A PUBLIC SCHOOL FACILITIES ELEMENT, UPDATING THE FUTURE LAND USE AND FUTURE TRANSPORTATION MAPS AND UPDATING THE GOALS, OBJECTIVES AND POLICIES OF THE FUTURE LAND USE, TRAFFIC CIRCULATION, HOUSING, INFRASTRUCTURE CONSERVATION, RECREATION, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS; AUTHORIZING THE TRANSMITTAL OF THE AMENDMENTS TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Liberty County, Florida:

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of Liberty County to prepare and enforce comprehensive plans for the development of the County; and

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development regulation Act, empowers and requires the Board of County Commissioners to (a) plan for the County's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county; (c) implement adopted or amended comprehensive plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the Board of County Commissioners of Liberty County have designate themselves as the Local Planning Agency for the unincorporated area of Liberty County; and

WHEREAS, the Liberty County Local Planning Agency has prepared an Evaluation and Appraisal Report, as specified in Section 163.3191, Florida Statutes, setting forth an assessment and evaluation of the Liberty County Comprehensive Plan, and the Liberty County Board of County Commissioners recommended approval by the adoption of Resolution 2010-09 on October 10, 2009, and

WHEREAS, supporting data and analysis documentation was prepared as background and justification for the revised comprehensive plan's goals, objectives, and policies and future conditions maps; and



WHEREAS, multiple advertised public workshops and public hearings were conducted allowing for technical advise, citizen input and general public comment on the Evaluation and Appraisal Report revisions to the Liberty County Comprehensive Plan's goals, objectives and policies and future conditions maps; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County Commissioners of Liberty County, Florida, held several public workshops, meetings and public hearings on the proposed amendments to the comprehensive plan, with due public notice having been provided, to obtain public comment, and having considered all written and oral comments received, including the data collection and analysis packages and recommendations of the Local Planning Agency, and having approved the proposed amendments for transmittal to the Department of Economic Opportunity, the Apalachee Regional Planning Council, the Northwest Florida Water Management District, the Department of Transportation, the Department of Environmental Protection, the Department of State, the Department of Agriculture and the Department of Fish and Wildlife Conservation Commission, for review and comment on October 17, 2000; and

WHEREAS, the Department of Economic Opportunity, by letter dated December 21, 2012, transmitted its objections, recommendations, and comments on the proposed amended version of the Liberty County Comprehensive Plan; and

WHEREAS, the amended version of the comprehensive plan was revised in view of the objections, recommendations, and comments by the Department of Economic Opportunity; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, on May 9, 2013 the Board of County Commissioners of Liberty County, Florida, held a public hearing, with due public notice having been provided, on the amended version of comprehensive plan; and

WHEREAS, the Board of County Commissioners of Liberty County, Florida, further considered all oral and written comments received during the public hearings, including the data collection and analysis packages, the recommendations of Local Planning Agency, and objections, recommendation, and comments of the Department of Economic Opportunity; and

WHEREAS, in exercise of its authority the Board of County Commissioners of Liberty County, Florida, has determined it necessary and desirable to adopt the amended version of the comprehensive plan to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future issues that may result from the use and development of land within Liberty County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Liberty County, Florida, as follows:

Section 1. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development

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Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended;

Section 2.. Title of Comprehensive Plan.

The revised version of the comprehensive plan for Liberty County, Florida, shall be entitled "The 2012-2025 Liberty County Comprehensive Plan."

Section 3. Goals, Objectives and Policies of the Comprehensive Plan.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended; to update the Liberty County Comprehensive Plan in accordance with the findings of the County's Evaluation and Appraisal Report, Adopted October 10, 2009, updating the Goals, Objectives and Policies of the Future Land use, Traffic, Housing, Infrastructure, Conservation, Recreation and Open Space, Intergovernmental Coordination, and Capital Improvements Elements and adopting a Public Education Facilities Element.

Section 3.A. Liberty County Future Land Use Element.

The Future Land Use Element of the Liberty County Comprehensive Plan is hereby adopted to include the text attached and incorporated herein; Goals, Objectives and Policies, including any specifically incorporated maps, charts, tables, appendixes, or exhibits.

Section 3.B. Liberty Traffic Element.

The Traffic Element of the Liberty County Comprehensive Plan is hereby adopted to include the text attached and incorporated herein; Goals, Objectives and Policies, the Future Traffic Circulation Map, and including any specifically incorporated maps, charts, tables, appendixes, or exhibits.

Section 3.C. Liberty County Housing Element.

The Housing Element of the Liberty County Comprehensive Plan is hereby adopted to include the text attached and incorporated herein; Goals, Objectives and Policies, including any specifically incorporated maps, charts, tables, appendixes, or exhibits.

Section 3.D. Liberty County Infrastructure Element.

The Infrastructure Element of the Liberty County Comprehensive Plan is hereby adopted to include the text attached and incorporated herein; Goals, Objectives and Policies, including any specifically incorporated maps, charts, tables, appendixes, or exhibits.

Section 3.E. Liberty County Conservation Element.

The Conservation Element of the Liberty County Comprehensive Plan is hereby adopted to include the text attached and incorporated herein; Goals, Objectives and Policies, including any specifically incorporated maps, charts, tables, appendixes, or exhibits.

Section 3.F. Liberty County Recreation and Open Space Element.

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Section 4.D. Liberty County Future Traffic Circulation Map.

The Future Traffic Circulation Map of the Liberty County Comprehensive Plan is hereby adopted to include the Map attached and incorporated herein.

Section 5. Applicability and Effect.

The applicability and effect of the Liberty County Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance.

Section 6. Severability.

If any provision 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 Ordinance shall remain in full force and effect.

Section 7. Copy on File.

A certified copy of the enacting ordinance, as well as certified copies of the 2012-2025 Liberty County Comprehensive Plan shall be filed with the Clerk of the Circuit Court of Liberty County, Florida, and copies shall be made available to the public for a reasonable publication charge.

Section 8. Transmittal to Department of Economic Opportunity.

Pursuant to Section 163.3184, Florida Statutes, the Liberty County Commission hereby authorizes the transmittal of this Ordinance and the adopted version of the Liberty County 2012-2025 Comprehensive Plan, to the Department of Economic Opportunity, for review and determination of Compliance of the Plan with the provisions of Chapter 163, Part II, Florida Statutes.

Section 9. Effective Date.

Pursuant to Section 163.3184, Florida Statutes, this Ordinance and the adopted version of the Liberty County 2012-2025 Comprehensive Plan shall not become effective until; the Plan has been determined to be In-Compliance; the 21 day period for affected parties to file a petition has expired, and the Ordinance has been officially filed with the Secretary of State.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Liberty County, Florida, this 9th day of May, 2013.

ATTEST:

Kathy Brown
HONORABLE KATHY BROWN,
Clerk of Liberty County Court

BOARD OF COUNTY COMMISSIONERS
OF LIBERTY COUNTY, FLORIDA

By: Jim Johnson
HONORABLE JIM JOHNSON,
Chairman