

ORDINANCE NO. 92-1

An ordinance of the County Commission of Calhoun County Florida, adopting a Local Government Comprehensive Plan of Calhoun County, Florida, which will control future land use, guide public facilities, and protect natural resources pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (Chapter 163, Part II, Florida Statutes), including a Future Land Use Element; Traffic Circulation Element; Housing Element; Environmental Services Element (which includes the following sub elements: sanitary sewer, solid waste, potable water, natural groundwater aquifer recharge), Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; and Capital Improvements Element; providing for severability; and providing for an effective date.

BE IT ORDAINED by the County Commission of Calhoun County, Florida:

WHEREAS, Chapter 125, Florida Statutes, empowers the Calhoun County Commission 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 Calhoun County Commission 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, A Local Planning Agency for Calhoun County has been established pursuant to County Ordinance; and

WHEREAS, citizens and other interested parties assisted in formulating goals, objectives, and policies for the comprehensive plan; and

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

WHEREAS, the Calhoun County Local Planning Agency empowered by the above-cited laws and ordinances, and by Sections 163.3161 through 163.3215, Florida Statutes, prepared the above-cited Calhoun County Comprehensive Plan, to prepare for Calhoun County's future development and growth; and

WHEREAS, the Local Planning Agency has, in the preparation of the Comprehensive Plan, caused the performance of necessary studies and surveys; the collection of relevant and appropriate data; the holding of public hearings, public workshops, and public meetings; and has effectively provided for full public participation, notice to real property owners, broad dissemination of proposals and alternatives, opportunity for written comments, open discussion, communication programs, information services, and consideration and response to public and official comments; and

WHEREAS, the Local Planning Agency has held several public hearings on the proposed Calhoun County Comprehensive Plan with due public notice having been provided, and having reviewed and considered all comments received during the public hearings and having provided for necessary revisions, by voice vote, recommended the Calhoun County Local Government Comprehensive Plan to the Calhoun County Commission for approval; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Calhoun County Commission, held several public work sessions and public meetings, and several public hearings on the Calhoun County Local Government Comprehensive Plan, with due public notice having been provided, to obtain public comment, and having considered all written and oral comments received during said work sessions and public hearings, including the data collection and analysis packages and recommendations of the Planning Agency, and having provided for necessary revisions, and by voice vote, approved the comprehensive plan in its entirety for transmittal to the State Land Planning Agency (Department of Community Affairs) for review and comment; and

WHEREAS, the Department of Community Affairs, by letter has transmitted its objections, recommendations, and comments on the Calhoun County Local Government Comprehensive Plan; and

WHEREAS, the Comprehensive Plan was revised in view of objections, recommendations, and comments by the Department of Community Affairs; and

WHEREAS, the Calhoun County Commission further considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Local Planning Agency and objections, recommendations and comments of the Department of Community Affairs; and

WHEREAS, in exercise of its authority the Calhoun County Commission has determined it necessary and desirable to adopt the Comprehensive Plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome

present handicaps; and deal effectively with future problems that may result from the use and development of land within Calhoun County.

NOW, THEREFORE, BE IT ORDAINED, by the County Commission of Calhoun County, Florida, as follows:

Section 1. Plan Adoption.

The Calhoun County Local Government Comprehensive Plan, attached hereto as Exhibit "A", is hereby adopted as the Comprehensive Plan of Calhoun County in accordance with Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended.

Section 2. Applicability and Effect.

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

Section 3. 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 4. Copy on File.

(a) A certified copy of the enacting ordinance, as well as certified copies of the Calhoun County Comprehensive Plan and any amendments thereto, shall be filed with the Calhoun County Clerk.

(b) To make the Calhoun County Comprehensive Plan available to the public, a certified copy of the enacting ordinance, as well as certified copies of the Comprehensive Plan and any amendments thereto, shall be located in the Calhoun County Courthouse. The County Clerk shall make copies available to the public for a reasonable publication charge.

Section 5. Effective Date.

This Ordinance shall be filed with the Office of the Secretary of State of Florida and shall immediately take effect upon receipt of official acknowledgement from the Secretary of State that said ordinance has been filed with that office.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Calhoun County Commission this 5th day of May 1992.

County Commission
of Calhoun County, Florida

By: Pack Bowden
Chairman

Attest: [Signature]
By: [Signature]
County Clerk

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