

ORDINANCE NO. : 2021-02

AN ORDINANCE AMENDING THE CALHOUN COUNTY LAND DEVELOPMENT PARKING REGULATIONS, AND PROVIDING FOR REPEAL OF ANY CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR EFFECTIVE DATE:

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

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of Calhoun 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; and

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

WHEREAS, the Calhoun County Planning Commission and the Calhoun County Board of County Commissioners have reviewed the parking requirements contained in the Calhoun County Comprehensive Plan dated March 15, 2011 and determined that as written certain sections of the parking requirement elements contained in Article IX require unnecessary impervious surface areas and not consistent with sound environmental management and;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calhoun 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 Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 125, Florida Statutes, as amended;

Section 2. Calhoun County Land Development Regulations Article IX section 9.07.03 shall be amended to read as follows.

Handicapped Parking Spaces

Any parking area to be used by the general public shall provide suitable, marked parking spaces for handicapped persons. The number, design, and location of these spaces shall be consistent with the requirements of Sections 316.1955, .1956, Florida Statutes, or

succeeding provisions. Parking space required for the handicapped may be counted as a parking space in determining compliance with this Code, but optional spaces for the handicapped shall be counted. All spaces for the handicapped shall be paved.

Article IX Section 9.07.06 Table 9c regarding parking spaces required for land uses that involve the sale or rental of goods shall be amended to read as follows.

Sale & Rental of Goods _____ 1 space per 350' gross floor area

Section 2. Conflicts.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 3. Severability.

If any word, phrase, clause, section or portion of this Ordinance shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Effective Date.

The ordinance shall take effect upon the execution thereof and the filing of said ordinance with the Secretary of State.

Following the recommendation of the planning commissions on this date, the foregoing ordinance was adopted by a vote of 5 to 0 by the Board of County Commissioners, Calhoun County, Florida, after due notice and publication and on motion, second and discussion at the regular meeting of February 16, 2021.

CALHOUN COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: Scott Monlyn
Scott Monlyn, Chairman

ATTEST:

Carla A Hand
CARLA HAND, Clerk of the Circuit Court