

ORDINANCE NO. 1-18

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AMENDING ITS COMPREHENSIVE DEVELOPMENT PLAN TO ADOPT EVALUATION AND APPRAISAL REVIEW (“EAR”) BASED AMENDMENTS PURSUANT TO SECTION 163.3191, FLORIDA STATUTES, WHICH PROVIDES FOR AN EVALUATION AND FOR PLAN AMENDMENTS DETERMINED TO BE NECESSARY; WHICH INCLUDES REVISED TEXT AND MAPS NECESSARY TO UPDATE THE DATA AND ANALYSIS OF THE COMPREHENSIVE DEVELOPMENT PLAN; PROVIDING THAT THE TEXT AND MAPS, AS AMENDED OR REVISED, SHALL BE SUBSTITUTED FOR AND REPLACE IN FULL THE EXISTING TEXT AND MAPS IN ALL AMENDED ELEMENTS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE AND FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities evaluate their comprehensive plan at least once every seven (7) years; and

WHEREAS, the Village of Tequesta has completed its required evaluation, and has determined that amendments are required in order to reflect changes in state requirements and to provide thorough and consistent planning with regard to land within its corporate limits; and

WHEREAS, all amendments to the comprehensive development plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, the Village of Tequesta, Florida, has carefully prepared an amendment to its comprehensive development plan to update it pursuant to Sec.163.3191, *Florida Statutes*, in order to provide text and map amendments or revisions in conformance with the Evaluation and Appraisal Review; and

WHEREAS, the Village of Tequesta has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the Department of Economic Opportunity and after the proposed amendment of the plan was returned to the Village of Tequesta, in accordance with Chapter 163.3184(4), *Florida Statutes*; and

WHEREAS, the Village Council desires to adopt the amendment to the current comprehensive development plan to guide and control the future development of the Village, and to preserve, promote and protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF TEQUESTA, FLORIDA, AS FOLLOWS:

Section 1: The Village of Tequesta Comprehensive Plan is hereby amended by adopting this amendment to its current Comprehensive Plan; which amendment is attached hereto as Exhibit “A” and made a part hereof and of the current Comprehensive Plan. This amendment specifically provides comprehensive amendments to all elements of the Comprehensive Plan in conformance with the adopted Evaluation and Appraisal Review described therein which affects the pagination of certain elements; all as specifically set forth on Exhibit “A”. The text and maps adopted in Exhibit “A” shall be substituted for and replace in total the previously adopted text and maps in the amended elements.

Section 2: A copy of the comprehensive development plan, as amended, shall be kept on file in the office of the Village Clerk.

Section 3: The Village Manager is hereby directed to transmit three (3) copies of the amendments to the current comprehensive development plan to the State Land Planning Agency, along with a copy to the Treasure Coast Regional Planning Council, and to any other unit of local government who has filed a written request for a copy, within ten (10) working days after adoption, in accordance with Section 163.3184(4), *Florida Statutes*.

Section 4: All ordinances or parts of ordinances in conflict be and the same are hereby repealed.

Section 5: Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 6: The effective date of this plan amendment shall be the date a final order is issued by the Department of Economic Opportunity or Administration Commission finding the

amendment in compliance in accordance with Section 163.3184(4)(e)5., *Florida Statutes*, whichever occurs earlier. 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 Department of Economic Opportunity, Division of Community Planning, Plan Processing Team.