

ORDINANCE NO. 06-08

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN OF HOLMES COUNTY AND THE MUNICIPALITIES OF ESTO, NOMA, PONCE DE LEON AND WESTVILLE, SPECIFICALLY THE CAPITAL IMPROVEMENTS SCHEDULE OF THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR A TITLE, PROVIDING FOR A COPY ON FILE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires Holmes County and the Municipalities of Esto, Noma, Ponce de Leon and Westville to prepare and adopt and enforce a comprehensive plan; and,

WHEREAS, the Holmes County Planning Commission held a Public Hearing to consider Proposed Comprehensive Plan Amendment 06-CIE on August 28th, 2006 and recommended the Amendment be approved by the Holmes County Board of County Commissioners for adoption; and,

WHEREAS, the Holmes County Commission held a Public Hearing on August 29th, 2006, to adopt Comprehensive Plan Amendment 06-CIE, pursuant to Section 163, 3187, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; and,

WHEREAS, in exercise of its authority, the Holmes County Commission finds it necessary and desirable to adopt and does hereby adopt Comprehensive Plan Amendment 06-CIE, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within Holmes County, as follows:

NOW THEREFORE BE IT ORDAINED by the County Commission of Holmes 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 Act, Section 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5, Florida Administrative Code.

Section 2 Title of Comprehensive Plan Amendment.

This Comprehensive Plan Amendment for Holmes County shall be entitled "Holmes County Comprehensive Plan Amendment 2006-CIE".

Section 3 Comprehensive Plan Amendment Adopted.

The Holmes County Comprehensive Plan Amendment 2006-CIE attached hereto as Exhibit "A" is hereby adopted in the following parts:

- Elements being amended: (1) Capital Improvements Schedule of the Capital Improvements Element.

Section 4 Severability.

If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, than all remaining provisions and portions of this Ordinance and the Holmes County and Municipalities of Esto, Noma, Ponce de Leon and Westville Comprehensive Plan shall remain in full force and effect.

Section 5 Copy on File.

An official, true and correct copy of all elements of the Holmes County Comprehensive Plan as adopted and amended from time to time shall be maintained by the Clerk of Court of Holmes County or his designee.

Section 6 Effective Date.

The effective date of this Comprehensive Plan Amendment shall be the date a final order is issued by the Florida Department of Community Affairs or the Administrative Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before this amendment becomes effective.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the County Commission of Holmes County, Florida the 29th day of August, 2006.

TOWN OF ESTO, FLORIDA

By Jefferson W. Canby
Mayor

TOWN OF NOMA, FLORIDA

By Robert A. Steyer
Mayor

TOWN OF PONCE DE LEON, FLORIDA

By Paul B. Lassinger
Mayor

TOWN OF WESTVILLE, FLORIDA

By Stephen L. Neumann, III
Mayor

**COUNTY COMMISSION
HOLMES COUNTY, FLORIDA**

By Earl
Council Chairman

ATTEST:

Cody Payne
County Clerk