

ORDINANCE NO. 2008-___

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE ESCAMBIA COUNTY COMPREHENSIVE PLAN, AS AMENDED; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT", PROVIDING FOR AN AMENDMENT TO THE YEAR 2020 FUTURE LAND USE MAP, AS AMENDED, CHANGING THE FUTURE LAND USE CATEGORY OF TWO PARCELS WITHIN SECTION 19, TOWNSHIP 2S, RANGE 31W, PARCEL NUMBERS 3301-000-000 AND 3401-000-000, TOTALING 29.97 (+/-) ACRES, LOCATED AT 8594 WEST HIGHWAY 98 FROM LOW DENSITY RESIDENTIAL (LDR) TO MIXED USE - 1 (MU-1); PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Escambia County adopted its Comprehensive Plan on October 20, 1993; and

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

WHEREAS, the Escambia County Planning Board (LPA) conducted a public hearing and forwarded a recommendation to the Board of County Commissioners, who have conducted a public hearing, reviewed and approved the changes to the Plan and authorized the transmittal of the proposed changes to the Florida Department of Community Affairs (DCA) for review and comment prior to considering the changes (amendments) for adoption; and

WHEREAS, the Board of County Commissioners, Escambia County, Florida finds that the adoption of these amendments is in the best interest of the County and its citizens;

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Escambia 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 Plan and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5, Florida Administrative Code.

1 **Section 2. Title of Comprehensive Plan Amendment**

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3 This Comprehensive Plan Amendment for Escambia County, Florida shall be entitled –
4 "Comprehensive Plan Amendment 2008-01A – Highway 98." This the first amendment
5 package to be submitted to the DCA for the Year 2008.
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7 **Section 3. Changes to the Escambia County Generalized Future Land Use Map**

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9 The Comprehensive Plan Year 2020 Future Land Use Map as adopted by reference
10 and codified in Part II, of the Escambia County Code of Ordinances (1999), the
11 Comprehensive Plan, as amended; Chapter 7, "Future Land Use Element", Section
12 7.05.A; and all notations, references and information shown thereon, is further amended
13 to include the following future land use change depicted on the map and attached
14 hereto as Exhibit "A":
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16 Two parcels within Section 19, Township 2S, Range 31W, Parcel
17 Numbers 3301-000-000 and 3401-000-000, totaling 29.97 (+/-) acres,
18 located at 8594 West Highway 98 from Low Density Residential (LDR) to
19 Mixed Use – 1 (MU-1)
20

21 **Section 4. Severability**

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23 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
24 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
25 affect the validity of the remaining portions of this Ordinance.
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27 **Section 5. Inclusion in the Code**

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29 It is the intention of the Board of County Commissioners that the provisions of this
30 Ordinance shall be codified as required by Section 125.68, Florida Statutes (2007); and
31 that the sections, subsections and other provisions of this Ordinance may be
32 renumbered or relettered and the word "ordinance" may be changed to "section,"
33 "article," or such other appropriate word or phrase in order to accomplish such
34 intentions.
35

36 **INTENTIONALLY LEFT BLANK**
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1 **Section 6. Effective Date**

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3 The effective date of this plan amendment shall be the date a final order is issued by the
4 DCA or Administration Commission finding the amendment in compliance in
5 accordance with Section 163.3184(1)(b), Florida Statutes (2007), whichever is
6 applicable. No development orders, development permits, or land uses dependent on
7 this amendment may be issued or commence before it has become effective. If a final
8 order of noncompliance is issued by the Administration Commission, this amendment
9 may nevertheless be made effective by adoption of a resolution affirming its effective
10 status, a copy of which resolution shall be sent to the Florida Department of Community
11 Affairs, Division of Community Planning, Plan Processing Team.
12

13
14 **DONE AND ENACTED** this _____ day of _____, 2008.

15
16 BOARD OF COUNTY COMMISSIONERS
17 OF ESCAMBIA COUNTY, FLORIDA
18

19
20 By: _____
21 Gene M. Valentino, Chairman

22
23 ATTEST: ERNIE LEE MAGAHA
24 CLERK OF THE CIRCUIT COURT
25

26
27 By: _____
28 Deputy Clerk
29

30
31 (SEAL)
32

33
34 ENACTED:

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36 FILED WITH THE DEPARTMENT OF STATE:
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38 EFFECTIVE DATE:
39