

ORDINANCE NO 92- 6

AN ORDINANCE OF THE CITY COUNSEL OF THE CITY OF BRISTOL, FLORIDA, AMENDING THE LIBERTY COUNTY/CITY OF BRISTOL COMPREHENSIVE PLAN ORDINANCE WHICH CONTROLS FUTURE LAND USE, GUIDES PUBLIC FACILITIES, AND PROTECTS NATURAL RESOURCES PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT (CHAPTER 163, PART II, FLORIDA STATUTES), AND IN CONFORMANCE WITH A STIPULATED SETTLEMENT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DOAH CASE NO. 92-0009GM, INCLUDING THE FUTURE LAND USE ELEMENT; HOUSING ELEMENT; SANITARY SEWER, SOLID WASTE, DRAINAGE, PORTABLE WATER, AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT; CONSERVATION ELEMENT; AND CAPITOL IMPROVEMENTS ELEMENT; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapters 163, 125, and 166, Florida Statutes, empowers Liberty County and the City of Bristol to prepare and enforce comprehensive plans for the development of Liberty County and the City of Bristol; and,

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Planning and Land Development Regulation Act, empowers and requires Liberty County and the City of Bristol to (a) plan for the County's/City'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/City; (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, Liberty County Ordinance No. 91-09, and City of Bristol Ordinance No. 91-01, were both enacted on October 17, 1991, to adopt the Liberty County/City of Bristol Comprehensive Plan for the incorporated area of Bristol and for the unincorporated area of Liberty County; and,

WHEREAS, on or about December 11, 1991, the Department of Community Affairs issued its Statement of Intent to Find the Comprehensive Plan Not in Compliance; and,

WHEREAS, pursuant to Section 163.3184, Florida Statutes, Liberty County/City of Bristol subsequently held public meetings, and public hearings on proposed amendments to the Comprehensive Plan, with due public notice having been provided, to obtain public comment, and having considered all written and oral comments received during and public hearings, including a proposed Settlement Agreement between Liberty County/City of Bristol and the Department of Community Affairs dated July 9, 1992; and,

WHEREAS, on July 31, 1992, Liberty County/City of Bristol and the Department of Community Affairs entered into a Stipulated Settlement Agreement which provides that with the remedial action of the County adopting this ordinance, the Comprehensive Plan will be found to be in compliance with the Florida Statutes and Florida Administrative Code; and,

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Counsel of the City of Bristol, Florida further considered all oral and written comments received during such public hearing; and.

FURTHER WHEREAS, in exercise of its authority the Liberty County Commission/Bristol City Commission have determined it necessary and desirable to adopt these amendments to 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 Liberty County/City of Bristol, and to bring the Comprehensive Plan into accord with the Settlement Agreement, and to meet all requirements of law.

NOW, THEREFORE, BE IT ORDAINED by the City Counsel of the City of Bristol, Florida as follows, that:

Section 1. Purpose and Intent.

This Ordinance is hereby 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, as amended.

Section 2. Amendment.

This Ordinance does hereby adopt the text and maps attached hereto as Exhibit "A", and made a part hereof, as amendments to Liberty County/City of Bristol Comprehensive Plan, and does hereby amend the "Liberty County/City of Bristol Comprehensive Plan" in accordance therewith, being amendments to the following Plan elements:

Future Land Use Element
Housing Element
Sanitary Sewer, Solid Waste, Drainage, Potable Water
and Natural Groundwater Aquifer Recharge Element
Conservation Element
Capital Improvements Element

Section 3. Applicability and Effect.

The applicability and effect of these amendments to the 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, this Ordinance, and shall apply to all properties under the jurisdiction of Liberty County/City of Bristol except to the extent that such properties are exempted or vested pursuant to the vested rights section of the Liberty County/City of Bristol Comprehensive Plan.

Section 4. Conflict with Other Ordinances and Codes.

All ordinances or parts of ordinances of the Code of Ordinances for Liberty County and the City of Bristol, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

Section 5. 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 6. Effective Date.

This Ordinance shall become effective immediately upon its adoption.

PASSED the City Counsel of the City of Bristol, Florida on the 5 day of Oct., 1992.

CITY OF BRISTOL

BY: James Ford

ATTEST:

BY: Betty A. Ramsey

CITY CLERK

APPROVED AS TO FORM:

[Signature]
CITY ATTORNEY