

ORDINANCE 398

AN ORDINANCE OF THE TOWN COUNCIL OF HAVANA, FLORIDA AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN FOR TWO ADJOINING PARCELS IDENTIFIED BY PARCEL ID NUMBERS 2-27-3N-2W-0250-0000C-0350 AND 2-27-3N-2W-0250-0000C-0360, CONTAINING APPROXIMATELY 1.65 ACRES, FROM NEIGHBORHOOD CONSERVATION DISTRICT TO DEVELOPMENT DISTRICT; PROVIDING FOR REPEAL, SEVERABILITY, AND CORRECTION OF SCRIVENER'S ERRORS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida legislature has adopted Chapter 163, F.S., which requires Town of Havana, Florida to prepare and adopt and enforce a comprehensive plan; and

WHEREAS, the Havana Town Council, acting as the Local Planning Agency, held a properly noticed public hearing to consider the proposed amendment to the Future Land Use Map of the Comprehensive Plan on April 27, 2023 and again on May 30, 2023, and recommended that the amendment be approved by the Havana Town Council for transmittal and adoption; and,

WHEREAS, the amendment is known by the name of the Neighborhood Medical Center Small Scale Future Land Use Map Comprehensive Plan Amendment ("SSPA 2023-01")

WHEREAS, the Havana Town Council held a properly noticed public hearing on May 30, 2023, to consider SSPA 2023-01 and after consideration of the data and analyses and public comments received during the public hearing, voted to adopt and transmit SSPA 2023-01 to the Florida Department of Economic Opportunity ("DEO"); and,

WHEREAS, in the exercise of its authority, the Havana Town Council finds it necessary and desirable to adopt and does hereby adopt the Comprehensive Plan Amendment SSPA 2023-01, 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 the incorporated jurisdictional boundaries of the Town of Havana.

Now therefore, be it ordained by the Havana Town Council, that:

SECTION I: Approval and Adoption of Amendment.

The amendment to the Future Land Use Map of the Town of Havana Comprehensive Plan, as attached hereto as Exhibit "A" is hereby adopted and approved.

SECTION II: Repeal

All parts of the Future Land Use Map of the Town of Havana Comprehensive Plan in conflict with this ordinance are hereby repealed and shall have no further effect whatsoever.

SECTION III: Severability

If any phrase or portion of this Ordinance, or the particular application thereof, shall be held void, unenforceable or unconstitutional by any court, administrative agency or other body with appropriate jurisdiction, the remaining provisions, sentences, clauses, or phrases and their application shall not be affected and shall remain in full force and effect.

Section IV: Correction of Scrivener’s Errors

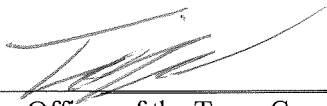
The Town Attorney may correct any scrivener’s errors found in this Ordinance, including the Exhibits attached hereto, by filing a corrected copy of the Ordinance with the Clerk.

Section V: Effective Date


The effective date of this plan amendment, if the amendment is not timely challenged, shall be thirty-one (31) days after the state land planning agency notifies the Town that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administrative Commission enters a final order determining this adopted amendment to be in compliance. 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 state land planning agency.

INTRODUCED in open session of the Town Council of the Town of Havana, Florida, on the 30th day of May, 2023.

PASSED in open session of the Town Council of the Town of Havana, Florida, on the 12th day of July, 2023

By: 

Presiding Officer of the Town Council of the Town of Havana, Florida

ATTEST:


Clerk of the Town of Havana and
Clerk of the Town Council thereof

