

**ORDINANCE 2010-07**

**AN ORDINANCE OF THE CITY OF BUNNELL, FLORIDA AMENDING THE COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE ELEMENT, CONSERVATION ELEMENT, INFRASTRUCTURE ELEMENT, HOUSING ELEMENT, RECREATION AND OPEN SPACE ELEMENT, TRAFFIC CIRCULATION ELEMENT, INTERGOVERNMENTAL COORDINATION ELEMENT AND PUBLIC SCHOOLS FACILITIES ELEMENT PURSUANT TO CHAPTER 163.3177 F.S.; PROVIDING FOR FINDINGS OF CONSISTENCY; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY AND APPLICABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, The City of Bunnell has authorized the filing of an application to amend the Comprehensive Plan of the City of Bunnell in the manner set forth herein; and

**WHEREAS**, the City provided legal notice in accordance with Chapter 166.041(3)(c) F.S. and the City of Bunnell Land Development Code; and

**WHEREAS**, The Planning, Zoning and Appeals board recommended approval of these amendments at the May 20, 2010, June 17, 2010 and June 21, 2011 PZA meetings; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF BUNNELL:**

**Section 1: FINDINGS.**

That the application from The City of Bunnell to amend the Comprehensive Plan of the City of Bunnell is consistent with the standards of Chapter 163.3177. and the City of Bunnell Comprehensive Plan.

**Section 2: CITY OF BUNNELL COMPREHENSIVE PLAN AMENDMENT.**

The Comprehensive Plan of the City of Bunnell shall be amended as follows:

1. The Future Land Use Element, Conservation Element, Infrastructure Element, Housing Element, Recreation and Open Space Element, Traffic Circulation Element, Intergovernmental Coordination Element and Public Schools Facilities Element shall be amended as indicated in Appendix A.

**Section 3. CONFLICTING PROVISIONS.** All conflicting Ordinances and Resolutions, or parts thereof in conflict with this Ordinance, are hereby superseded by this Ordinance to the extent of such conflicts.

**Section 4. SEVERABILITY AND APPLICABILITY.** If any portion of this Ordinance is for any reason held or declared to be unconstitutional, inoperative, or

void, such holding shall not affect the remaining portions of this Ordinance. If this Ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any other person, property, or circumstance.

**Section 5: EFFECTIVE DATE**

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government 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 Administration 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.

First Reading: Approved on this 11<sup>th</sup> day of October 2010.

Second Reading: Adopted on this 27<sup>th</sup> day of June 2011.

**CITY COMMISSION, City of Bunnell, Florida.**

By: Catherine D. Robinson  
**Catherine D. Robinson, Mayor**

**Approved for form and content by:**

Sidney M. Nowell  
**Sidney M. Nowell, Esq., City Attorney**

**Seal:**

**Attest:**

Daniel E. Davis  
**Daniel E. Davis, CMC, City Clerk**

