

Introduced by: Council Member Chris Hoffman

1st Reading: June 1, 2020

2nd Reading: June 15, 2020

ORDINANCE NO. 2020-8144

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ADOPTING AMENDMENTS TO THE JACKSONVILLE BEACH 2030 COMPREHENSIVE PLAN COASTAL MANAGEMENT ELEMENT TO ADOPT NEW POLICIES AND OBJECTIVES TO MEET THE PERIL OF FLOOD REQUIREMENTS OF SECTION 163.3178(2)(f), FLORIDA STATUTES, PROVIDING DIRECTIONS TO THE PLANNING AND DEVELOPMENT DEPARTMENT; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville Beach (“City”) City Council adopted a Comprehensive Plan for the City by Ordinance No. 7474; and

WHEREAS, pursuant to Section 163.3178(2)(f), Florida Statutes, the City is required to amend the adopted Comprehensive Plan Coastal Management Element to include “Peril of Flood” policies that provide a redevelopment component that outlines principles that must be used to eliminate inappropriate and unsafe development in coastal areas when opportunities arise; and

WHEREAS, the City has initiated an amendment to the 2030 Comprehensive Plan in order to incorporate new objectives and policies to the Coastal Management Element of the Comprehensive Plan to meet the “Peril of Flood” requirements of Section 163.3178, Florida Statutes; and

WHEREAS, Section 163.3184, Florida Statutes, provides that a local government shall, following an advertised public hearing, transmit by affirmative vote of not less than a majority of the members of the governing body present at the hearing, proposed comprehensive plan amendments to the applicable reviewing agencies and local governments; and

WHEREAS, on March 9, 2020, the City Planning Commission, acting as the Local Planning Agency at an advertised public hearing, unanimously recommended transmittal of the proposed amendments in application PC#5-20, to the Florida Department of Community Affairs; and

WHEREAS, on April 6, 2020, the Jacksonville Beach City Council adopted Resolution No. 2057-2020, tentatively approving the proposed amendment to the 2030 Comprehensive Plan, application PC#5-20, and authorized the transmittal of same for review by the Florida Department of Economic Opportunity (DEO) and other State agencies; and

WHEREAS, after receiving comments from the reviewing agencies, Section 163.3184(3)(c)1., Florida Statutes, requires a local government to hold a second public hearing on whether to adopt one or more comprehensive plan amendments; and

WHEREAS, the application has been reviewed and the changes proposed therein are deemed to be consistent with the overall adopted 2030 Comprehensive Plan, and the City has been instructed by the DEO that it may proceed with the adoption of the proposed Comprehensive Plan Text amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF JACKSONVILLE BEACH AS FOLLOWS:

SECTION 1. That the proposed amendments to the Coastal Management Element of the 2030 Comprehensive Plan, as set forth in "Exhibit A" to this Ordinance, are hereby approved.

SECTION 2. If any provision or portion of this amendment is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions or portions of this amendment shall remain in full force and effect.

SECTION 3. The Planning and Development Department is directed to transmit the comprehensive plan amendments as set forth in "Exhibit A", as adopted by City Council, to all necessary and required agencies, in accordance with Florida law.

SECTION 4. This comprehensive plan amendment shall become effective 31 days after the state land planning agency notifies the City that the plan amendment package is complete.

AUTHENTICATED THIS 15 DAY OF June, 2020.



William C. Latham, MAYOR



Laurie Scott, CITY CLERK