

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, ADOPTING AN AMENDMENT TO ITS COMPREHENSIVE DEVELOPMENT PLAN IN ACCORDANCE WITH THE MANDATES SET FORTH IN SECTION 163.3184, ET SEQ., FLORIDA STATUTES, PURSUANT TO PRIVATELY-INITIATED APPLICATION # CPA 2023-01 WHICH PROVIDES FOR AMENDMENTS TO THE TEXT AT "FUTURE LAND USE ELEMENT" IN ORDER TO ALLOW FOR RESIDENTIAL USES IN ELIGIBLE PARCELS WITHIN A COMMERCIAL LAND USE DESIGNATED AREA, MODIFY THE COMMERCIAL FLOOR AREA RATIO AND ESTABLISH MAXIMUM NUMBER OF STORIES AND NO DENSITY LIMIT FOR RESIDENTIAL USES; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the State Legislature of the State of Florida has mandated that all municipalities draft and adopt Comprehensive Development Plans to provide thorough and consistent planning with regard to land within their corporate limits; and

WHEREAS, all amendments to the Comprehensive Development Plan must be adopted in accordance with detailed procedures which must be strictly followed; and

WHEREAS, the Town of Mangonia Park, Florida, has received privately-initiated application # CPA 2023-01 requesting an amendment to the Comprehensive Development Plan of the Town of Mangonia Park, which is more specifically described in Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the Town of Mangonia Park, Florida, has carefully prepared an amendment to its Comprehensive Development Plan in order to amend the Future Land Use Element pursuant to the privately-initiated application; and

WHEREAS, the Town of Mangonia Park has held all duly required public hearings; both prior to submission of the proposed amendments of the plan to the State Department of Economic Opportunity and after the proposed amendment of the plan was returned to the Town of Mangonia Park, in accordance with Chapter 163.3184, Florida Statutes; and

WHEREAS, the Town Council desires to adopt certain amendments to its current

Comprehensive Development Plan to guide and control the future development of the Town, and to preserve, promote and protect the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MANGONIA PARK, FLORIDA, THAT:

Section 1. The Town of Mangonia Park Comprehensive Development Plan is hereby amended at the “Future Land Use Element” to allow for residential uses in eligible parcels within a commercial land use designated area, modify the commercial floor area ratio and establish maximum number of stories and no density limit for residential uses, as more specifically set forth on Exhibit “A” which is attached hereto and incorporated herein.

Section 2. A copy of the Comprehensive Development Plan, as amended, is on file in the office of the Town Clerk, Town of Mangonia Park, Florida.

Section 3. The Town Clerk is hereby directed to transmit within ten (10) working days after adoption one (1) paper copy and two (2) electronic PDF format copies of the amendment to the current Comprehensive Development Plan to the State Land Planning Agency, along with one copy to any other agency or unit of local government that timely provided comments in accordance with Section 163.3184(3)(c)2, Florida Statutes.

Section 4. Each and every other section and subsection of the Town of Mangonia Park Comprehensive Plan shall remain in full force and effect as previously adopted.

Section 5. All Ordinances or parts of Ordinances in conflict be and the same are hereby repealed.

Section 6. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a Court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder of this Ordinance.

Section 7. Specific authority is hereby given to codify this Ordinance and make it part of the Town’s Comprehensive Development Plan.

Section 8. This plan amendment shall not become effective until 31 days after

the State Land Planning Agency notifies the Town that the plan amendment is complete. If timely challenged, this amendment does not become effective until the State Land Planning Agency or Administration Commission enters a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184(3)(c)4, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

FIRST READING this 31st day of May, 2023.

SECOND AND FINAL READING this 18th day of July, 2023.

TOWN OF MANGONIA PARK

COUNCILMEMBERS:

VOTE:

Mayor William H. Albury, III
Vice Mayor Sarita C. Johnson
Council Member Kelisha Buchanan-Webb
Council Member Lisa Davis-Quince
Council Member Clarence R. McConnell

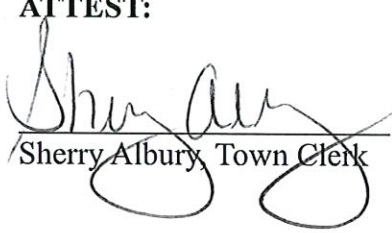
AYE NAY

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>


WILLIAM H. ALBURY, III, MAYOR

(TOWN SEAL)

ATTEST:


Sherry Albury, Town Clerk