

ORDINANCE NO. 17-04-03

AN ORDINANCE OF THE CITY OF NICEVILLE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DATED MARCH 10, 2015 OF THE NICEVILLE COMPREHENSIVE PLAN, ORDINANCE NO 90-10, AND AS AMENDED BY ORDINANCES NO. 00-03-03 AND 15-05-01; PROVIDING FOR UPDATE TO THE PROVISIONS OF FUTURE LAND USE MAP (FLUM) DATED MARCH 10, 2015; PROVIDING FOR SAID AMENDMENT TO INCLUDE LOTS 15 AND 16, NICEVILLE HEIGHTS ADDITION TO VALPARAISO AND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" LOCATED AT 121 HART STREET, NICEVILLE, FLORIDA, 32578; PROVIDING FOR FUTURE LAND USE CATEGORY DESIGNATION OF C-COMMERCIAL LAND USE CATEGORY; PROVIDING FOR AUTHORITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, The City of Niceville has the inherent authority to enact this Ordinance pursuant to Section 166.021, Florida Statutes and its City Charter.

WHEREAS, The Niceville City Planning Commission held an advertised public hearing for this proposed Ordinance, to update the provisions of Future Land Use Map (FLUM) to include Lots 15 and 16, Niceville Heights Addition to Valparaiso, which provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process, and recommended that the City Council hold a public hearing to adopt the Ordinance; and

WHEREAS, The City Council has held advertised public hearings for the first, second and third readings of this proposed Ordinance to update the provisions of Future Land Use Map (FLUM) to include Lots 15 and 16, Niceville Heights Addition to Valparaiso which provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process; and

WHEREAS, The City Council has considered the revised amendments to the City of Niceville Comprehensive Plan under this Ordinance and to update the provisions of the Future Land Use Map (FLUM) to include Lots 15 and 16, Niceville Heights Addition to Valparaiso and has determined that adoption of said Ordinance is in the best interest of the City and its citizens; and

WHEREAS, The effective date of this small scale development plan shall become effective 31 days after adoption, unless the amendment is challenged pursuant to Section 163.3184, Florida Statutes. If challenged within thirty (30) days after adoption, small scale development amendments do not become effective until the state land planning agency, Department of Community Affairs, or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance with Section 163.3184, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the City of Niceville, Florida:

SECTION 1. Ordinance No. 90-10, and as amended by Ordinances No. 00-03-03 and 15-05-01, the title of the which is stated above, is hereby amended to include the updated Future Land Use Map (FLUM) dated March 10, 2015, to include Lots 15 and 16, Niceville Heights Addition to Valparaiso and more particularly described in Exhibit "A" located at 121 Hart Street, Niceville, Florida, containing 0.66 acres, more or less and providing for future land use category designation of C-Commercial land use category.


SECTION 2. The effective date of this small scale plan development plan shall become effective 31 days after adoption, unless the amendment is challenged pursuant to Section

163.3184, Florida Statutes. If challenged within thirty (30) days after adoption, small scale development amendments do not become effective until the state land planning agency, Department of Community Affairs, or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance with Section 163.3184, Florida Statutes. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

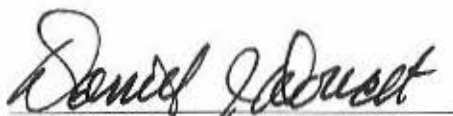
SECTION 3. This Ordinance is declared severable and any provision declared invalid shall not affect the other provisions hereof.

SECTION 4. This Ordinance shall become effective upon adoption upon third and final reading and approval in accordance with the City Charter.

PASS AND ENACTED in regular session upon this third and final reading this 11th day of April, 2017.


MAYOR

ATTEST:


CITY CLERK