

**SECTION VII
COMPREHENSIVE PLAN ADOPTION ORDINANCE**

ORDINANCE NO. 847

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF MILTON, FLORIDA AMENDING, REVISING, AND REPLACING IN ITS ENTIRETY THE COMPREHENSIVE PLAN OF MILTON, FLORIDA, WHICH WILL CONTROL FUTURE LAND USE, GUIDE PUBLIC FACILITIES, AND PROTECT NATURAL RESOURCES PURSUANT TO THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT (CHAPTER 163, PART II, FLORIDA STATUTES), INCLUDING A FUTURE LAND USE ELEMENT; TRAFFIC CIRCULATION ELEMENT; HOUSING ELEMENT; SANITARY SEWER, SOLID WASTE, DRAINAGE, POTABLE WATER, AND NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT; CONSERVATION ELEMENT; RECREATION AND OPEN SPACE ELEMENT; INTERGOVERNMENTAL COORDINATION ELEMENT; AND CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR A MONITORING AND EVALUATION PROCEDURES SECTION; A CONSISTENCY DETERMINATION AND CONCURRENCY MANAGEMENT SECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the City Council for the City of Milton, Florida:

WHEREAS, Chapter 163, Florida Statutes, empowers the City Council for the City of Milton to prepare and enforce comprehensive plans for the development of the City; and

WHEREAS, Section 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the City Council for the City of Milton to (a) plan for the city's future development and growth; (b) adopt a revised comprehensive plan, or element or portions thereof, to guide the future growth and development of the city; (c) implement the revised comprehensive plan by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

WHEREAS, the Milton Planning Board has been established by ordinance on June 12, 1973; and

WHEREAS, the Planning Board for the City of Milton acted as the Local Planning Agency for the City of Milton in preparation and recommendation of a revised comprehensive plan, and

WHEREAS, the Milton Planning Board has undertaken and prepared an Evaluation and Appraisal Report, as specified in Section 163.3191, Florida Statutes, setting forth an assessment and evaluation of the City of Milton Comprehensive Plan, adopted June 9, 1981; and

WHEREAS, pursuant to Section 163.3191, the Evaluation and Appraisal Report recommended by the Milton Planning Board is hereby adopted by the City Council for the City of Milton; and

WHEREAS, citizens, and technical advisory committees assisted in formulating goals, objectives, and policies for the revised comprehensive plan;

WHEREAS, supporting data and analysis documentation was prepared as background and justification for the revised comprehensive plan's goals, objectives, and policies;

WHEREAS, the Milton Planning Board, empowered by above-cited laws and ordinances, and by Sections 163.3161 through 163.3215, Florida Statutes, revised the above-cited City of Milton Comprehensive Plan, altering it in its entirety to address more adequately and prepare for Milton's future development and growth; and

WHEREAS, the Milton Planning Board has, in the preparation of the revised version of the City of Milton Comprehensive Plan, caused the performance of necessary studies and surveys; the collection of relevant and appropriate data; the holding of numerous public hearings, public workshops, and public meetings; and has effectively provided for fully public participation, notice to real property owners, broad dissemination of proposals and alternatives, opportunity for written comments, open discussion, communication programs, information services and consideration and response to public and official comments; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, the Milton Planning Board as the Local Planning Agency held several public hearings on the amended version of the City of Milton Comprehensive Plan with due public notice having been provided, and having reviewed and considered all comments received during the public hearings and having provided for necessary revisions, on February 6, 1990, recommended the amended version of the City of Milton Comprehensive Plan to the City Council for the City of Milton for approval; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Council for the City of Milton held several public work sessions and public meetings, and public hearings on the revised version of the comprehensive plan, with due public notice having been provided, to obtain public comment, and having considered all written and oral comments received during said work sessions and public hearings, and having provided for necessary revisions, on March 5, 1990, approved the comprehensive plan, as revised in its entirety, for transmittal to the State Land Planning Agency (Department of Community Affairs) for review and comment; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Council for the City of Milton on March 9, 1990, transmitted ten (10) copies of the revised version of the comprehensive plan to the Department of Community Affairs as the State Land Planning Agency for written comment, and transmitted one (1) copy to each of the local government or governmental agencies in the State of Florida having filed with the City Council for the City of Milton a request for a copy of the revised version of the comprehensive plan; and

WHEREAS, the Department of Community Affairs, by letter dated July 10, 1990, transmitted its objections, recommendations and comments on the amended version of the comprehensive plan; and

WHEREAS, the revised version of the comprehensive plan was further revised in view of objections, recommendation, and comments by the Department of Community Affairs; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, on September 11, 1990, the City Council for the City of Milton held a public hearing, with due public notice having been provided, on the revised version of the comprehensive plan, and with written advance notice of such public hearing having been provided to the State Land Planning Agency; and

WHEREAS, the City Council for the City of Milton further considered all oral and written comments received during public hearings, including the data collection and analyses packages, the recommendations of the Milton Planning Board, and objections, recommendations and comments of the Department of Community Affairs; and

WHEREAS, in exercise of its authority the City Council for the City of Milton has determined it necessary and desirable to adopt the amended version of the comprehensive plan to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources, consistent with the public interest; overcome present handicaps; and deal effectively with future problems that may result from the use and development of land within the City of Milton.

NOW, THEREFORE, BE IT ORDAINED by the City Council for the City of Milton, Florida, as follows:

Section 1. Purpose and Intent.

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Section 163.3161 through 163.3215, Florida Statutes, and Chapter 163, Florida Statutes, as amended.

Section 2. Title of Comprehensive Plan.

The revised version of the comprehensive plan for the City of Milton, shall be entitled "The City of Milton Comprehensive Plan."

Section 3. Milton Future Land Use Element.

The Milton Future Land Use Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated maps, appendices, tables or exhibits.
- (b) Plan implementation requirements.
- (c) Future Land Use Map.

Section 4. Traffic Circulation Element.

The Traffic Circulation Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated appendices, tables, or exhibits.
- (b) Future Traffic Circulation Map.

Section 5. Housing Element.

The Housing Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated appendices, tables, or exhibits.

Section 6. Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element.

The Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated appendices, tables, or exhibits.

Section 7. Conservation.

The Conservation Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated appendices, tables, or exhibits.
- (b) Any maps incorporated by reference.

Section 8. Recreation and Open Space Element.

The Recreation and Open Space Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated appendices, tables, maps, or exhibits.

Section 9. Intergovernmental Coordination Element.

The Intergovernmental Coordination Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated appendices, tables, or exhibits.

Section 10. Capital Improvements Element.

The Capital Improvements Element of the City of Milton Comprehensive Plan is hereby adopted to include:

- (a) Goals, objectives, and policies, including definitions, and any specifically incorporated appendices, tables, or exhibits.
- (b) Schedule of capital improvement.
- (c) Procedures for annual monitoring and evaluation.

Section 11. Monitoring and Evaluation Section.

The Monitoring and Evaluation Section of the City of Milton Comprehensive Plan is hereby adopted to include the text incorporated in the Comprehensive Plan.

Section 12. Consistency Determination and Concurrency Management Section.

The Consistency Determination and Concurrency Management Section of the City of Milton Comprehensive Plan is hereby adopted to include the text incorporated in the Comprehensive Plan.

Section 13. Applicability and Effect.

The applicability and effect of the City of Milton Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance.

Section 14. Severability.

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

Section 15. Copy on File.

- (a) A certified copy of the enacting Ordinance, as well as certified copies of the City of Milton Comprehensive Plan and any amendments thereto, shall be filed with the Milton City Clerk.
- (b) To make the City of Milton Comprehensive Plan available to the public, a certified copy of the enacting Ordinance, as well as certified copies of the City of Milton Comprehensive Plan and any amendments thereto, shall be located in the Clerk's Office of the City of Milton. The Clerk shall also make copies available to the public for a reasonable publication charge.

Section 16. Effective Date.

This Ordinance shall take effect immediately upon adoption by the City Council for the City of Milton.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the City Council for the City of Milton, Florida this 11th day of September, 1990.

CITY COUNCIL FOR THE CITY OF
MILTON, FLORIDA

By: Clyde L. Hooley

ATTEST:

BY: Dorothy Niles
CITY CLERK

FIRST READING: 8-28-90

SECOND READING: 9-11-90
