BEFORE THE CITY COMMISSION

CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2458-2020

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN TO UPDATE THE FIVE YEAR COMMUNITY INVESTMENT PROGRAM INCLUDED WITHIN THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Stuart, Florida, has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, formerly known as the Local Government Comprehensive Planning and Development Act, and now known as the Growth Policy Act; and

WHEREAS, the Florida Department of Economic Opportunity, previously determined the City's Comprehensive Plan was in compliance with the Growth Policy Act; and

WHEREAS, the Department of Economic Opportunity provided the City a comment in the City's Evaluation and Appraisal Report (EAR) Objections, Recommendations and Comments (ORC) letter stating that the Five -Year Schedule of Capital Improvements is a required component of the Capital Improvement Element pursuant to Section 163.3177(3)(a)4, F.S. and (b), F.S.; and

WHEREAS, the City Commission has considered this ordinance for adoption to update the Capital Improvement Element of the City's Comprehensive Plan as set forth in attached Exhibit "A"; and

WHEREAS, the City Commission has conducted the required public hearings in accordance with Florida Statutes to adopt this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The Whereas clauses are incorporated herein as the legislative findings of the City Commission.

SECTION 2: The City established this Ordinance, hereby amending the Comprehensive Plan as set forth in the attached **Exhibit "A",** which in incorporated herein.

SECTION 3: Severability. If any section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held by a court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

SECTION 4: Repeal of Laws in Conflict. All ordinances or parts of ordinances herewith are herby repealed to the extent of such conflict.

SECTION 5: The provisions of this ordinance shall be codified.

SECTION 6: This ordinance shall take effect upon adoption.

Attachment: Exhibit "A" – Plan Amendments Amending the Updated 5-Year Community Investment Program for Fiscal Years 2021 – 2025.

Passed on first reading the ____ day of _____, 2020.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

	YES	NO	ABSENT	ABSTAIN
MICHAEL J. MEIER, MAYOR				
EULA R. CLARKE, VICE MAYOR				
BECKY BRUNER, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				

ADOPTED this ___ day of _____, 2020.

ATTEST:

_____ _____

MARY R. KINDEL MICHAEL J. MEIER

CITY CLERK MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____

MICHAEL J. MORTELL

CITY ATTORNEY