

**INTRODUCED BY:**

**MAYOR ELAINE BROWN  
VICE MAYOR FRED JONES  
COUNCILOR KERRY CHIN  
COUNCILOR LAUREN KEY  
COUNCILOR JOSH MESSINGER**



**ORDINANCE NO. 2021-03**

***A BILL TO BE ENTITLED***

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA ADOPTING THE 2021-2046 COMPREHENSIVE LAND USE PLAN; GOALS, OBJECTIVES AND POLICIES; THE FUTURE LAND USE ELEMENT; TRANSPORTATION ELEMENT; HOUSING ELEMENT; INFRASTRUCTURE ELEMENT; COASTAL MANAGEMENT AND CONSERVATION ELEMENT; RECREATION AND OPEN SPACE ELEMENT; INTERGOVERNMENTAL COORDINATION ELEMENT; CAPITAL IMPROVEMENTS ELEMENT; PUBLIC SCHOOL FACILITIES ELEMENT; ESTABLISHING THE FUTURE LAND USE MAP PROVIDING FOR INTENT; AUTHORITY; FINDINGS OF CONSISTENCY; FINDINGS OF FACT; SEVERABILITY; RECORDATION AND AN EFFECTIVE DATE.

**WHEREAS**, Chapter 125 and Section 163.3161- 163.3215, Florida Statutes, empowers and requires the City Council for the City of Neptune Beach, Florida, prepare, implement, and enforce Comprehensive Plans and Land Development Regulations for the regulation of development within the City; and

**WHEREAS**, Section 163.3184 Florida Statutes, establishes the process for the adoption for the Comprehensive Plan or Amendment; and

**WHEREAS**, after required notice was published, public workshops and public hearings of the proposed ordinance were held, in accordance with Section 163.3184(11) Florida Statutes;

**NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL ON BEHALF OF THE PEOPLE OF THE CITY OF NEPTUNE BEACH, FLORIDA:**

**SECTION 1. INTENT.** The purpose of this ordinance is to adopt the 2021-2046 Comprehensive Plan and to provide for the orderly growth of the City and to exercise the authority and perform the duties as required and set forth with Sections 163.3161- 163.3215, Florida Statutes. The first reading being for transmittal and the second reading to adopt Ordinance 2021-03 following all required approvals, then Ordinance 2021-03 shall be deemed adopted.

**SECTION 2. AUTHORITY.** This ordinance is adopted pursuant to Chapter 163, Florida Statutes, and the Constitution of the State of Florida, as may be amended from time to time.

**SECTION 3. ADOPTION OF MAPS.** The Future Land Use Map and all Maps included within the 2021 Comprehensive Plan Map Series are adopted as part of the Comprehensive Plan

Amendment. In the event of any conflict between any maps and the text of the Plan, the text of the Plan shall control.

**SECTION 4. FINDINGS OF CONSISTENCY.** The City Council for the City of Neptune Beach hereby finds that this adoption of 2021-2046 Comprehensive Plan and off the associated elements, goals, objectives, policies and maps are, (i) as a whole consistent with State Comprehensive plan Section 187.201, Florida Statutes, (ii) as a whole consistent with the Northeast Florida Strategic Regional Policy Plan, and (iii) as a whole consistent with Section 163.3161-163.3215 Florida Statutes.

**SECTION 5. FINDINGS OF FACTS.** These amendments are based upon the review, process and coordination efforts between the City of Neptune Beach and other State of Florida agencies including, but not limited to the Northeast Florida Regional Council, St. Johns River Water Management District, Duval County Public Schools, Florida Department of Transportation, North Florida Transportation Planning Organization, Florida Department of Environmental Protection, and the City of Jacksonville.

**SECTION 6. SEVERABILITY.** It is declared to be the intent of the City Council for the City of Neptune Beach, that if any provision, paragraph, or section of this Ordinance, and this Plan amendment, is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed separate, distinct and independent and such holdings shall not effect or alter the remaining provisions of this ordinance or the adopted Comprehensive Plan.

**SECTION 7. EFFECTIVE DATE.** This Comprehensive Plan Amendment shall become effective on the date the State Land Planning Agency issues a final order determining the adopted amendment to be in compliance or on the date of the Florida Administration Commission issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3189, Florida Statutes and upon filing of certified copy of this Ordinance with the Secretary of State.

**VOTE RESULTS OF FIRST READING:**


Mayor Elaine Brown	YES
Vice Mayor Fred Jones	YES
Councilor Kerry Chin	YES
Councilor Lauren Key	YES
Councilor Josh Messinger	YES


Passed on First Reading for Transmittal on this 21<sup>st</sup> day of June, 2021

**VOTE RESULTS OF SECOND READING:**

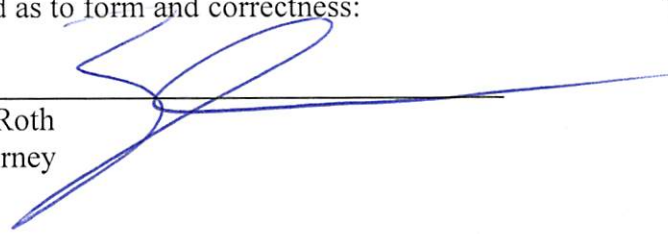
Mayor Elaine Brown	YES
Vice Mayor Fred Jones	ABSENT
Councilor Kerry Chin	YES
Councilor Lauren Key	NO
Councilor Josh Messinger	YES

Passed on Second Reading this 1<sup>st</sup> day of November, 2021.

  
Elaine Brown  
Mayor

ATTEST.  
  
Catherine Ponson, CMC  
City Clerk

Approved as to form and correctness:

  
Zachary Roth  
City Attorney

