

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE PROVIDING FOR AUTHORITY AND PURPOSE; PROVIDING A SHORT TITLE; AMENDING CHAPTER 17, DEVELOPMENT CODE ADMINISTRATION, CHAPTER 18, DEVELOPMENT REVIEW, CHAPTER 20, CONCURRENCY, CHAPTER 24, DRAINAGE & STORMWATER MANAGEMENT, AND CHAPTER 35, SUPPLEMENTAL STANDARDS OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, Florida Statutes requires local governments to adopt a comprehensive plan that shall be implemented by the adoption and enforcement of appropriate local land development regulations;

WHEREAS, the Bay County Comprehensive Plan provides that Bay County shall adopt and maintain land development regulations and a zoning code to implement the Comprehensive Plan;

WHEREAS, the Board of County Commissioners of Bay County, Florida (the “Board”), approved Ordinance No. 04-30, the Bay County Land Development Regulations;

WHEREAS, at the direction of the Board of County Commissioners to implement the Comprehensive Plan, staff proposed amendments to Chapters 17, 18, 20, 24, and 35;

WHEREAS, the Bay County Planning Commission sitting as the Bay County Land Planning Agency conducted a public hearing on April 16, 2024, to hear and consider comments from the public on the proposed amendments to the Land Development Regulations and made recommendations to the Board;

WHEREAS, the Board conducted a public hearing to consider the proposed amendments to the Land Development Regulations and considered comments from the public, staff, and the recommendations of the Planning Commission; and

WHEREAS, pursuant to Section 125.66, Florida Statutes the Board conducted a public hearing on May 21, 2024, and found the proposed amendments to the Bay County Land Development Regulations desirable and necessary to fulfill the intent of the Board and to be consistent with the Bay County Comprehensive Plan.

NOW, THEREFORE, be it ordained by the Board of County Commissioners of Bay County:

Section 1. AUTHORITY AND PURPOSE. This ordinance is adopted pursuant to the authority granted counties in Chapter 125, Florida Statutes and is enacted to provide for the health, safety and welfare of the citizens of Bay County, Florida and to implement the Bay County Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes.

Section 2. SHORT TITLE. This ordinance shall be known as “Amendments to Chapter 17, Development Code Administration, Chapter 18, Development Review, Chapter 20, Concurrency, Chapter 24, Drainage & Stormwater Management, and Chapter 35, Supplemental Standards.”

Section 3. AMENDMENT TO LAND DEVELOPMENT REGULATIONS. The Land Development Regulations are hereby amended as shown in **Exhibit 1** attached hereto.

Section 4. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason invalid or unconstitutional by the decision of

any court or regulatory body of competent jurisdiction, such decisions shall not effect the validity of the remaining portions hereof. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared illegal, invalid, or unconstitutional, and all ordinances and parts or ordinances in conflict with the provision of this ordinance are hereby repealed.

Section 5. EFFECTIVE DATE. This ordinance shall take effect as provided by law.

PASSED AND ADOPTED this 21<sup>st</sup> day of May 2024.

BOARD OF COUNTY COMMISSIONERS  
OF BAY COUNTY, FLORIDA

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Tommy Hamm, Chairman

Attest:

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Bill Kinsaul, Clerk of the Circuit Court

Approved as to form:

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Office of the County Attorney