

ORDINANCE NO. 2018-01

AN ORDINANCE BY THE TOWN OF WINDERMERE, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; AMENDING THE ADOPTED TOWN OF WINDERMERE COMPREHENSIVE PLAN, PURSUANT TO CHAPTER 163 OF THE FLORIDA STATUTES, BASED ON THE EVALUATION AND APPRAISAL OF THE TOWN'S COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3191 OF THE FLORIDA STATUTES; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, under Section 163.3191, Florida Statutes, the Town approved the required evaluation and appraisal letter of the adopted comprehensive plan on May 9, 2017, which identified the needed amendments to the Town's comprehensive plan;

WHEREAS, under Section 163.3184, Florida Statutes, the Town approved the transmittal of the proposed comprehensive plan amendments to the Florida Department of Economic Opportunity and other required review agencies on June 12, 2018;

WHEREAS, on August 21, 2018, the Town received a letter from the Florida Department of Economic Opportunity that identified no objections to the proposed comprehensive plan amendments and directed the Town to either adopt, adopt with changes, or not adopt the proposed comprehensive plan amendments within 180 days of August 21, 2018;

WHEREAS, the **Town Council** has determined that it is in the public interest to adopt the proposed comprehensive plan amendments.

NOW, BE IT ENACTED BY THE PEOPLE OF THE TOWN OF WINDERMERE, FLORIDA:

SECTION 1. ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.

The comprehensive plan amendments set forth in Exhibit "A" of this ordinance are hereby approved and adopted by the Town Council.

SECTION 2. CODIFICATION.

It is the intent of the **Town Council** that the comprehensive plan amendments shall become and be made part of the comprehensive plan of the Town. Goals, objectives, and policies of the comprehensive plan may be renumbered or reorganized for editorial or codification purposes and such renumbering or reorganization shall not constitute nor be considered a substantive change to the comprehensive plan amendments adopted.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

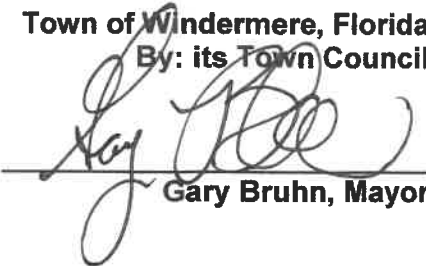
SECTION 4. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land

challenge is filed by an affected person or the State Land Planning Agency, then the comprehensive plan amendment becomes effective after the issuance of a final order by the State Land Planning Agency or the Administration Commission.

PASSED and ADOPTED at a regular meeting of the Town Council, upon second and final reading this October 9th, 2018.

Town of Windermere, Florida
By: its Town Council



Gary Bruhn, Mayor

ATTEST:



Dorothy Burkhalter, MMC, FCRM
Town Clerk



Exhibit "A"
Comprehensive Plan Amendments