

VILLAGE OF EL PORTAL, FLORIDA

ORDINANCE NO. 2021-07

AN ORDINANCE OF THE VILLAGE OF EL PORTAL, FLORIDA, ADOPTING THE EVALUATION AND APPRAISAL BASED AMENDMENTS TO THE EL PORTAL COMPREHENSIVE PLAN; THE AMENDMENTS ARE TO THE GOALS, OBJECTIVES, AND POLICIES FOR THE FOLLOWING COMPREHENSIVE PLAN ELEMENTS: FUTURE LAND USE; TRANSPORTATION; HOUSING; RECREATION AND OPEN SPACE; COASTAL MANAGEMENT; CONSERVATION; INFRASTRUCTURE; CAPITAL IMPROVEMENTS; INTERGOVERNMENTAL COORDINATION; EDUCATIONAL FACILITIES; AND INCLUDING NEW HEALTH, COMMUNITY DESIGN, AND RESILIENCE ELEMENTS; AUTHORIZING TRANSMITTAL TO FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR REVIEW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature intends that local planning be a continuous and ongoing process; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

WHEREAS, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

WHEREAS, the Village has completed its proposed Evaluation and Appraisal Report-based amendments consistent with the requirements of Chapter 163, Part II, F.S., and Rule 9J-5 and 9J-11, F.A.C.; and

WHEREAS, the Village Council, upon first reading of this Ordinance, authorized transmittal of the EAR-Based Amendments to the Florida Department of Economic Opportunity (formerly Department of Community Affairs) and review agencies for the purpose of a review in accordance with Sections 163.3184, 163.3187, 163.3189 and 163.3191, Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF THE VILLAGE OF EL PORTAL, FLORIDA, THAT:

Section 1. The Village Council hereby approves the Village of El Portal Draft Comprehensive Plan Evaluation and Appraisal Report (EAR) Based Amendments, attached as Exhibit “A”, at the public hearing held on October 27, 2020.

Section 2. The Village Council hereby recommends transmittal of the Village of El Portal Comprehensive Plan EAR-Based Amendments to the Florida Department of Economic Opportunity in accordance with Florida Statute 163.3191.

Section 3. **RECORDING.** The Village Clerk shall record this Ordinance in the Public Records of Miami-Dade County, Florida.

Section 9. **REPEALER.** That all sections or parts of sections of the Village Code, all ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 5. **SEVERABILITY.** That should any section or provision of this Ordinance, or any paragraph, section or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof, as a whole or part hereof, other than the part declared to be invalid.

Section 6. **EFFECTIVE DATE.** This Ordinance shall be effective immediately upon adoption on second reading.

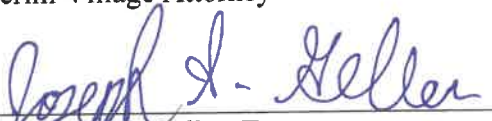
PASSED AND ADOPTED by the Village Council of the Village of El Portal, Florida this ____ day of OCTOBER, 2020, on first reading.

PASSED AND ADOPTED by the Village Council of the Village of El Portal, Florida this 27 day of JULY, 2021, on second reading.


Omarr C. Nickerson, Mayor

ATTEST: 
Yenise Jacobi, Village Clerk

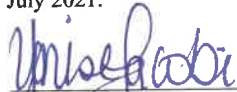
Approved as to form and legal sufficiency:
Interim Village Attorney

By: 
Joseph Geller, Esq.

Vote: Not: Lightfoot ward 2nd: Martin

- Councilperson Martin: (Yes) ___ (No)
- Councilperson Lightfoot: (Yes) ___ (No)
- Councilperson Pirela: (Yes) ___ (No)
- Vice Mayor Urbom: (Yes) ___ (No)
- Mayor Nickerson: (Yes) ___ (No)

I, Yenise Jacobi, Village Clerk of the Village of El Portal, Miami-Dade County, Florida, do hereby certify that this is a true and correct copy of Ordinance No.: 2020 - __ adopted on July 27th, 2021, as shown in the Official Records of the Village of El Portal, Miami-Dade County, Florida. Given under my hand and seal, this 27th day of July 2021.


Yenise Jacobi
Village Clerk