

**TOWN OF YANKEETOWN
ORDINANCE NO. 2023-04**

AN ORDINANCE OF THE TOWN OF YANKEETOWN FLORIDA PROVIDING FOR AMENDMENT TO THE TOWN OF YANKEETOWN LAND DEVELOPMENT CODE; ADDING TO SECTION 18-2 A DEFINITION FOR “REDEVELOPMENT”; PROVIDING EFFECTIVE DATES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF YANKEETOWN, FLORIDA, AS FOLLOWS:

WHEREAS, the TOWN COUNCIL has requested and received the recommendation of the Planning and Zoning Commission with regard to amendment of the Land Development Code to provide a definition of the term “Redevelopment” which currently appears in the Land Development Code without definition; and

WHEREAS, the TOWN COUNCIL has considered and reviewed the proposed definition and Land Development Code amendment, received public comment through at least two (2) public hearings on the proposed definition and amendment; and

WHEREAS, the TOWN COUNCIL has received and considered any and all comment letters from the state and other commenting agencies; and

WHEREAS, the TOWN COUNCIL has determined that the adoption of this Ordinance is in the best interest of the public health, safety and welfare and meets state requirements,

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE YANKEETOWN TOWN COUNCIL TO ADOPT THE LAND DEVELOPMENT CODE AMENDMENTS AS FOLLOWS:

AMENDMENT OF Sec. 18-2; ADDITION OF DEFINITION OF “REDEVELOPMENT”

Amended Land Development Code text (underline and ~~strikethrough~~):

Sec. 18-2. - DEFINITIONS.

.....

Redevelopment means the additional development of a parcel which additional development materially increases the intensity of the use of the parcel. An increase in intensity of the use of a parcel shall be measured against the intensity of the use of the parcel as last permitted or, if unpermitted, as existing prior to any redevelopment. A material increase in the intensity of the use of a parcel shall mean:

- (i) an increase in the square footage of buildings on the property by 10%;
- (ii) any alteration or change in the use of the parcel which increases the estimated number of trips to be generated from the parcel by 10%; or
- (iii) any other alteration of the use of the parcel which would, if permitted together with the pre-alteration use of the parcel, require under the Land Development Code or other governmental regulations an increase by 10% or more of sewer capacity, drainage retention, or parking requirements.

Section 2. SEVERABILITY. If any section, sentence, phrase, word, or portion of this Ordinance proves to be invalid, unlawful or unconstitutional, it shall not be held to impair the validity of the Ordinance or effect of any other action or part of this Ordinance.

Section 3. EFFECTIVE DATE OF INDEPENDENT QUESTIONS. The code amendments shall become effective upon passage by the Town Council pursuant to Section 15 of the Town Charter and shall be incorporated into and become a part of the Town of Yankeetown Code of Ordinances.

Section 4. REPEAL OF ORDINANCES IN CONFLICT. Any portion of any ordinance in conflict with the Town of Yankeetown Charter, to the extent of such conflict, is hereby repealed and compliance is required with the Town of Yankeetown Charter as may be amended by the voters.

FIRST HEARING HELD ON _____, 2023.

SECOND HEARING HELD ON _____, 2023.

PASSED AND DULY ADOPTED, with a quorum present and voting, this ___ day of _____, 2023, by a vote of _____ yeas and _____ nays.

TOWN OF YANKEETOWN, FLORIDA, BY AND THROUGH THE TOWN COUNCIL OF THE TOWN OF YANKEETOWN

By: _____
ERIC ERKEL, Mayor of Yankeetown

ATTEST:

By:

WILLIAM ARY, Town Clerk

NORM FUGATE, Town Attorney