

I. GENERAL PROVISIONS

A. TITLE

This code shall be known and may be cited as “The Land Development code of the City of Apalachicola, Florida.”

B. AUTHORITY

This code, together with all future amendments thereto, is adopted under the terms granted by Chapter 166, Florida Statutes, as well as Article VIII, 2 (b) Florida Constitution. The Governing Body does hereby exercise the power to classify land within the jurisdiction of the Local Government into zoning classifications, requests for special exceptions and requests for variances; to hear appeals on any divisions; and to review and approve and disapprove plats for subdivision of land.

C. PURPOSE AND INTENT

The purpose of this code and the districts and regulations herein set forth is to provide for orderly growth; to encourage the most appropriate use of land; to protect and conserve the value of property; to prevent the overcrowding of land; to promote, protect and improve the health, safety, comfort, good order, appearance, convenience, morals and general welfare of the public; to help accomplish the goals and objectives of the Comprehensive Plan; and to provide a safe environment by protection of water quality and natural resources. Further:

1. In Interpreting and applying the provisions of the code, these provisions shall be held to be the minimum requirements for the promotion of health, safety, morals and general welfare of the community.
2. It is not intended by this code to interfere with or abrogate or annul any easements, covenants or other agreements between parties. Where any provisions of the code imposes restrictions different from imposed by any other provision of this code or any other ordinance, rule or regulation, or other provision of law, which ever provisions are more restrictive or impose higher standards shall control.

D. JURISDICTION

The provisions of this code shall apply to all land, buildings, and structures and to the uses within the jurisdiction of the Local Government. No land shall be used or, no building or structure constructed, moved, added to or enlarged, altered or maintained, except in conformity with the provisions of the code.

E. EFFECTIVE DATE

The provisions of this code take effect and shall be enforced immediately after its adoption.

F. SEVERABILITY CLAUSE

If any court of competent jurisdiction holds any provision of this ordinance invalid or unconstitutional, such a decision shall not affect the validity of any other provision of this code.

G. AMENDMENTS

For the purpose of providing for the public health, safety and general welfare, the Governing Body may, from time to time, amend the provisions imposed by this code. The

Governing Body and the Planning and Zoning Commission shall hold public hearings on all proposed amendments in the manner prescribed by law.