

CHAPTER 1

GENERAL PROVISIONS

SECTION 1: TITLE

This code shall be entitled the “Land Development Code of the City of Umatilla, Florida”, otherwise known as the “Development Code”, and may be referred to herein as the “Code”.

SECTION 2: AUTHORITY

This Land Development Code is enacted pursuant to the requirements and authority of Section 163.3202, Florida Statutes, (the Local Government Comprehensive Planning and Land Development Regulation Act), the City Charter, effective January 1, 1964, and the general powers in Chapter 166, Florida Statutes (city government).

SECTION 3: PURPOSE AND INTENT

The City has developed this unified Land Development code to implement the Comprehensive Plan and to streamline the development review process. This Code sets forth regulations, requirements and procedures governing the use and development of land for the purpose of protecting the health, safety and general welfare of the citizens of the City and to enhance the appearance, function and livability of the City, to the end of improving the overall quality of life within the community.

As required by Chapter 163.3202, Florida Statutes, this Code contains specific and detailed provisions which regulate the subdivision of land; the use of land and water, areas subject to flooding, environmentally sensitive lands, signage, stormwater management and protection of potable water well fields. This Code also requires that all developments be reviewed for the development’s impact on public facilities and services and that adopted levels-of-services are maintained.

SECTION 4: CONSISTENCY WITH COMPREHENSIVE PLAN

This Code incorporates new authorizations, requirements and regulations to implement the objectives and policies of the Comprehensive Plan, and to ensure that all land development activities within the City are consistent with and further the goals, objectives, policies, land uses, densities and intensities in the City’s Comprehensive Plan.

It is recognized however, that situations may arise in the daily administration and enforcement of this Code whereby strict interpretation and enforcement of the Code may

be contrary to the goals, objectives and policies of the Comprehensive Plan. Such situations may arise due to changes in land development priorities or economics, new issues which were not anticipated at the time this Code was drafted and adopted, or the inability to meet competing goals through a single action. In these situations, the goals and policies of the Comprehensive Plan shall take precedence and the Development Code shall be interpreted and administered consistent with the overall goals, objectives and policies of the Comprehensive Plan as interpreted by the City Council, until such time that the Code and/or Comprehensive Plan can be amended to resolve any conflict.

SECTION 5: **JURISDICTION**

The provisions of this Code shall apply to all developments of land within the corporate limits of the City of Umatilla, Florida, as now or hereafter defined, and all areas under jurisdiction of the City for land use planning and development control as specified in any applicable interlocal planning agreements.

SECTION 6: **GENERAL INTERPRETATION**

In the interpretation and administration of this Code, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the City; and
- c) Deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION 7: **DELEGATION OF AUTHORITY**

Whenever a provision appears requiring the Administrative Official, the head of a department or some other City officer or employee to perform an act or duty, it is to be construed to authorize delegation to subordinates to perform the required act of duty, unless the terms of the provision specify otherwise or such delegation would be contrary to the spirit and intent of this Code.

SECTION 8: **RELATIONSHIP OF SPECIFIC TO GENERAL PROVISIONS**

More specific provisions of this Code shall be followed in lieu of more general provisions which may be more lenient than, or in conflict with, the more specific provision.

SECTION 9: **CONFLICTING LANGUAGE OR PROVISIONS**

In the case of conflict within this Code, or between this Code and other codes or ordinances, the language or provision which is most restrictive or imposes the highest standard shall apply.

SECTION 10: **SEVERABILITY**

If any provision of this Code or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the Code which can be given effect without the invalid provision or application, and to this end the provisions of this Code are declared severable.

SECTION 11: **REPEALER**

The following ordinances and sections of the Code of Ordinances are hereby repealed:

- a) Ordinance 1974-C, Article I, Zoning Code.
- b) Ordinance 1974-D, Article I, Subdivision Regulations
- c) Chapter 3, Article I, II, and III, Airport
- d) Chapter 6, Articles II through XIV, Buildings and Building Regulations.
- e) Chapter 16, Planning
- f) Chapter 18, Signs
- g) Any other ordinance or part of an ordinance in conflict with this Code.

SECTION 12: **EFFECTIVE DATE**

The provisions of this Code shall be effective upon its adoption by the City Council.