

ORDINANCE NO. 760

AN ORDINANCE ADOPTING A LARGE SCALE FUTURE LAND USE MAP AMENDMENT TO THE CITY OF DEFUNIAK SPRINGS COMPREHENSIVE PLAN; SETTING FORTH AUTHORITY FOR ADOPTION; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR A CAP ON THE ALLOWABLE DENSITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the City of DeFuniak Springs adopted Ordinance 669, November, 2000 (Comprehensive Plan) and Ordinance 577, March 1991 (Land Development Code); and

WHEREAS, CHAPTER 163, Florida Statutes, requires local governments desiring to revise their comprehensive plan and land development regulations to prepare and adopt comprehensive plan and land development regulation amendments; and

WHEREAS, the City of DeFuniak Springs has prepared a comprehensive plan future land use map amendment and a zoning map amendment; and

WHEREAS, the City of DeFuniak Springs Planning Board has made its recommendations to the City of DeFuniak Springs City Council; and

WHEREAS, after due public notice, the City of DeFuniak Springs held the requisite public hearings to afford opportunity for public comments concerning the large scale future land use map amendment and zoning map amendment;

WHEREAS, the DeFuniak Springs City Council previously adopted Ordinance 757 to change the land use classification, but said ordinance was not acceptable to the Florida Department of Community Affairs and the City Council of DeFuniak Springs desires to repeal Ordinance 757, and

NOW THEREFORE, be it enacted by the City Council of the City of DeFuniak Springs, Florida that:

Section 1. Repeal. Ordinance 757 is hereby repealed.

Section 2. Short Title. This ordinance shall be known as Large Scale Future Land Use Map Amendment # 06-LSA-08.

Section 3. Findings of Fact. The City Council of the City of DeFuniak Springs finds the following:

1. The applicant's name and address is:
Sandra Murvin
Yahoolie LLC
116 S Ridge St
Danville VA 24541
2. The property subject to this Ordinance is described as follows:
Property Parcel Identification Number: 14-2N-19-18000-002-0000; 14-2N-19-18000-002-0010; & 23-2N-19-18000-001-0000 with a legal description of: The SE ¼ of the N ½ of the SW ¼ and N ½ of the SW ¼ of the SW ¼, less and except right of way for US 331 and less and except that portion lying West of the right of way for US 331, Section 14, Township 2 North, Range 19 West, lying and being in Walton County, Florida and the North ½ of the NE ¼ of Section 23, Township 2 North, Range 19 West, lying and being in Walton County, Florida, containing 340.47 acres more or less
3. The proposed amendment is compatible with development in the area of the subject property.
4. The property is or will soon be served with adequate potable water and wastewater services.

5. Any development under this amendment will be required to properly design retention of storm water runoff in accordance with City regulations.
6. The property currently has a county land use designation of ESTATE RESIDENTIAL and no zoning classification.
7. Upon the legally effective date of the Ordinance, 23.47 acres of the property will have a land use designation of COMMERCIAL and 245.30 acres of LOW DENSITY RESIDENTIAL and a zoning classification of C-1 COMMERCIAL RESTRICTED and R-1 SINGLE FAMILY RESIDENTIAL and 71.70 acres of CONSERVATION.
8. The maximum density within the Residential designation shall not exceed 2.5 units per net acre or 613 dwelling units.
9. The constructed commercial square footage shall be restricted to 200,000 gross square feet.
10. The Future Land Use Map shall be notated with the restrictions of paragraph 8.

Section 4. Future Land Use Map Amendment and Zoning Change. The DeFuniak Springs Comprehensive Plan Future Land Use Map and Zoning Map is hereby amended changing the above-described parcel consisting of approximately 340.47 acres from COUNTY designated ESTATE RESIDENTIAL to COMMERCIAL and LOW DENSITY RESIDENTIAL land use designation consisting of 23.47 acres to C-1 COMMERCIAL RESTRICTED and 245.30 acres to R-1 SINGLE FAMILY RESIDENTIAL zoning classification and to 71.7 acres of CONSERVATION, as shown on that parcel in "Exhibit A".

Section 5. Filing. An official, true and correct copy of the Future Land Use Map Amendment and Zoning Change shall be filed with the Walton County Clerk and also maintained at the City of DeFuniak Springs Planning and Building Department, which shall be responsible for administration of the Comprehensive Plan and Land Development Code.

Section 6. Severability. If any portion of this Ordinance should be declared unconstitutional or if the applicability of this Ordinance or any portion thereof should be held to be invalid, the validity of the remainder of this Ordinance shall not be affected by such invalidity.

Section 7. Effective Date. This Ordinance shall be come effective as provided by law.

ADOPTED THIS 10 DAY OF December, 2007.

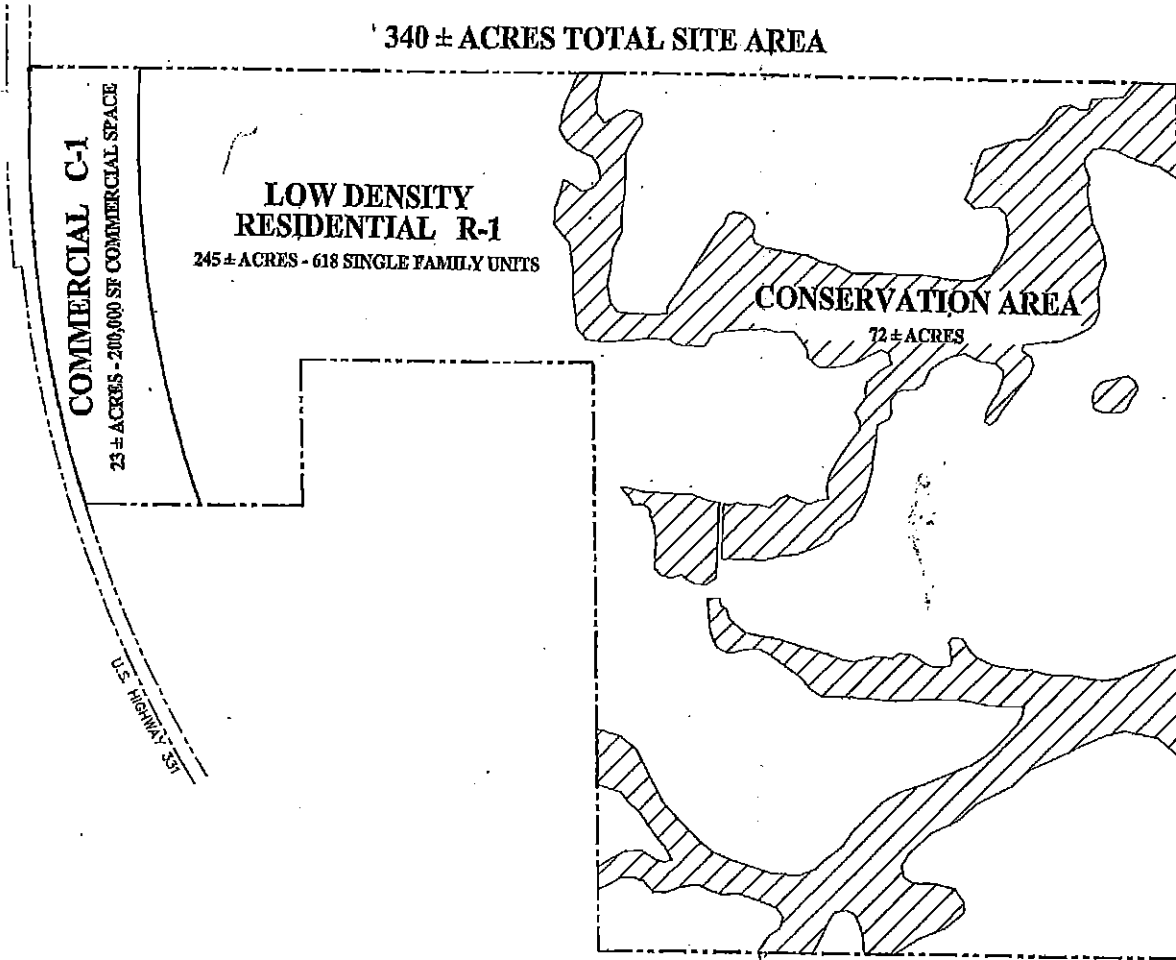
CITY COUNCIL OF THE CITY OF DEFUNIAK
SPRINGS, FLORIDA

By: C. Harold Carpenter
C. Harold Carpenter, Mayor

ATTEST:
Vanessa Mitchell
Deputy Clerk

EXHIBIT "A"

340 ± ACRES TOTAL SITE AREA



Amendment Map for 06-LSA-08

Land Use Change:

From: County Estate Residential

To: Commercial, Low Density Residential and Conservation

Zoning Change:

From: None

To: C-1 Commercial & R-1 Single Family Residential

