

AN ORDINANCE ADOPTING A SMALL 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 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 land development regulations to prepare and adopt land development regulation amendments; and

WHEREAS, the City of DeFuniak Springs has prepared a land use 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 land use amendment;

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

Section 1. Short Title. This ordinance shall be known as Small Scale Future Land Use Map Amendment # 08-SSA-01.

Section 2. Findings of Fact. The City Council of the City of DeFuniak Springs finds the following:

1. The applicant's name and address is:
Rushing Construction Group, Inc
PO Box 698
Destin FL 32540
2. The property subject to this Ordinance is described as follows: Property Parcel Identification Numbers: 26-3N-19-19480-003-0110, 26-3N-19-19480-003-0130, 26-3N-19-19480-003-0150, and 26-3N-19-19480-003-0190, with a legal description of: Lots 11-22, Block 3, Morris Heights Subdivision according to the plat thereof recorded in Plat Book 3, Page 30, Public Records of Walton County, Florida; and S ½ of the adjoining easements.
3. The property is or may be served with adequate potable water and wastewater services.
4. The property currently has a land use designation of COMMERCIAL & LOW DENSITY RESIDENTIAL and a zoning designation of R-2 MULTIPLE FAMILY RESIDENTIAL.
6. Upon the legally effective date of the Ordinance, the property will have a land use designation of MEDIUM DENSITY RESIDENTIAL DISTRICT and the zoning classification of R-2 MULTIPLE FAMILY RESIDENTIAL DISTRICT remains unchanged.
7. The maximum density shall be capped at six (6) units per acre.

Section 3. Land Use Change. The DeFuniak Springs Future Land Use Map is hereby amended changing the above-described parcel consisting of approximately 1.48 acres from Commercial and Low Density Residential to Medium Density Residential as shown in "Exhibit A", attached.

Section 4. Filing. An official, true and correct copy of the Land Use change shall be filed with the Walton County Clerk and also maintained at the City of DeFuniak Springs Planning Department, which shall be responsible for administration of the Comprehensive Plan and Land Development Code.

Section 5. 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 6. Effective Date. This Ordinance shall be come effective as provided by law.

ADOPTED THIS 25th DAY OF August, 2008.

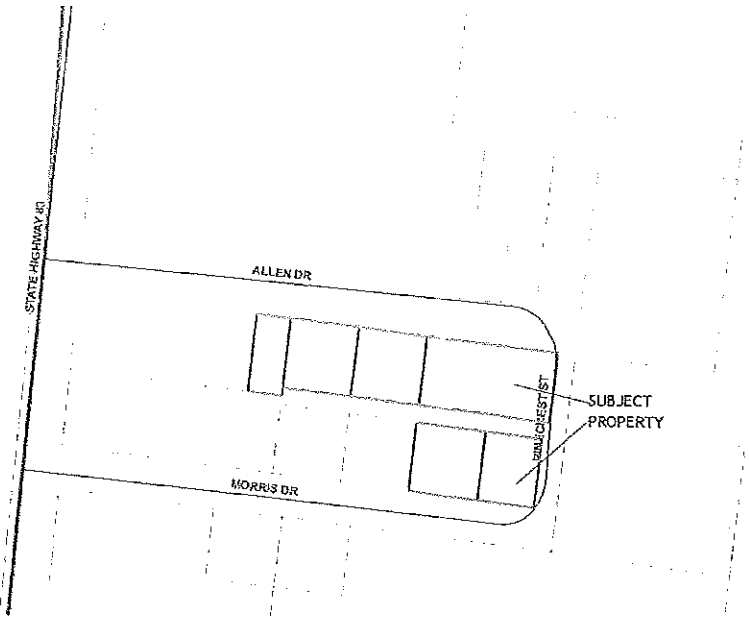
CITY COUNCIL OF THE CITY OF DEFUNIAK
SPRINGS, FLORIDA

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

ATTEST:

Vanessa Mitchell
Deputy Clerk

EXHIBIT "A"



Amendment Map for 08-SSA-01
Land Use Change:
From: Commercial & Low Density Residential
To: Medium Density Residential

Scale: None