

ORDINANCE NO. 908

**AN ORDINANCE ADOPTING FOR THE AMENDMENT OF CHAPTER 18, LAND DEVELOPMENT CODE, ARTICLE VI, ZONING DISTRICTS, OF THE DEFUNIAK SPRINGS, FLORIDA MUNICIPAL CODE, PROVIDING FOR ADOPTION, PROVIDING FOR SEVERABILITY AND PROVIDING 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, after due public notice, the City of DeFuniak Springs City Council held the requisite public hearings to afford opportunity for public comments concerning the Land Development Code amendment; and

WHEREAS, the City Council of the City of DeFuniak Springs finds that the amendment is in the best interest of the health, welfare, safety and morals of the citizens of City of DeFuniak Springs.

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

Section 1. Short Title. This Ordinance shall be known as Land Development Code # 2020-LDC-02.

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

- A. This amendment creates a new zoning district, to be known as the Planned Development zone (PD).
- B. The PD zone will serve as a base zoning district for large mixed-use projects in which the Planned Development Project (PDP) overlay zoning is utilized and the developer needs more flexibility than is allowed with their current zoning.
- C. Only developments that are 40-acres or more in size can apply for rezoning to PD.
- D. This amendment will not have negative impacts on citizens or property values.
- E. A public hearing has been conducted in accordance with 166.041 Florida Statutes.
- F. This amendment is consistent with the adopted Comprehensive Plan and is in the best interest of the City of DeFuniak Springs and its citizenry.

Section 3. Amended Text. The City Council of the City of DeFuniak Springs, Florida, amends the Municipal Code of Ordinances, Chapter 18, Land Development Code, Article VI, Zoning Districts, by creating Section 18-52.2 "PD" Planned Development as follows:

*The Planned Development (PD) zoning district is intended to provide areas for Planned Development Projects (PDP) that are relatively large in scope, larger than 40 acres. The Planned Development concept is intended to provide for flexibility and large-scale planning relating to the location of land uses and density/intensity.*

*The associated Planned Development Project (PDP) shall govern all bulk regulations such as uses allowed without review, use exceptions allowed upon special approval, prohibited uses, and yard setbacks. The following minimum regulations shall not be exceeded by the PDP documents.*

- a) *Density: No more than twenty-four (24) dwelling units per acre.*
- b) *Intensity: Non-residential intensity shall not exceed a Floor Area Ratio of 1.0.*
- c) *Permitted Land Uses: All uses allowed in the City, to be further specified, or limited, in an approved Planned Development Project (PDP) document.*
- d) *Mixture of Land Uses: Mixture and location of Land Uses shall be defined by the PDP documents.*
- e) *Conservation/Wetlands: Estimates of wetlands shall be shown, however, they shall not be deemed in conservation until the issuance of a Development Order, or Detailed PDP Approval.*

Section 4. Filing. An official, true and correct copy of the Land Development Code amendment shall be recorded 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. Repeal of Conflicting Provisions, Motions, and Ordinances. The adoption of this Ordinance shall repeal and supersede any and all prior conflicting provisions of City law or policy, including those made by prior motion of the City Council, Resolution of the City Council, or Ordinance, whether specifically named herein or not.

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 become effective as provided by law.

ADOPTED THIS 13<sup>th</sup> DAY OF APRIL 2020.

CITY COUNCIL OF THE CITY OF DEFUNIAK SPRINGS FLORIDA

By: Bob Campbell  
Robert "Bob" Campbell, Mayor

ATTEST:

Maryanne Schrader, MMC  
Maryanne Schrader, City Clerk

