

ORDINANCE NO. 916

AN ORDINANCE ADOPTING THE AMENDMENT OF SECTION 1. FUTURE LAND USE ELEMENT, OF THE DEFUNIAK SPRINGS, FLORIDA, THE COMPREHENSIVE PLAN, 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 Comprehensive Plan 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 Comprehensive Plan Text Amendment # 2020-CP-02.

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

- A. This ordinance amends the Commercial Future Land Use (FLU) Category of the City of DeFuniak Springs Comprehensive Plan. Specifically, properties located in the historic district that are designated with the Commercial land use category can be redeveloped to include a maximum residential density of 24 dwelling units per gross acre. The redeveloped property must include a commercial land use.
- B. This amendment will help implement smart growth concepts and increase the economic vitality of the commercial historic district by allowing dwelling units and increasing activity in the district.
- C. This amendment will increase housing choices and will not have negative impacts on citizens or property values.

- D. The DeFuniak Springs Planning Board, as the Local Planning Agency, conducted a public hearing on October 5, 2020 and unanimously voted to forward the amendment to City Council recommending approval.
- E. The 1st reading and transmittal hearing was held by the DeFuniak Springs City Council on November 23, 2020 accordance with 166.041 Florida Statutes.

Section 3. Amended Text. The City Council of the City of DeFuniak Springs, Florida, amends the Comprehensive Plan, Section 1, Future Land Use Element, Policy 1.1.10, by amending the Commercial future land use category as shown on Attachment #1.

Section 4. Filing. An official, true, and correct copy of the Comprehensive Plan amendment 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. 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 25th DAY OF January 2021.

CITY COUNCIL OF THE CITY OF DEFUNIAK SPRINGS, FLORIDA

By: Bob Campbell
Robert "Bob" Campbell, Mayor

ATTEST: Maryanne Schrader
Maryanne Schrader, City Clerk



Attachment #1: Comprehensive Plan Amendment #2020-CP-02
Shown in Track Changes Mode (New Text is Underlined)

Policy 1.1.10: The following densities and/or intensities of use:

Future Land Use Category	Density/Intensity
Agricultural:	1 DU/5 gross acres
Conservation:	No more than 10% impervious area in wetlands and floodplain areas
Low Density Residential:	2.5 DU/gross acre
Low Density Residential-Alternate:	4.0 DU/gross acre
Medium Density Residential:	16 DU/gross acre
Mixed Use:	24 DU/gross acre; FAR of 1.0
Commercial:	<u>24 DU/gross acre*</u> ; FAR of 1.0
Recreation:	FAR of 0.5
Industrial:	FAR of 0.5
Institutional:	FAR of 1.0

Note: The term 'gross acres' refers to the acreage only within a specific Future Land Use category and does not include wetlands or conservation areas as designated on the Future Land Use Map.

** Residential density in Commercial land use designation is only applicable in the Historic District (see [policy 1.1.11-2](#)).*

Policy 1.1.11: The Future Land Use categories for the City are as follows:

1. Residential
 - a. Low Density Residential - The Low-Density Residential land use category is intended to apply to primarily low-density single family detached residential development and its ancillary uses from 0.0 DU/gross acre (dwelling units per gross acre) up through 2.5 DU/gross acre. The term gross acre applies to the total amount of land in the parcel. Other permissible land uses may include churches daycare centers, cemeteries, schools, and other similar uses.
 - b. Low Density Residential-Alternate - The Low Density Residential-Alternate land use category is intended to apply to primarily low density single family detached residential development and its ancillary uses from 2.6 DU/gross acre (dwelling units per gross acre) up through 4.0 DU/gross acre. The term gross acre applies to the total amount of land in the parcel. Other permitted land uses may include churches daycare centers, cemeteries, schools, and other similar uses.
 - c. Medium Density Residential - The Medium Density Residential land use category is intended to apply to residential development with a density of 2.6 DU/gross acre up to 16.0 DU/gross acre. Onsite ancillary recreation facilities are encouraged.
2. Commercial - The Commercial land use category is intended to provide areas for high intensity commercial development including retail sales and services, wholesale sales, shopping centers, office complexes and other similar uses. Commercial uses

shall not exceed a Floor Area Ratio of 1.0. Properties located in the historic district that are designated with the Commercial land use category can be redeveloped to include a maximum residential density of 24 dwelling units per gross acre. The redeveloped property must include a commercial land use.

3. Mixed Use - The Mixed-Use land use category is intended to provide for a mixture of functionally integrated residential and non-residential uses. The mixed-use concept is specifically intended to provide flexibility in the planning and permitting process by allowing a range of land uses within one district, with particular emphasis on creating higher density, pedestrian-friendly environments where the variety of uses enables people to conveniently live, work, play, and shop within a short distance. The proximity of diverse uses and pedestrian orientation of this area will make it possible to reduce vehicular trips and to encourage walking and bicycling.

- 1) Density: No more than twenty-four (24) dwelling units per gross acre.
- 2) Intensity: Non-residential land uses shall not exceed a Floor Area Ratio of 1.0.
- 3) Permitted Land Uses: Permitted land uses shall consist of the following land uses: retail commercial, office/service-related commercial, and residential.
- 4) Mixture of Land Uses: Properties in this category must be developed with at least two (2) of the permitted land use types, one of which is required to be residential. Within each area designated for Mixed Use a maximum of 50% of the parcel may be used for retail commercial land use, and / or office/service-related commercial land uses, and 50% for residential land uses.

4. Industrial - The Industrial land use category is intended to apply to light manufacturing, warehousing, and storage associated with a business or industrial use, wholesaling, distribution, office, and other related activities. Operations shall not produce noxious effects or hazardous wastes. Extensive landscape buffering sufficient to mitigate nuisance and hazards is required between uses permitted in the Industrial designation and uses permitted in other land use designations, particularly where such land uses abut residential land uses or collector and arterial roadways. Industrial uses shall not exceed a Floor Area Ratio of 0.5.

5. Recreation - The Recreation land use category is intended to apply to all City, County, federal and state parks, and public golf courses. Recreation uses shall not exceed a Floor Area Ratio of 0.5.

6. Conservation - The Conservation land use category is intended to identify and apply to areas where particular care should be taken in developing a site. Designation of a conservation area is not intended to necessarily exclude development in these areas, but rather to ensure that its natural resource value is promoted. The areas of particular concern in this regard are in identified wetland areas, in 100-Year floodplains, and in stormwater management areas. Development may not exceed 10% impervious area and may include boardwalks, docks, and other recreation related structures.

7. Institutional - The Institutional land use category is intended to apply to City Hall, Post Offices, and other government uses in the City. Institutional uses shall not exceed a Floor Area Ratio of 1.0.

8. Agricultural - The Agricultural land use category is intended to apply to areas characterized by agricultural activities. Allowable uses include agriculture, silviculture, farm dwellings, and associated accessory structures that are related to and supportive of agriculture and silviculture. The maximum density is 1 DU/5 gross acres.