



City Council Agenda Form

Meeting Date: 11/28/2022
 Department: Planning
 Public Hearing: Yes No

For Clerk's Use Only
AGENDA ITEM #

	X	
Consent Agenda	Regular Agenda	Closed Session

Presenter: Chris Wallace, AICP, Planning Director

Request Type: Informational Discussion Action Item

Does this item require legal review? Yes No **City Attorney E-Mail attached?** Yes No

Time Required for Request: 5 Minutes

Agenda Item Title: 2022-RZ-04, Walton County's request to amend the FLUM for all property owned by Walton County located within DeFuniak Springs.

Attachment(s):

Draft Ordinance for 2022-RZ-04

Brief Summary:

Consider actions for the rezoning of Walton County property

Action Requested:

Staff respectfully request a motion for the following action:

1. Approval to conduct a public hearing and the 2nd Reading of the Rezoning Ordinance.
2. Adopt the Ordinance approving the rezoning.

Issue Overview:

Background Information & Issue Summary:

Anna Hudson, acting on behalf of The Walton County Board of Commissioners, is requesting a rezoning from R-2, Multi-Family Residential, C-1, Commercial, and C-2, Commercial to Institutional. There are 40 individual parcels included in this request. The Planning Board reviewed this request on October 3, 2022 and voted unanimously to recommend approval. The City Council held the 1st reading of the Ordinance on November 14, 2022.

Financial Impacts:

To be determined.

Staff Recommendations/Comments:

Approval of all actions previously requested.

Ordinance Number - __

AN ORDINANCE ADOPTING A ZONING MAP AMENDMENT OF THE CITY OF DEFUNIAK SPRINGS LAND DEVELOPMENT CODE; CHANGING THE ZONING DESIGNATION; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

(Walton County owned property)

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires the City of DeFuniak Springs, Florida to prepare, adopt, and enforce a comprehensive plan; AND

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

WHEREAS, the City of DeFuniak Springs, Florida adopted Ordinance No. 669, November 13, 2000 (Comprehensive Plan) and Ordinance 793, October 25, 2010 (Evaluation and Appraisal Report), and Ordinance No. 881 on June 26, 2017 (Land Development Code) and;

WHEREAS, Chapter 163, Part II, Florida Statutes, requires local governments desiring to revise their comprehensive plans to prepare and adopt comprehensive plan amendments; AND

WHEREAS, the City of DeFuniak Springs has prepared an amendment to its Official Zoning Map, to be known as Zoning Map Amendment No. 2022-RZ-04; AND

WHEREAS, the City Council of DeFuniak Springs held a Public Hearing to adopt Zoning Map Amendment No. 2022-RZ-04, pursuant to Section 163.3184, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; AND

WHEREAS, in exercise of its authority, the City Council of DeFuniak Springs, Florida finds it necessary and desirable to adopt and does hereby adopt Zoning Map Amendment No. 2022-RZ-04, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within City of DeFuniak Springs;

NOW, THEREFORE, BE IT ORDAINED by City Council of the City of DeFuniak Springs, Florida, as follows:

SECTION I. PURPOSE AND INTENT.

This Ordinance is hereby enacted to carry out the purpose and intent of, and exercise the authority set out in, the Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes, as amended.

SECTION II. OFFICIAL ZONING MAP AMENDMENTS.

The DeFuniak Springs City Council hereby adopts the following amendment to the Official Zoning Map which will be updated consistent with the action of the DeFuniak Springs City Council as set forth in this Ordinance:

1. Application number 2022-RZ-04, The Walton County Board of Commissioners rezoning request to amend the Official Zoning Map district designations for 40 individual parcels
2. The amendment area is legally described as:

A PORTION OF MAP OF LAKE DEFUNIAK, MAP OF DEFUNIAK SPRINGS, AND WILLIAM W. FLOURNOY'S SUBDIVISION NO. 1, ALL BEING RECORDED IN THE OFFICIAL

RECORDS OF WALTON COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF BLOCK 1628, ACCORDING TO THE MAP OF THE VICINITY OF DEFUNIAK SPRINGS, FLORIDA, BY W. J. VANKIRK; PROCEED SOUTH 84 DEGREES 34 MINUTES 45 SECONDS EAST A DISTANCE OF 468.77 FEET TO THE POINT OF BEGINNING; THENCE PROCEED SOUTH 84 DEGREES 34 MINUTES 44 SECONDS EAST A DISTANCE OF 300.00 FEET; THENCE PROCEED SOUTH 15 DEGREES 24 MINUTES 36 SECONDS WEST A DISTANCE OF 725.71 FEET; THENCE PROCEED NORTH 84 DEGREES 33 MINUTES 46 SECONDS WEST A DISTANCE OF 300.00 FEET; THENCE PROCEED NORTH 5 DEGREES 24 MINUTES 41 SECONDS EAST A DISTANCE OF 336.63 FEET; THENCE PROCEED NORTH 84 DEGREES 34 MINUTES 44 SECONDS WEST A DISTANCE OF 307.00 FEET; THENCE PROCEED NORTH 4 DEGREES 09 MINUTES 42 SECONDS EAST A DISTANCE OF 92.98 FEET; THENCE PROCEED SOUTH 84 DEGREES 35 MINUTES 19 SECONDS EAST A DISTANCE OF 269.03 FEET; THENCE PROCEED NORTH 5 DEGREES 24 MINUTES 41 SECONDS EAST A DISTANCE OF 50.00 FEET; THENCE PROCEED SOUTH 84 DEGREES 34 MINUTES 44 SECONDS EAST A DISTANCE OF 166.00 FEET; THENCE PROCEED NORTH 5 DEGREES 24 MINUTES 41 SECONDS EAST A DISTANCE OF 235.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED.

TOGETHER WITH

COMMENCE AT THE NORTHEAST CORNER OF BLOCK 1628 MAP OF DEFUNIAK SPRINGS BY W. J. VANKIRK, WALTON COUNTY, FLORIDA; THENCE WEST 276.76 FEET; THENCE SOUTH 0° 06' 45" EAST, 235.0 FEET; THENCE WEST, 166.0 FEET; THENCE SOUTH 0° 06' 45" EAST, 50.0 FEET; THENCE WEST, 267.0 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD NO. 83; THENCE SOUTH 0° 06' 45" EAST, 93.0 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0° 06' 45" EAST, ALONG SAID RIGHT-OF-WAY LINE, 120.06 FEET; THENCE DEPARTING SAID RIGHT-OF-WAY LINE OF A BEARING OF EAST, 307.0 FEET; THENCE NORTH 0° 06' 45" WEST, 120.06 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

A PARCEL OF LAND LOCATED WITHIN BLOCK 1628 ACCORDING TO W. J. VANKIRK'S MAP OF THE VICINITY OF DEFUNIAK SPRINGS, FLORIDA, ON FILE IN THE OFFICE OF THE CIRCUIT COURT OF WALTON COUNTY, FLORIDA. COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID BLOCK 1628 WITH THE EAST RIGHT-OF-WAY (R/W) LINE OF HIGHWAY 83, (66 FOOT RIGHT-OF-WAY); THENCE SOUTH 00 DEGREES 04 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 498.06 FEET ALONG SAID RIGHT-OF-WAY LINE TO A ½" #3532 IRON ROD AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00 DEGREES 04 MINUTES 44 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 120.06 FEET TO A CONCRETE MONUMENT; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 307.02 FEET ALONG A LINE AND IT'S EXTENSION, AS SURVEYED BY RAYMOND RICHARDSON AND ASSOCIATES, TO AN IRON ROD; THENCE NORTH 00 DEGREES 10 MINUTES 06 SECONDS WEST FOR A DISTANCE OF 119.63 FEET TO A ½" 3532 IRON ROD; THENCE NORTH 89 DEGREES 55 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 306.83 FEET, ALONG THE SOUTH LINE OF A PARCEL LAND AS SURVEYED BY LEONARD HINSON DATED 06/25/1996, TO THE POINT OF BEGINNING.

TOGETHER WITH

LOTS 1-24, BLOCK C, W. W. FLOURNOY'S SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICIAL RECORDS OF WALTON COUNTY, FLORIDA.

TOGETHER WITH

LOTS 13-24, BLOCK B, W. W. FLOURNOY'S SUBDIVISION NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICIAL RECORDS OF WALTON COUNTY, FLORIDA.

TOGETHER WITH

LOTS 856-864, 874-879, EAST 1/2 OF LOT 882, 883-885, 895, 896-897 LESS THE NORTH 50.92 FEET, 916-925, 935-940 LESS THE NORTH 10 FEET, 941-944, 950-951, 961-962, MAP OF LAKE DEFUNIAK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN THE OFFICIAL RECORDS OF WALTON COUNTY, FLORIDA

3. The amendment area is currently designated C-1, Commercial, C-2, Commercial, and R-2, Multi-family Residential on the Official Zoning Map adopted within the DeFuniak Springs Land Development Code.
4. Upon the legally effective date of this Ordinance, the Official Zoning Map designation for the amendment area will be designated as I, Institutional, as illustrated on Exhibit A (attached).
5. Any future development under this amendment will be required to meet all of the standards of the City of DeFuniak Springs Comprehensive Plan and Land Development Code.

SECTION III. CONFLICT WITH OTHER ORDINANCES OR CODES.

All Ordinances or parts of the Code of Ordinances of the City of DeFuniak Springs, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. FILING.

An official, true and correct copy of the zoning 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 Land Development Code.

SECTION V. SEVERABILITY.

Should any word, phrase, sentence or section of this Ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then such shall be severed from this Ordinance, and the remainder of the Ordinance shall remain in full force and effect.

SECTION VI. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

Duly enacted, by the City Council of the City of DeFuniak Springs, Florida at a regularly scheduled public hearing on the 28th of November, 2022.

CITY COUNCIL
DEFUNIAK SPRINGS, FLORIDA

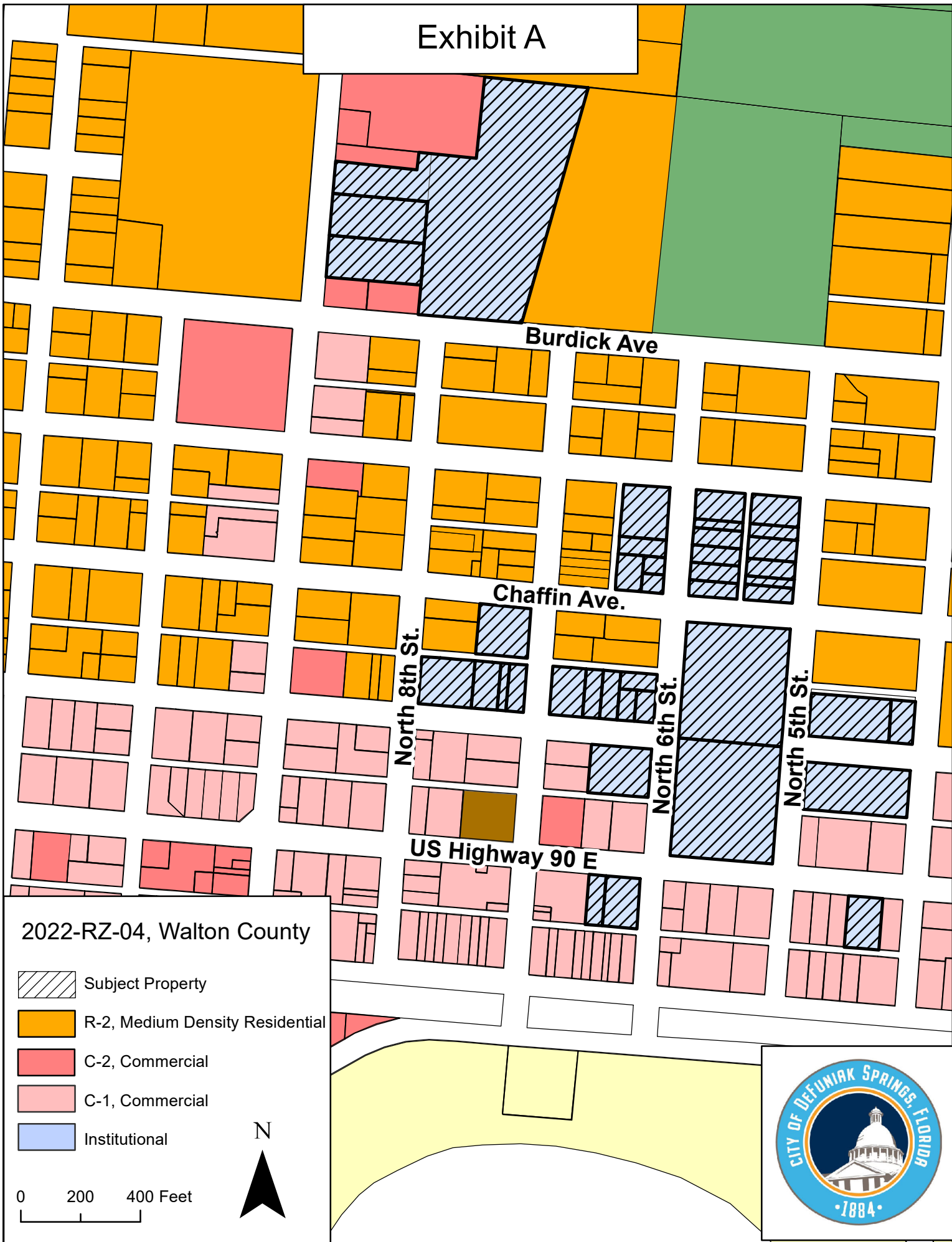
Attest:

Koby Townsend, City Clerk






By: _____
Robert "Bob" Campbell, Mayor

DRAFT

Exhibit A



2022-RZ-04, Walton County

-  Subject Property
-  R-2, Medium Density Residential
-  C-2, Commercial
-  C-1, Commercial
-  Institutional

0 200 400 Feet

