

ORDINANCE NUMBER 2009-17

AN ORDINANCE AMENDING SECTION 2.06 OF THE WALTON COUNTY LAND DEVELOPMENT CODE TO ADOPT THE WALTON APARTMENTS, CONCEPTUAL PUD AS AN OVERLAY DISTRICT; ESTABLISHING A DEFINED BOUNDARY; ESTABLISHING REGULATORY CONDITIONS FOR THE PLANNED UNIT DEVELOPMENT OVERLAY; PROVIDING FOR THE INCORPORATION OF THE WALTON APARTMENTS CONCEPTUAL PUD AS APPENDIX PDO-1 TO THE WALTON COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, F.S. delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizens; and

WHEREAS, Sections 163.3201 and 163.3202, Florida Statutes, require local governments to implement the provisions of their comprehensive plans through the adoption of land development regulations; and

WHEREAS, Walton County has adopted a Land Development Code in accordance with these statutes to ensure the County's orderly growth and development; and

WHEREAS, Walton County, to ensure the County's continued orderly growth and development, finds it prudent to amend its Land Development Code to respond to the changing needs and conditions within said county; and

WHEREAS, it is the intent of the Walton County Comprehensive Plan as stated in Objective L-1.12, to promote innovative development plans that conserve natural features of the land, promote compact development, encourage interconnectivity within the development and to the surrounding development, maximize open space, and include unique design features; and

WHEREAS, the Walton County Comprehensive Plan provides for the opportunity to the Board of County Commissioners to approve and incorporate these innovative development plans in Planned Unit Development Overlay Districts; and

WHEREAS, after duly noticed public hearings before the Walton County Planning Commission and Walton County Board of County Commissioners, the Walton County Board of County Commissioners approved the Walton Apartments Conceptual PUD subject to certain conditions on August 11, 2009; and

WHEREAS, Walton County Comprehensive Plan Policy L-1.12.1 requires regulatory conditions pertaining to each development plan be adopted by ordinance approving the Planned Unit Development;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, that the Walton County Land Development Code be amended to add the following:

Section 1: Amendment.

Section 2.06 of the Walton County Land Development Code is hereby amended to add the following:

2.06.03. Walton Apartments Conceptual PUD Overlay District.

The Walton Apartments Conceptual PUD Overlay District is an overlay district with specific standards that govern development within the boundary of the Walton Apartments Conceptual PUD Master Plan approved by the Board of County Commissioners on August 11, 2009.

The boundary of the overlay district includes current tax ID parcels 29-2S-19-24000-004-0000, 29-2S-19-24000-008-0100, and 29-2S-19-24070-003-0040 as described in the legal description included in Attachment A.

Section 2: The Walton Apartments Conceptual PUD Overlay District, included in this ordinance as Attachment A, is hereby incorporated into the Walton County Land Development Code as Appendix PDO-1.

Section 3. 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 4. Effective Date.


This ordinance shall take effect as provided by law.

Duly enacted by the Board of County Commissioners of Walton County, Florida, at a regular meeting on the 13th day of October, 2009.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:


Martha Ingle
Clerk of Court


Sara Comander, Chair



Attachment A-Walton Apartments Conceptual PUD Overlay District (Appendix PDO-1)

PDO-1 Walton Apartments Conceptual PUD Overlay District

Overlay District Legal Description: The boundary of the overlay district includes current tax ID parcels 29-2S-19-24000-004-0000, 29-2S-19-24000-008-0100, and 29-2S-19-24070-003-0040 as described in the following legal description:

A.

FRACTL S1/2 OF NE1/4 E1/2 OF NW1/4 LESS MAGNOLIA S/D ALSO LESS DESC SOLD OF REC LOT 13 BLK A STARKE S/D UNREC ORB 56-235 ALSO LESS DESC SOLD LOT 17 BLK A LESS LOT 14 BLK A OR 751-238 OR 2335-1723 ***LESS & EXCEPT: THE N2 OF FRACTL SEC 29 LYING ELY & SLY OF BOWMAN BAYOU *LESS* LOTS 5 & 19 DESCRIBED AS: COM NE/C OF SE4; N87DEG56' 29"W ON N LN OF SE4 2144.60'; DPRT N LN N 02DEG03'31"E 370.2 FT TO POB; N 29DEG17'08"E 100 FT; N 60DEG42'52"W 636' MOL TO WATERS EDGE OF BOWMAN BAYOU; MEANDER SWLY ALG WATERS EDGE 111' MOL TO INTERSECTION WITH LN PASSED THRU POB BEARING N60 DEG42'52"W; DPRT WATER S 60DEG 42'52"E 589' MOL TO POB *AND* COM NE/C OF SE4; N 87DEG56'29" W ON N LN OF SE4 532.44'; DPRT N LN N 02DEG03'31"E 180.35' TO POB; N 84DEG35'13"W 72.35' TO PT OF CURVATURE WITH A CURVE CONCAVE NLY HAVING RADIUS OF 722.32'; ALG ARC OF CURVE THRU CNTRL ANGLE OF 03DEG02'53" AN ARC DIST OF 41.09' (CB & DIST= N 82DEG56'46"W 41.08'); DPRT CURVE N 10DEG40'57"E 236' MOL TO WATERS EDGE OF BAY; MEANDER ALG WATERS EDGE SELY 44' MOL & NELY 62' MOL TO INTERSEC WITH LN PASSED THRU POB BEARING N06 DEG59'49"E; DPRT WATER S06DEG 59'49"W 262' MOL TO POB OR 2497-1382 LESS & EXCEPT: ESTUARY S/D (24080) PB 16 PG 9 '04R OR 2637-1899 &-1904 OR 2821-4109 and

COM SW/COR OF NW1/4 SEC 29, N 01 DEG 36'17"E 1324.18 FT, S 89 DEG 35'45"E 786.64 FT TO SE/LY ROW US HWY 331 FOR POB, S 89 DEG 35'45"E 432.05 FT TO E BDRY OF SW1/4 OF NW1/4, S 00 DEG 24'58"W 329.08 FT, N 89 DEG 43'04"W 557.34 FT TO SE/LY ROW US HWY 331, N 21 DEG 11'21"E 353.26 FT TO POB. OR 2661-2492 OR 2821-3944 OR 2821-4094

B. Permitted Uses: The property covered by this overlay district contains more than one land use designation (NPA-RPA, NPA-SN, and NPA-Infill). As allowed by Comprehensive Plan Policy L-1.12.1, the PUD overlay district may include all of the uses allowed in those categories but may not exceed the total allowable densities and intensities for each of those uses. The allowable uses approved for this overlay district more specifically described in the Final Order and Staff Report referred to in Section C below.

C. Regulatory Conditions Pertaining to the Development Plan are as specifically described in the:

- a. Walton County Board of County Commissioners Final Order for the Walton Apartments Conceptual PUD and Master Plan as approved on August 11, 2009 and filed on August 13, 2009, and
- b. Walton County Development Services Division Staff Report prepared by Jason Bryan, AICP, dated August 11, 2009, and
- c. Walton County Comprehensive Plan and Land Development Code for development standards not otherwise specifically covered in the above described documents.

D. Walton Apartments Conceptual PUD Master Plan Map

