

Ordinance Number 2010- 13

INSTR # 1124744
OR BK 2845 Pages 4158 - 4160
RECORDED 07/15/10 12:08:52
MARTHA INGLE, WALTON COUNTY
CLERK OF COURT
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AN ORDINANCE OF WALTON COUNTY, FLORIDA, AMENDING THE WALTON COUNTY COMPREHENSIVE PLAN TO ADOPT A WATER SUPPLY FACILITIES WORKPLAN; REQUIRING THE COMPREHENSIVE PLAN TO BE AMENDED TO INCORPORATE THE GOALS, OBJECTIVES, POLICIES AND TEXT OF THE PROPOSED CAPITAL IMPROVEMENT ELEMENT, CONSERVATION ELEMENT, INFRASTRUCTURE ELEMENT, AND INTERGOVERNMENTAL COORDINATION ELEMENT, WHICH ARE BEING PROCESSED CONCURRENTLY WITH THE EAR-BASED AMENDMENTS IN ORDER TO INCORPORATE WATER SUPPLY PLANNING PROVISIONS REQUIRED BY FLORIDA STATUTES; INCLUDING A PROVISION FOR INCLUSION IN THE COUNTY'S COMPREHENSIVE PLAN; REPEALING CONFLICTING ORDINANCES; 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, Chapter 163, Florida Statutes, requires local governments desiring to revise their comprehensive plans to prepare and adopt comprehensive plan amendments; and

WHEREAS, in 2002, 2004, and 2005, the Legislature of the State of Florida expanded the local government comprehensive planning requirements to strengthen coordination between water supply planning and land use development planning; and

WHEREAS, in order to comply with the recent action of the State Legislature, Walton County ("County") must adopt a 10-year Water Supply Facilities Work Plan ("WSFWP"), as an amendment to its Comprehensive Plan pursuant to Section 163.3177, Florida Statutes; and

WHEREAS, such an amendment will ensure compatibility with future growth and water supply within the County; and

WHEREAS, this amendment will further provide for more efficient communication between the County and water service providers to ensure consistency that corresponds with projected growth and water availability; and

2010-13

WHEREAS, this amendment complies with the North West Florida Water Management District's Water Supply Plan; and

WHEREAS, the Walton County Board of County Commissioners ("Board") has conducted the duly advertised public hearings on the proposed WSFWP amendment and has considered all comments received concerning the proposed amendment to the Comprehensive Plan as required by state law and local ordinance; and

WHEREAS, County staff has reviewed the proposed WSFWP amendment and finds that it is consistent with the state statutory requirements as well as all applicable codes and ordinances; and

WHEREAS, the proposed amendment to the County's Comprehensive Plan is consistent with the State of Florida Comprehensive Plan; and

WHEREAS, after due public notice, the Board held a transmittal hearing on February 9, 2010, and an adoption hearing on July 13, 2010; and

WHEREAS, pursuant to Board direction, at its February 9, 2010 meeting, the County transmitted the County's WSFWP and related Comprehensive Plan Amendments, provided herein, to the State of Florida Department of Community Affairs ("DCA") for its review and consideration; and

WHEREAS, the DCA has reviewed the proposed WSFWP and related Amendments to the Comprehensive Plan, and the County has made the necessary revisions to the proposed amendments; and

WHEREAS, the County afforded opportunity for public comments concerning the subject text amendment to the Comprehensive Plan during public hearings held before the Walton County Planning Commission and Board; and

WHEREAS, this ordinance shall be considered the Board's rendering of their legislative decision to adopt the aforementioned WSFWP as required in Section 10.03.03 (E) of the Walton County Land Development Code.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, FLORIDA, that:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct, and are hereby incorporated herein and made a part hereof.

Section 2. Pursuant to Section 163.3177, F.S., the Board hereby adopts the 10-year Water Supply Facility Work Plan.

Section 3. An official, true, and correct copy of the Water Supply Facilities Work Plan shall be filed with the Walton County Clerk and also maintained at the Walton County Planning and Development Services Division, which shall be responsible for the administration of the comprehensive plan.

Section 4. The appropriate members of the County staff are hereby authorized to take any and all steps necessary to effectuate the intent of this Ordinance.

Section 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith shall be repealed to the extent of such conflict.

Section 6. 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 7. 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 July, 2010.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

By: Scott G. Brannon
Scott Brannon, Chair

ATTEST:

by: Louise Pippin, Deputy Clerk
For: Martha Ingle, Clerk of Court





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