

AN ORDINANCE OF WALTON COUNTY, FLORIDA, ADOPTING A FUTURE LAND USE MAP AMENDMENT TO THE WALTON COUNTY COMPREHENSIVE PLAN; SETTING FORTH THE AUTHORITY FOR ADOPTION; AMENDING THE FUTURE LAND USE MAP; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 125, Florida Statutes, 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, Chapter 163, Part II, Florida Statutes, establishes the Local Government Comprehensive Planning and Land Development Regulation Act; 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, pursuant to Section 163.3184, Florida Statutes, the Walton County Planning Commission and Board of County Commissioners have held several public workshops, public meetings, and public hearings with due public notice and received public comments concerning the subject map amendment to the Comprehensive Plan; and

WHEREAS, after due public notice, the Walton County Board of County Commissioners held a transmittal hearing on September 28, 2010 and October 4, 2010 and transmitted the proposed amendment to the Department of Community Affairs as the State Land Planning Agency and provided a copy to other state and regional agencies as required by Chapter 163, Part II, Florida Statutes; and

WHEREAS, on December 14, 2010, the Department of Community Affairs issued its Objections, Recommendations, and Comments Report to the proposed comprehensive plan amendments for Walton County (DCA 10-1ER); and

WHEREAS, the Walton County Board of County Commissioners held an adoption hearing on March 1, 2011, for the proposed amendments to its comprehensive plan, including the subject amendment, in accordance with the requirements of Section 163.3184, Florida Statutes, with due public notice having been provided; and

WHEREAS, the Walton County Board of County Commissioners considered all oral and written comments received during such public hearings, including the data and

analyses provided for this amendment, the recommendations of the Planning Commission, and the Objections, Recommendations, and Comments Report of the Department of Community Affairs, and subsequent Response by Walton County; and

WHEREAS, in the exercise of its authority, the Walton County Board of County Commissioners has determined that the adoption of this amendment is in the best interest and welfare of the residents of Walton County; and

WHEREAS, this ordinance shall be considered a final order as required in Section 10.03.03 of the Walton County Land Development Code;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Walton County, 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: FUTURE LAND USE MAP AMENDMENT.

The Board of County Commissioners hereby adopts the following amendment to the Future Land Use Map of the Walton County Comprehensive Plan, as amended, which is attached hereto as Exhibit "A", and incorporated herein by reference as a part hereof, being an amendment to the Future Land Use Map:

FINDINGS OF FACT: The Board of County Commissioners finds as follows:

1. The applicants name and address is:

Walton County Board of County Commissioners
76 North 6th Street
DeFuniak Springs, FL 32433

2. Amendment Number **177-A (f/k/a LSA 05-02.23)**: Amend the adopted Future Land Use Map designation of 2,447.82 acres on the **north** side of CR 3280, identified by parcel numbers 05-2S-18-15000-002-0000, 04-2S-18-15000-001-0000, 08-2S-18-15000-001-0000, 09-2S-18-15000-001-0000, 10-2S-18-15000-001-0000, 04-2S-18-15000-004-0000 and 03-2S-18-15000-001-0000, located north of the Choctawhatchee Bay, in the Black Creek area, approximately 7 miles east of US 331, more particularly described as:

North side of CR 3280, Part I

DESCRIPTION:

SCHEDULE A (FIRST AMERICAN TITLE INSURANCE COMPANY, INSURANCE COMMITMENT AGENT FILE #090087, DATED MARCH 8, 2010, 8:00 AM)

A PARCEL OF LAND BEING A PORTION OF SECTIONS 33 AND 34, TOWNSHIP 1 SOUTH, RANGE 18 WEST, AND SECTIONS 3 AND 4, TOWNSHIP 2 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA; THENCE NORTH 01' 27 MINUTES 22 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 4, A DISTANCE OF 751.27 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD #3280 (80' R/W); THENCE NORTH 67 DEGREES 20 MINUTES 30 SECONDS WEST ALONG THE NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 1000.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHERLY RIGHT OF WAY LINE NORTH 67 DEGREES 20 MINUTES 30 SECONDS WEST, A DISTANCE OF 875.40 FEET; THENCE NORTH 63 DEGREES 15 MINUTES 33 SECONDS EAST, A DISTANCE OF 785.28 FEET; THENCE NORTH 23 DEGREES 17 MINUTES 40 SECONDS WEST, A DISTANCE OF 223.97 FEET; THENCE NORTH 01 DEGREES 02 MINUTES 14 SECONDS EAST, A DISTANCE OF 1425.14 FEET; THENCE NORTH 21 DEGREES 16 MINUTES 59 SECONDS WEST, A DISTANCE OF 130.77 FEET; THENCE NORTH 88 DEGREES 57 MINUTES 46 SECONDS WEST, A DISTANCE OF 543.10 FEET; THENCE NORTH 51 DEGREES 23 MINUTES 25 SECONDS EAST, A DISTANCE OF 407.12 FEET; THENCE SOUTH 88 DEGREES 57 MINUTES 46 SECONDS EAST, A DISTANCE OF 159.28 FEET; THENCE NORTH 01 DEGREES 02 MINUTES 14 SECONDS EAST, A DISTANCE OF 343.26 FEET; THENCE NORTH 62 DEGREES 08 MINUTES 41 SECONDS WEST, A DISTANCE OF 411.72 FEET; THENCE NORTH 19 DEGREES 18 MINUTES 37 SECONDS WEST, A DISTANCE OF 210.07 FEET; THENCE NORTH 27 DEGREES 51 MINUTES 19 SECONDS EAST, A DISTANCE OF 522.17 FEET; THENCE NORTH 42 DEGREES 07 MINUTES 41 SECONDS EAST, A DISTANCE OF 390.18 FEET; THENCE NORTH 02 DEGREES 55 MINUTES 26 SECONDS EAST, A DISTANCE OF 993.78 FEET; THENCE SOUTH 41 DEGREES 58 MINUTES 10 SECONDS EAST, A DISTANCE OF 371.13 FEET; THENCE NORTH 00 DEGREES 59 MINUTES 55 SECONDS EAST, A DISTANCE OF 1423.03 FEET, MORE OR LESS, TO THE INTERSECTION POINT WITH THE CENTERLINE OF BLACK CREEK, SAID INTERSECTION POINT BEING DESIGNATED POINT 'A'; THENCE MEANDER EASTERLY ALONG THE CENTERLINE OF BLACK CREEK THE FOLLOWING DESCRIBED COURSES: FROM POINT 'A' GO NORTH 82 DEGREES 23 MINUTES 04 SECONDS EAST, A DISTANCE OF 69.14 FEET; THENCE NORTH 45 DEGREES 53 MINUTES 44 SECONDS EAST, A DISTANCE OF 200.99 FEET; THENCE NORTH 68 DEGREES 42 MINUTES 39 SECONDS EAST, A DISTANCE OF 1007.17 FEET; THENCE NORTH 00 DEGREES 59 MINUTES 55 SECONDS EAST, A DISTANCE OF 593.05 FEET; THENCE NORTH 72 DEGREES 04 MINUTES 36 SECONDS EAST, A DISTANCE OF 753.18 FEET; THENCE SOUTH 70 DEGREES 31 MINUTES 33 SECONDS EAST, A DISTANCE OF 841.66 FEET; THENCE DEPARTING THE CENTERLINE OF BLACK CREEK, GO SOUTH 45 DEGREES 05 MINUTES 41 SECONDS EAST, A DISTANCE OF 3338.68 FEET, MORE OR LESS, TO THE INTERSECTION POINT WITH THE CENTERLINE OF A SMALL CREEK, SAID INTERSECTION POINT BEING DESIGNATED POINT 'B'; THENCE MEANDER SOUTHERLY ALONG THE CENTERLINE OF SAID CREEK THE FOLLOWING DESCRIBED COURSES: FROM POINT 'B' GO SOUTH 42 DEGREES 31 MINUTES 12 SECONDS WEST, A DISTANCE OF 228.55 FEET; THENCE SOUTH 29 DEGREES 40 MINUTES 01 SECONDS WEST, A DISTANCE OF 188.63 FEET; THENCE SOUTH 10 DEGREES 05 MINUTES 19 SECONDS WEST, A DISTANCE OF 599.55 FEET; THENCE SOUTH 17 DEGREES 40 MINUTES 24 SECONDS WEST, A DISTANCE OF 470.47 FEET; THENCE SOUTH 40 DEGREES 09 MINUTES 08 SECONDS WEST, A DISTANCE OF 277.47 FEET; THENCE SOUTH 52 DEGREES 37 MINUTES 43 SECONDS WEST, A DISTANCE OF 873.26 FEET; THENCE SOUTH 41 DEGREES 23 MINUTES 04 SECONDS WEST, A DISTANCE OF 657.46 FEET; THENCE SOUTH 25 DEGREES 52 MINUTES 44 SECONDS WEST, A DISTANCE OF 1136.72 FEET; THENCE SOUTH 39 DEGREES 48 MINUTES 26 SECONDS WEST, A DISTANCE OF 674.45 FEET; THENCE SOUTH 57 DEGREES 41 MINUTES 28 SECONDS WEST, A DISTANCE OF 164.50 FEET; THENCE NORTH 85 DEGREES 29 MINUTES 18 SECONDS WEST, A DISTANCE OF 110.80 FEET; THENCE NORTH 64 DEGREES 07 MINUTES 23 SECONDS WEST, A DISTANCE OF 199.41 FEET; THENCE NORTH 74 DEGREES 36 MINUTES 11 SECONDS WEST, A DISTANCE OF 148.74 FEET; THENCE NORTH 25 DEGREES 31 MINUTES 52 SECONDS WEST, A DISTANCE OF 232.22 FEET; THENCE NORTH 44 SECONDS WEST, A DISTANCE OF 148.74 FEET; THENCE NORTH 25 DEGREES 31 MINUTES 52 SECONDS WEST, A DISTANCE OF 188.66 FEET; THENCE NORTH 79 DEGREES 12 MINUTES 53 SECONDS WEST, A DISTANCE OF 242.96 FEET; THENCE NORTH 69 DEGREES 26 MINUTES 31 SECONDS WEST, A DISTANCE OF 832.39 FEET, MORE OR LESS, TO THE INTERSECTION POINT OF A LINE THAT BEARS NORTH 48 DEGREES 39 MINUTES 23 SECONDS EAST FROM THE POINT OF BEGINNING; THENCE SOUTH 48 DEGREES 39 MINUTES 23 SECONDS WEST, A DISTANCE OF 2036.62 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A NON-EXCLUSIVE ACCESS EASEMENT (INCLUDING THE RIGHT TO IMPROVE) OVER THE FOLLOWING DESCRIBED PROPERTY AND SUBJECT TO THE GRANTOR'S RIGHT TO REASONABLY RELOCATE THE EASEMENT.

A PARCEL OF LAND IN SECTION 4, TOWNSHIP 2 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA; THENCE N88°57'46"W ALONG NORTH LINE OF SAID SECTION 4, BEING THE SOUTH LINE OF SAID SECTION 33, A DISTANCE OF 622.01 FEET; THENCE S00°00'00"E, A DISTANCE OF 1300.21 FEET FOR A POINT OF BEGINNING; THENCE S88°57'46", A DISTANCE OF 1799.85 FEET; THENCE S00°55'26"W, A DISTANCE OF 971.57 FEET; THENCE S44° 34'05"W, A DISTANCE OF 2000.15 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF COUNTY ROAD 3280 (66' R/W); THENCE N69°30'03"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 65.71 FEET TO A POINT-OF-CURVATURE; THEN DEPARTING SAID RIGHT-OF-WAY, N44°34'03"E, A DISTANCE OF 2002.93 FEET; THENCE N00°55'26"E, A DISTANCE OF 887.67 FEET; THENCE N88°57'46"W, A DISTANCE OF 1738.89 FEET; THENCE N00°00'00"W, A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING. ALL IN SAID SECTION 4, TOWNSHIP 2 SOUTH, RANGE 18 WEST, WALTON COUNTY, FLORIDA.

3. The proposed amendment is compatible with approved development in the area of the subject property.
4. The property is currently served with adequate public facilities.
5. Any future development under this amendment will be required to meet all of the standards of the Walton County Comprehensive Plan and Land Development Code.
6. The property is currently designated as North Bay Neighborhood Planning Area, Rural Town Center.
7. Upon the legally effective date of this Ordinance, the property will be designated as Black Creek Neighborhood Planning Area, Low Density Residential.

SECTION III. CONFLICT WITH OTHER ORDINANCES OR CODES

All ordinances or parts of ordinances of the Code of Ordinances of Walton County, Florida, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION IV. 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 V. 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 special meeting on the 1st day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

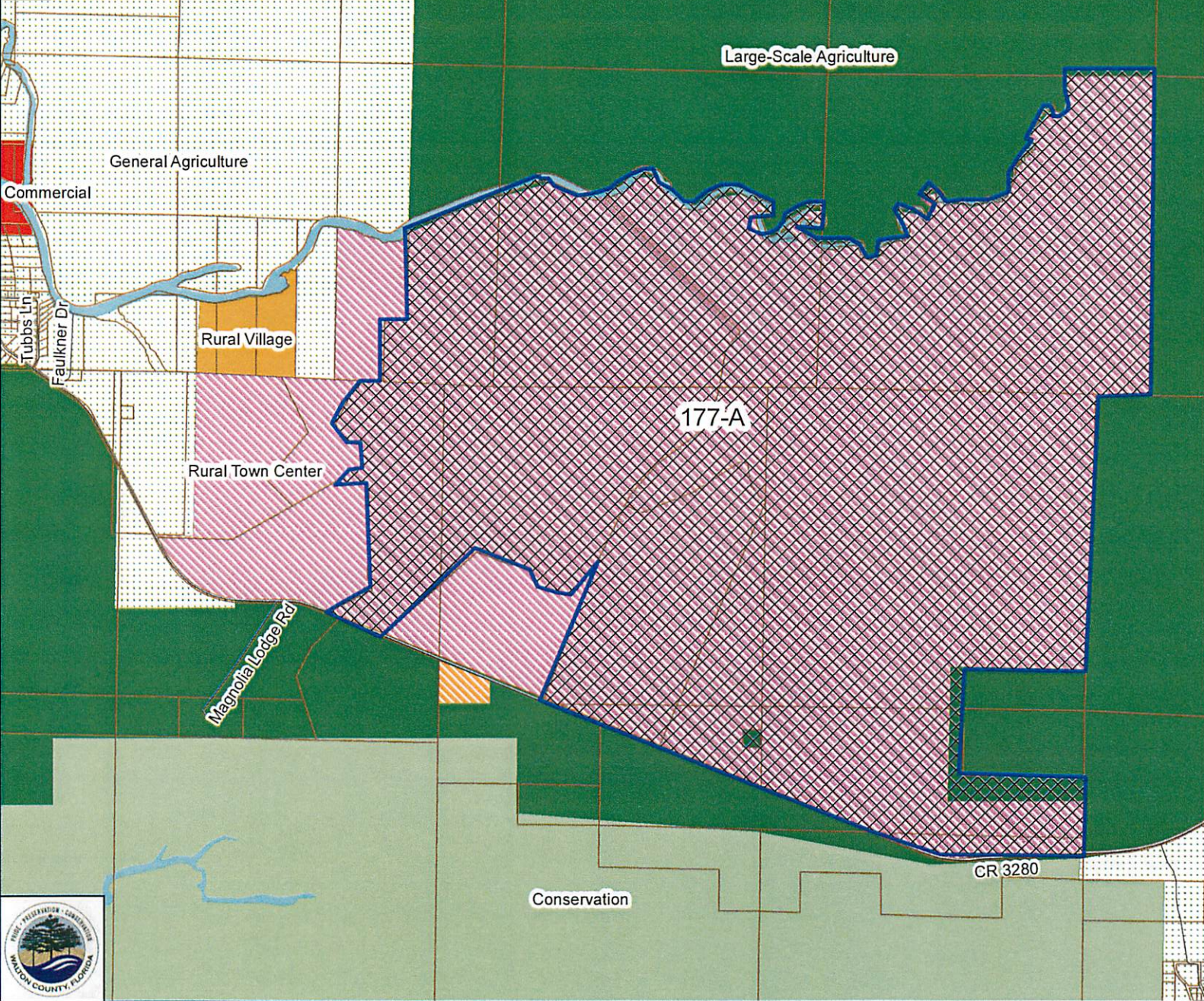
Attest:


for Martha Ingle
Clerk of Court

By:


Larry Jones, Chair



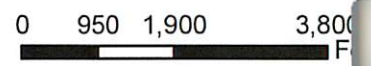



Map ID # 177-A

From: North Bay NPA,
Rural Town Center &
Large Scale Agriculture
To: Black Creek NPA, Low
Density Residential

Acreage = 2,447.82 +/-

Exhibit
A



Walton County Planning and Development Services
This GIS data is not a legal representation of the features depicted; any assumption of the legal status of this data is hereby disclaimed. Features are approximate, and are not necessarily accurate to mapping, surveying, or engineering standards.
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