

Ordinance Number 2016-04

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, 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, pursuant to Section 163.3184, Florida Statutes, the Walton County Planning Commission and Board of County Commissioners have held 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 having been provided, the Walton County Planning Commission held a public hearing on December 10, 2015 and the Walton County Board of County Commissioners held a public hearing on January 26, 2016 to consider the adoption of the proposed amendment to its comprehensive plan, in accordance with Section 163,3184, Florida Statutes; 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

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, 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:

HARTS CREEK, LLC  
Randy Smith, Managing Member  
3125 Live Oak Street  
Navarre, FL 32566

2. Amendment Number 2015-18: Amend the adopted Future Land Use map designation of 1.54 +/- acres in Walton County, as recorded in Deed Book 2630, Page 2091, Walton County Public Records, on parcel(s) identified as 30-2S-21-42000-001-0017. The property is located from US Highway 98 and North Holiday Road, 160 feet on the north side of US Highway 98, more particularly described as:

COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA; THENCE PROCEED NORTH 02' 00' 52" EAST, A DISTANCE OF 299.88 FEET ALONG THE SECTION LINE; THENCE RUN NORTH 87' 47' 26" WEST, A DISTANCE 183.09 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87' 47' 26" WEST, A DISTANCE OF 133 FEET; THENCE RUN NORTH 02' 09' 57" EAST, A DISTANCE OF 400.00 FEET; THENCE RUN SOUTH 87' 47' 26" SECONDS EAST, A DISTANCE OF 133 FEET; THENCE RUN SOUTH 02' 24' 37" WEST, A DISTANCE OF 400.00 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RESERVATION OF AN EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS ALONG 24 FEET OF THE ABOVE DESCRIBED PROPERTY, SAID EASEMENT LOCATED 24 FEET NORTH OF THE SOUTH BOUNDARY LINE OF SAID PROPERTY.

TOGETHER WITH:

THE WEST 34 FEET OF THE FOLLOWING DESCRIBED PARCEL:

COMMENCE AT AN EXISTING CONCRETE MONUMENT MARKING THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 21 WEST, WALTON COUNTY, FLORIDA. THENCE N 02' 00' 52" E ALONG THE EAST LINE OF SECTION 30, A DISTANCE OF 299.88 FEET TO AN EXISTING IRON PIPE MARKED R.L.S. #4346, SAID POINT BEING AT THE INTERSECTION OF THE EAST LINE OF SECTION 30 AND THE NORTH RIGHT OF WAY LINE OF S.R. 30 (200' R/W); THENCE N 87' 47' 26" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 183.09 FEET TO A SET IRON PIPE MARKED R.L.S. #1179 FOR THE POINT OF BEGINNING; THENCE CONTINUE N 87' 47' 26" W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 167.00 FEET TO AN EXISTING IRON PIPE MARKED R.L.S. #1724; THENCE DEPART SAID NORTH RIGHT OF WAY LINE N 02' 24' 37" E A DISTANCE OF 400.00 FEET TO A SET IRON PIPE MARKED R.L.S. #1179; THENCE S 87' 47' 26" E 167.00 FEET TO AN EXISTING IRON PIPE MARKED R.L.S. #1179; THENCE S 02' 24' 37" W 400.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A PERPETUAL EASEMENT FOR VEHICULAR TRAFFIC ACROSS THE SOUTHERN 24 FEET OF THE REAL PROPERTY TO BE CONVEYED HEREUNDER FOR THE USE AND BENEFIT OF SELLER'S PROPERTY LOCATED TO THE EAST OF SAID PROPERTY.

3. The proposed amendment is compatible with future development in the area of the subject property.
4. The property is currently served with adequate public facilities.
5. The property is currently designated as Coastal Center.

6. Upon the legally effective date of this Ordinance, the property will be designated as Coastal Center Mixed Use.
7. 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.

**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 regularly scheduled public hearing on the 26<sup>th</sup> of Jan, 2016.

BOARD OF COUNTY COMMISSIONERS  
WALTON COUNTY, FLORIDA

Attest:

*for* Deri Cudde  
Alex Alford  
Clerk of Court

By: Sara  
Sara Commander, Chair

