

ORDINANCE NUMBER 2016-27

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY AMENDING CHAPTER 11 OF THE WALTON COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR EXEMPTING MINOR REPLAT/LOT SPLITS IN THE NEIGHBORHOOD INFILL LAND USE CATEGORY FROM BEING DESIGNATED AS A MAJOR DEVELOPMENT; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

All proposals other than minor replat/lot splits in the NPAs.

WHEREAS, the requirement that minor replat/lot splits in the Neighborhood Infill Land Use Category must be considered a Major Development places an unjust burden on the applicant;

WHEREAS, utilizing the existing lot split application procedure will streamline the process;

NOW THEREFORE, BE IT RESOLVED BY THE WALTON COUNTY BOARD OF COUNTY COMMISSIONERS:

SECTION 1. AUTHORITY; INTENT.

Pursuant to Sections 163.3201 and 163.3203, Florida Statutes, the Walton County Board of County Commissioners have implemented provisions of the Walton County Land Development Code to ensure the County's orderly growth and development and to respond to the changing needs and conditions within the County. Amending Chapter 11 will provide for streamlined processing of Neighborhood Infill minor replat/lot splits. The Walton County Board of County Commissioners finds it is in the best interest of the health, safety and welfare of the citizens of Walton County to revise 11.01.02.C.(4) and amend this requirement as follows:

SECTION 2. AMENDING CHAPTER 5 OF THE WALTON COUNTY LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS (deletions are strike through; additions are underlined):

11.01.02. Designation of Plans as Major or Minor Developments.

A. Generally. For purposes of these review procedures, all development plans shall be designated by the Director of the Division of Planning and Development Services or their designee as either minor or major developments according to the criteria below. Before submitting a development plan for review, the developer shall provide the division with sufficient information to make this determination. The division's determination shall be supported by written findings which shall be maintained in the department records. Plans designated by the Division as major development shall be subject to review and action by the Planning Commission and the Board of County Commissioners. Plans designated as minor development shall be reviewed and acted upon administratively by the Director of the Division of Planning and Development Services or their designee.

2016-27

B. Minor Development. A plan shall be designated as a minor development if it is not a development exempt from permit requirements pursuant to Section 11.00.01 of this Code; does not meet any criteria as set forth in the following subpart of this Section as a major development; and involves only:

1. A division of land into more than two parcels but fewer than 20 parcels;
2. Development of multi-family residential project of fewer than 30 dwelling units that does not involve platting;
3. Development of a non-residential project of less than 5,000 square feet of floor area;
4. Approval of technical plans for an affordable housing project that has been approved conceptually by the Walton County Board of County Commissioners.

C. Major Development. A plan shall be designated as a major development if it involves one or more of the following:

1. A division of land into 20 or more parcels;
2. Development of a multi-family residential project of 30 or more dwelling units;
3. Planned Unit Developments regardless of size.
4. Infill proposals other than minor replat/lot splits in the NPA's.

SECTION 3. SEVERABILITY.

If any portion of this Ordinance is determined by any Court to be invalid, the invalid portion shall be stricken, and such striking shall not affect the validity of the remainder of this Ordinance. If any Court determines that this Ordinance, or any portion hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies), or circumstance(s), such determination shall not affect the applicability hereof to any other individual, group, entity, property, or circumstance.

SECTION 4. CODIFICATION.

Section 11.01.02.C.(4) of the Walton County Land Development Code shall be codified as indicated in Section 2 above.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon adoption by the Walton County Board of County Commissioners, as provided by law.

PASSED AND DULY ADOPTED in regular session, by the Board of County Commissioners of Walton County, Florida, this 13th day of December, 2016.

1845

1845

BOARD OF COUNTY COMMISSIONERS
OF WALTON COUNTY, FLORIDA

Attest:

fa Kim Wilkins
Alex Alford, Clerk of Circuit Court
and County Comptroller



Cecilia Jones
Cecilia Jones, Chair

