

Ordinance Number 2018- 09

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 February 8, 2018, and the Walton County Board of County Commissioners held a public hearing on March 13, 2018 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 Governemnt 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:

Luke Williams, 1128 South Park Drive, Bowling Green, KY 42103
2. Amendment Number 2017-010: Amend the adopted Future Land Use map designation of 4.01+/- acres in Walton County. This is a small scale amendment application submitted by Avcon, Inc., on behalf of Luke Williams, requesting approval to change the future land use category from Coastal Center to Coastal Center Mixed Use on 4.01+/- acres. The project is located on US Highway 98, west of the interesection of Forest Shore Drive, and is identified by parcel number 29-2S-21-42000-006-00A0, more particularly described as:

**LEGAL DESCRIPTION (AS RECORDED)
(O.R. BOOK 2936, PAGE 2154)**

A parcel of land lying in Section 29, Township 2 South, Range 21 West, Walton County, Florida, being more particularly described as follows:

Commence at a found 4"x4" concrete monument marking the southeast corner of Lot 1, Block M, Holiday Shores Estates, Third Addition, as recorded in Plat Book 4, at page 26-A, of the Public Records of Walton County, Florida; thence go north 02° 16' 37" east along the east line of said Lot 1, a distance of 140.08 feet to a point on the southerly right-of-way line of Franklin Avenue (60' R/W); thence go south 69° 48' 15" east along said southerly right-of-way line, a distance of 136.68 feet; thence go south 02° 11' 19" west, a distance of 562.87 feet to a point on the northerly right-of-way line of State Road 30 (Alt. U.S. 98, Emerald Coast Parkway, 200' R/W); thence go north 87° 28' 57" west along said northerly right-of-way line, a distance of 130.83 feet; thence go north 02° 16' 37" east, a distance of 604.32 feet to the point of beginning. Said parcel of land contains 1.7469 Acres.

A Parcel of land lying in Section 29, Township 2 South, Range 21 West, Walton County, Florida, being more particularly described as follows:

Commence at a found 4"x4" concrete monument marking the southeast corner of Lot 1, Block M, Holiday Shores Estates, Third Addition, as recorded in Plat Book 4, at page 26-A, of the Public Records of Walton County, Florida; thence go north 02° 16' 37" east along the east line of said Lot 1, a distance of 140.08 feet to a point on the southerly right-of-way line of Franklin Avenue (60' R/W); thence go south 69° 48' 15" east along said southerly right-of-way, a distance of 241.66 feet to the point of beginning; thence continue south 69° 48' 15" east along said southerly right-of-way-line, a distance of 194.51 feet, thence go south 02° 11' 19" west, a distance of 503.84 feet to a point on the northerly right-of-way line of state road 30 (Alt. U.S. 98, Emerald Coast Parkway, 200' R/W); thence go north 87° 28' 57" west along said northerly right-of-way line, a distance of 185.00 feet, thence go north of 02° 11' 19" east, a distance of 562.87 feet to the point of beginning. Said parcel of land contains 2.2652 Acres.

3. The proposed amendment is compatible with future development in the area of the subject property.
4. The property is currently designated as Coastal Center.
5. Upon the legally effective date of this Ordinance, the property will be designated as Coastal Center Mixed Use.
6. 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 13th of March 2018.

BOARD OF COUNTY COMMISSIONERS
WALTON COUNTY, FLORIDA

Attest:

Dari Corde
Alex Alford
Clerk of Court



By: [Signature]
W.N. "Bill" Chapman, Chair

