

Ordinance Number 2018-_____

AN ORDINANCE OF WALTON COUNTY, FLORIDA, ADOPTING AMENDMENTS TO THE WALTON COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR CONSISTENCY WITH THE COMPREHENSIVE PLAN AS PROPOSED; ESTABLISHING BOARD OF ADJUSTMENTS AS THE DECISION MAKING BODY ON CONDITIONAL USE REQUESTS AND AS THE RECOMMENDING BODY ON SPECIAL EXCEPTION REQUESTS; CLARIFYING QUASI-JUDICIAL AND LEGISLATIVE PROCESSES; ESTABLISHING LESS THAN MINOR DEVELOPMENT ORDERS AND LAND CLEARING PERMIT PROCESSES AND REQUIREMENTS; REVISING DEVELOPMENT REVIEW THRESHOLDS FOR NON-RESIDENTIAL DEVELOPMENT AND NEIGHBORHOOD INFILL PROJECTS; AMENDING CONCURRENCY MANAGEMENT PROCEDURES; DELETING CHAPTER 8 HARDSHIP PROVISIONS, CHAPTER 9 DECISION MAKING BOARDS, CHAPTER 10 DECISION MAKING PROCEDURES, AND CHAPTER 11 DEVELOPMENT ORDER PROCEDURES ENTIRELY.

PROVDIING 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, the Board of County Commissioners wishes to update the Land Development Code providing for consistency with the updated Comprehensive Plan and to provide for internal consistency and other policy related changes; 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 of amending the Land Development Code; and

WHEREAS, after due public notice having been provided, the Walton County Planning Commission held a public hearing on June 14, 2018 and the Walton County Board of County Commissioners held a public hearing on July 10, 2018 to consider the adoption of the proposed amendment to its Land Development Code, 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. Proposed Amendment in Strike Through and Underline Format.

The Board of County Commissioners hereby adopts the amendments provided as **Attachment A** to this Ordinance in strike through (deleted) and underline (proposed) format.

SECTION III. General Criteria.

SECTION V. 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 VI. 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 VII. EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage.

Duly enacted, by the Board of County Commissioners of Walton County, Florida at a regularly scheduled public hearing on the 11th day of September, 2018.

BOARD OF COUNTY COMMISSIONERS WALTON COUNTY, FLORIDA

Attest:

Alex Alford
Clerk of Court

By: _____
W.N. "Bill" Chapman, Chair

ATTACHMENT A: PROPOSED AMENDMENTS TO CHAPTER 4 OF THE WALTON COUNTY LAND DEVELOPMENT CODE