

Ord. 2017- 04

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF HOLMES COUNTY; AMENDING THE FUTURE LAND USE ELEMENT FOR INCORPORATION OF A COMMERCIAL INTENT OVERLAY INTO THE HOLMES COUNTY COMPREHENSIVE PLAN; ADOPTING A FUTURE LAND USE MAP AMENDMENT TO THE HOLMES COUNTY COMPREHENSIVE PLAN AND INCORPORATING THAT CHANGE INTO THE FUTURE LAND USE MAP; ADOPTING THE FUTURE LAND USE DESIGNATION OF COMMERCIAL ON APPROXIMATELY 3.83 ACRES FROM URBAN MIXED USE; PROVIDING FOR AUTHORITY, REPEAL OF CONFLICTING ORDINANCES; AND SETTING AN EFFECTIVE DATE.

WHEREAS, Chapter 163 Florida Statutes empowers the County Commission of Holmes County, Florida to prepare, amend, and enforce a Comprehensive Plan for the development of the County; and

WHEREAS, the Holmes County Planning Commission as the Local Planning Agency (LPA) for the County held a public hearing on the Comprehensive Plan Amendment on June 27, 2017, after due public notice, and considered findings and advice of all interested parties; and

WHEREAS, the Holmes County Florida held an adoption public hearing on August 29, 2017 to consider the "Large Scale" Comprehensive Plan Amendment pursuant to Chapter 163.3184, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and

WHEREAS, in exercise of its authority, the County Commissioners of Holmes County, Florida finds it necessary and desirable to adopt and does hereby adopt this Comprehensive Plan Large Scale Amendment 2017, in order to encourage the most appropriate use of land, water, and resources, consistent with the public interest; and to deal effectively with future problems that may result from the use and development of land within Holmes County, Florida as follows;

NOW, THEREFORE BE IT ORDAINED BY THE HOLMES COUNTY BOARD OF COUNTY COMMISSIONERS, as follows:

SECTION ONE: PURPOSE AND INTENT

This ordinance is enacted to carry out the purpose the intent of, and exercise the authority set out in, the Local Government Comprehensive Act, Sections 163.3161 through 163.3215, Florida Statutes.

SECTION TWO: TITLE OF COMPREHENSIVE PLAN AMENDMENT

This Comprehensive Plan Amendment for Holmes County, Florida shall be entitled, "Holmes County Comprehensive Large Scale Amendment 2017"

SECTION THREE: COMPREHENSIVE PLAN AMENDMENT ADOPTED

The Holmes County Large Scale Plan Amendment 2017 amending the Future Land Use Element of the Holmes County Comprehensive Plan and the Future Land Use map, attached hereto as Exhibit "A" is hereby adopted in the following parts:

Elements being amended: (1) Creation of Commercial Intent Overlay in Future Land Use Element and on the Future Land Use Map

(2) Amending Parcel ID 1013.00-000-000-003.000 from Mixed Use to Commercial.

(3) Amending Parcel ID 1013.00-000-000-004.000 from Mixed Use to Commercial

(4) Amending Parcel ID 1013.01-000-000-005.000 from Mixed Use to Commercial

SECTION FOUR: SEVERABILITY

If any provisions or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinances shall remain in full force and effect.

SECTION FIVE: COPY ON FILE

An official, true copy of Holmes County Comprehensive Plan Large Scale Amendment 2017 as adopted shall be filed with the Clerk of the Court of Holmes County, Florida.

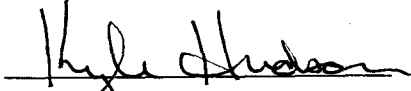
SECTION SIX: EFFECTIVE DATE

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND DULY ADOPTED BY THE with a quorum present and voting, by the Board of County Commissioners of Holmes County, Florida, this 29th day of August, 2017.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF HOLMES COUNTY, FLORIDA



KYLE HUDSON
Clerk of Holmes County Court



CLINT ERICKSON, CHAIRMAN



Future Land Use Element

Objective 8: Promote and develop commercial uses in the targeted area of the Commercial Intent Overlay

Policy 8.1 The area defined on the Future Land Use Map as designated Commercial Intent Overlay represents a targeted location for commercial development as recognized by Holmes County. The purpose of the Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the commercial development within the defined district. This targeted area is a focus for extension of central water and sewer to serve the anticipated commercial development.

Policy 8.2 Property within the Overlay and designated as Commercial or Urban Mixed Use shall be available for uses benefiting freight and the traveling public such as gas stations, truck stops, convenient stores, restaurants, retail, shopping centers, groceries, and pharmacies. All uses shall meet the buffering and landscaping requirements of the Land Development Code.

Policy 8.3 Until such time the property develops as Commercial or the building is used for non-residential purposes, parcels amended to Commercial within the Overlay shall be allowed to continue current residential uses and occupy residential structures without creating a non-conformity,

Policy 8.4 Residential Density and Non-Residential Intensity will be based on regulations set forth by the underlying Future Land Use Designation.

Policy 8.5 The Overlay may be expanded from time to time either on a cycle established by the County or as desired based on available City resources. Future land use amendments to Commercial or Urban Mixed Use for property within the Overlay shall be given priority, however, applications will only be handled as expeditiously as possible based on the capacity and resources of the County.

Policy 8.6 Future development on parcels within the Overlay shall be required to adhere to the site plan review process for compliance with the Land Development Code and adopted level of service.