

ORDINANCE NO. 2007-10

AN ORDINANCE OF HOLMES COUNTY, FLORIDA, AMENDING VOLUME II OF THE HOLMES COUNTY YEAR 2010 COMPREHENSIVE PLAN FUTURE LAND USE MAP SERIES, AS AMENDED; AMENDING CHAPTER 2, "FUTURE LAND USE ELEMENT," PROVIDING FOR AN AMENDMENT TO THE YEAR 2010 FUTURE LAND USE MAP, AS AMENDED, CHANGING THE FUTURE LAND USE CATEGORY OF ONE PARCEL LOCATED ON STATE ROAD 79 FROM URBAN MIXED-USE AND RURAL RESIDENTIAL TO LOW DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, AND INDUSTRIAL TOTALING 453.37 (+/-) ACRES IN SECTION 13, TOWNSHIP 3N, RANGE 15W, PARCEL NUMBER 1013.00-000-000-008.000; AMENDING CHAPTER 2, PROVIDING FOR AN AMENDMENT TO THE YEAR 2010 BONIFAY URBAN SERVICE ZONE MAP TO INCLUDE THE PARCEL LISTED ABOVE; AND AMENDING CHAPTER 2, CREATING A SPECIAL AREA PLAN (SAP) 1 IN THE LOW DENSITY RESIDENTIAL CATEGORY TO A MAXIMUM OF TWO DWELLING UNITS PER ACRE AND SPECIAL DEVELOPMENT STANDARDS TO THE INDUSTRIAL CATEGORY; PROVIDING FOR A TITLE; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Holmes County adopted its Comprehensive Plan on August 16, 2000; and

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners of Holmes County, Florida to prepare, amend, and enforce comprehensive plans for the development of the County; and

WHEREAS, the Holmes County Planning Board (LPA) conducted a public hearing and forwarded a recommendation to the Board of County Commissioners, who have conducted a public hearing, reviewed, and approved the changes to the Plan and authorized the transmittal of the proposed changes to the Florida Department of Community Affairs (DCA) for review and comment prior to considering the changes (amendments) for adoption; and

WHEREAS, the Board of County Commissioners, Holmes County, Florida finds that the adoption of these amendments is in the best interest of the County and its citizens;

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Holmes County, Florida as follows:

Section 1. Purpose and Intent

This Ordinance is 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, Sections 163.3161 through 163.3215, Florida Statutes, and Chapter 9J-5, Florida Administrative Code.

Section 2. Title of Comprehensive Plan Amendment

This Comprehensive Plan Amendment for Holmes County, Florida shall be entitled – “Comprehensive Plan Amendment 2007-02B – Sun Lake.” This is part of the second amendment adoption package to be submitted to DCA for the Year 2007.

Section 3. Changes to the Holmes County Generalized Future Land Use Map and the Holmes County Bonifay Urban Services Zone Map

The Holmes County Year 2010 Comprehensive Plan Future Land Use Map Document, and the Bonifay Urban Services Zone Map, as amended; amending Chapter 2, ‘Future Land Use Element’, Section 2.18; and all notations, references, and information shown thereon, is further amended to include the following future land use and urban services zone change depicted on the maps and attached hereto as Exhibit “A” and “B”:

One parcel located on State Highway 79 changing 453.37 (+/-) acres from Urban Mixed-Use and Rural Residential to Low Density Residential, Medium Density Residential, and Industrial and recorded as Section 13, Township 3N, Range 15W, Parcel number 1013.00-000-000-008.000.

Section 4. Part II of the Holmes County 2010 Comprehensive Plan Volume II Policy Document, Chapter 2, “Future Land Use” Objective 11 is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

Objective 11 Special Area Plan’s (SAP’s)

Policy 11.1 Sun Lake. Special Area Plan (SAP) one (1) consists of 453.37 acres with 240.07 acres designated Low Density Residential, 10.50 acres designated Medium Density Residential, 127.64 acres designated Industrial, and 75.16 acres designated Rural Residential. SAP one (1) is so identified on the Future Land Use Map and is subject to the following:

- a. Residential densities on the portions of the Sun Lake SAP that is designated Low Density Residential shall be limited to a maximum of two dwelling units per acre. This will result in a maximum of 480 units in the Low Density Residential component of the SAP.
- b. Residential densities on the portions of the Sun Lake SAP that is designated Medium Density Residential shall be limited to a maximum of ten dwelling

units per acre. This will result in a maximum of 105 units in the Medium Density Residential component of the SAP.

- c. Entitlements in the Rural Residential portion of the Sun Lake SAP shall be consistent with the densities and intensities permitted in the district in the Comprehensive Plan.
- d. The following development standards shall apply to the portion of the Sun lake SAP that is designated as Industrial:

<u>Maximum FAR</u>	<u>0.22</u>	<u>(1,233,200 sq. ft. maximum)</u>
<u>Maximum Impervious Area</u>	<u>60 percent</u>	<u>(76.6 acres maximum)</u>
<u>Minimum Open Space</u>	<u>15 percent</u>	<u>(19.1 acres minimum)</u>

- e. Sun Lake will provide its own potable water service for Sun Lake SAP. However, Sun Lake has the option to connect to the City of Bonifay's potable water system if the City can address, to the satisfaction of the Water Management District, that adequate water supply is available to serve this site through the approval of a new consumptive use permit for the City. No development can commence at Sun Lake until there is an approval for a private potable water service or the City has received approval of a new consumptive use permit.

Section 5. Severability

If any section, sentence, clause, or phrase of this Ordinance is declared to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 6. Inclusion in the Code

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by Section 125.68, Florida Statutes (2006); and that the sections, subsections, and other provisions of this Ordinance may be re-numbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 7. Copy on File

A certified copy of the enacting ordinance, as well as certified copies of the Holmes County Comprehensive Plan and Future Land Use Map as amended shall be filed with the Clerk of the Circuit Court of Holmes County, Florida, and copies shall be made available to the public for a reasonable publication charge.

Section 8. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the DCA or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes (2006), whichever is applicable.

DONE AND ENACTED this 23 day of October, 2007.

BOARD OF COUNTY COMMISSIONERS
OF HOLMES COUNTY, FLORIDA

By: Raymon Thomas
Raymon Thomas, Chairman

ATTEST ALICE VICKERS
CLERK OF THE CIRCUIT COURT

By: Alice Vickers
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE: