

ORDINANCE NO. 2023-04

AN ORDINANCE OF HOLMES COUNTY, FLORIDA, AMENDING VOLUME III OF THE HOLMES COUNTY YEAR 2010 COMPREHENSIVE PLAN FUTURE LAND 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 US HWY 90, FROM RURAL RESIDENTIAL TO URBAN MIXED USE TOTALING 0.57 (+/-) ACRES IN SECTION 35, TOWNSHIP 5N, RANGE 15W, PARCEL NUMBER 0935.00-000-000-032.000; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature adopted Chapter 163, laws of Florida, which requires Holmes County and the Municipalities of Esto, Noma, Ponce De Leon and Westville to prepare and adopt and enforce a comprehensive plan; and,

WHEREAS, The Holmes County Planning Board held a Public Hearing to consider Proposed Comprehensive Plan Amendment SSA-2022-02 on June 9, 2022, and recommended the Amendment be approved by the Holmes County Board of County Commissioners for adoption; and,

WHEREAS, the Holmes County Board of County Commissioners held a Public Hearing on SEPT 19 2023 to adopt Comprehensive Plan Amendment SSA-2022-02, pursuant to Section 163, 3187, Florida Statutes, with due public notice having been provided, and having reviewed and considered all comments received during the public hearing, and having provided for necessary revisions; and,

WHEREAS, in exercise of its authority, the Holmes County Commission finds it necessary and desirable to adopt and does hereby adopt Comprehensive Plan Amendment SSA-2022-01, in order to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with the future problems that may result from the use and development of land with Holmes County, as follows;

NOW THEREFORE BE IT ORDAINED by the County Commission of Holmes County, Florida as follows;

Section 1      Purposes and Intent.

The land use designation of the above identified parcel, shall be and hereby is changed from "Rural Residential" to "Urban Mixed-Use" use as described in Small Scall Amendment SSA-2022-02.

Section 2      Comprehensive Plan Amendment.

The Holmes County and Municipalities of Esto, Noma, Ponce de Leon and Westville Comprehensive Plan is hereby amended to set forth in and incorporated herein by reference, and consists of a Future Land use Map Amendment.

Section 3      Severability.

If any provision of the ordinance is declared by any court of competent Jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance and the Holmes County and Municipalities of Esto, Noma, Ponce de Leon and Westville Comprehensive Plan shall remain in full force and effect.

Section 4      Copy on File.

An official, true and correct copy of all elements of the Holmes County Comprehensive Plan as adopted and amended from time to time shall be maintained by the Clerk of Court of Holmes County or his designee.

Section 5      Effective Date.

This effective date of this Comprehensive Plan Amendment shall be the date a final order is issued by the Florida Department of Community Affairs, or the Administrative Commission finding the amendment in compliance is accordance with Section 163.318 Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before this amendment becomes effective.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the County Commission of Holmes County, Florida the 19 day of SEPT., 2023.

COUNTY COMMISSION  
HOLMES COUNTY, FLORIDA

By:  \_\_\_\_\_  
Chairman Holmes County Board of County Commissioners



ATTEST:

 \_\_\_\_\_  
Clerk of the Court

