

ORDINANCE NO. 2007-03

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY, FLORIDA, ADOPTING A COMPREHENSIVE PLAN AMENDMENT, AS REQUIRED BY CHAPTER 163, PART II, FLORIDA STATUTES; DESIGNED TO AMEND THE FUTURE LAND USE MAP TO APPROVE A SMALL SCALE MAP AMENDMENT; AUTHORIZING THE TRANSMITTAL OF THE AMENDMENT TO THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE;

BE IT ORDAINED by the Board of County Commissioners of Calhoun County, Florida:

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

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local Government Comprehensive Planning and Land Development regulation Act, empowers and requires the Board of County Commissioners to (a) plan for the County's future development and growth; (b) adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the county; and

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the Board of County Commissioners of Calhoun County have designate themselves as the Local Planning Agency for the unincorporated area of Calhoun County; and

WHEREAS, supporting data and analysis documentation was prepared as background and justification for the revised comprehensive plan's Future Land Use Map amendment; and

WHEREAS, the Calhoun County Local Planning Agency has prepared the proposed amendment to the Calhoun County Future Land Use Map, and held a public hearing on the proposed small scale map amendment on April 17, 2007, at 4:00 p.m. and recommended approval of the Future Land Use Map amendment to the Board of County Commissioners; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the Board of County Commissioners of Calhoun County, Florida, held a public hearing on April 17, 2007, at 5:00 p.m. on the small scale map amendment, with due public notice having been provided, to obtain public comment, and having considered all written and oral comments received, including the data collection and analysis packages and recommendations of the Local Planning Agency, and having adopted the small scale map amendment and approved the amendment for transmittal to the Department of Community Affairs; and

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DEPARTMENT OF COMMUNITY AFFAIRS
CALHOUN COUNTY, FLORIDA

WHEREAS, in exercise of its authority the Board of County Commissioners of Calhoun County, Florida, has determined it necessary and desirable to adopt the amended Future Land Use Map to encourage the most appropriate use of land, water and resources, consistent with the public interest; and deal effectively with future issues that may result from the use and development of land within Calhoun County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Calhoun 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 125, Florida Statutes, as amended;

Section 2.. Calhoun County Future Land Use Small Scale Map Amendment.

The Future Land Use Map of the Calhoun County Comprehensive Plan is hereby amended to include the Map attached and incorporated herein. The amendment changes approximately 10 acres of land on Highway 20, from Agriculture to Mixed Use Rural Residential Land Use. This property is located in Section 2, Township 1 South, Range 11 West.

Section 3. Applicability and Effect.

The applicability and effect of the Calhoun County Comprehensive Plan shall be as provided by the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 through 163.3215, Florida Statutes, and this Ordinance.

Section 4. Severability.

If any provision 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 Ordinance shall remain in full force and effect.

Section 5. Copy on File.

A certified copy of the enacting ordinance, as well as certified copies of the 2000-2010 Calhoun County Comprehensive Plan and Future Land Use Map as amended shall be filed with the Clerk of the Circuit Court of Calhoun County, Florida, and copies shall be made available to the public for a reasonable publication charge.

Section 8. Transmittal to Department of Community Affairs.

Pursuant to Section 163.3184, Florida Statutes, the Calhoun County Commission hereby authorizes the transmittal of this Ordinance and the amended version of the Calhoun County 2000-2010 Comprehensive Plan Future Land Use Map as amended, to the Department of Community Affairs, pursuant to Chapter 163, Part II, Florida Statutes.

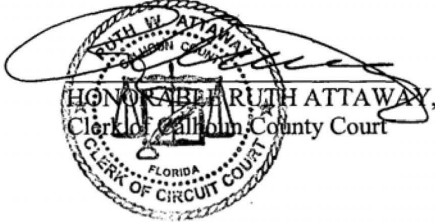
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Section 9. Effective Date.

Pursuant to Section 163.3184, Florida Statutes, this Ordinance and the amended version of the Calhoun County 2000-2010 Comprehensive Plan shall not become effective until; the Plan has been determined to be In-Compliance; the 30 day period for affected parties to file a petition has expired, and the Ordinance has been officially filed with the Secretary of State.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Calhoun County, Florida, this 17th day of April, 2007.

ATTEST:



BOARD OF COUNTY COMMISSIONERS
OF CALHOUN COUNTY, FLORIDA

By: Willie T. Grant
HONORABLE TRUMAN GRANT, Chairman

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