

ORDINANCE NO. 2021-04

An ordinance 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 or the Amendment to the Department of Economic Opportunity; Providing for Repeal of Ordinances in Conflict herewith; Providing for Severability; and providing for an Effective Date;

BE IT ORDAINED by the County Commission for Calhoun County, Florida:

WHEREAS, Chapter 166, Florida Statutes empowers the 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 County 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 Town; and

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the County Commission of Calhoun County has been designated as the Local Planning Agency for the Calhoun County, Florida; 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 Local Planning Agency has prepared the proposed amendment to the Future Land Use Map, and held a public hearing on the proposed small scale map amendment on Tuesday, May 18, 2021 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 Calhoun County Board of County Commissioners, held a public hearing on May 18, 2021, 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 approved the small scale map amendment for transmittal to the Department of Community Affairs; and

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 Calhoun County Board of County Commissioners, 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 166, Florida Statutes, as amended;

Section 2.. The 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 5.0 acres of land on Smokey Lane, from Agricultural Use (1:10) to Agriculture (1:1). This property is described as Calhoun County Parcel ID 05-1N-11-0000-0026-0000.

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 Calhoun County Comprehensive Plan and Future Land Use Map as amended shall be filed with the Clerk of Court for Calhoun County Florida, and copies shall be made available to the public for a reasonable publication charge.

Section 6. 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 Comprehensive Plan Future Land Use Map as amended, to the Department of Economic Opportunity, pursuant to Chapter 163, Part II, Florida Statutes.

Section 7. Effective Date.

Pursuant to Section 163.3184, Florida Statutes, this Ordinance and the amended version of the Calhoun County 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 Calhoun County Board of County Commissioners, Florida, this 18th day of May, 2021

CALHOUN COUNTY BOARD OF
COUNTY COMMISSIONERS, FLORIDA

By: Scott Monaghan
Chairperson of the Board

ATTEST:

Carl A. Hamel
Clerk