

**AN ORDINANCE AMENDING THE FRANKLIN COUNTY
COMPREHENSIVE PLAN TO CHANGE THE FUTURE LAND USE
ELEMENT TO ALLOW HIGHER DENSITY ON A TRACT
CONTAINING 30.70 ACRES IN SECTIONS 7 AND 18, TOWNSHIP 8
SOUTH, RANGE 5 WEST.**

ORDINANCE 2005-67

FRANKLIN COUNTY, FLORIDA

WHEREAS, by Ordinance 98-16 the Franklin County Board of County Commissioners changed the land use designation on a parcel of land in Sections 7 and 18, Township 8 South, Range 5 West, and

WHEREAS, one of the requirements by the Florida Department of Community Affairs to approve this land use change was that a restriction be placed in the Franklin County Comprehensive Plan restricting this property to a density no greater than one dwelling unit per five acres until certain requirements had been met, and

WHEREAS, Franklin County has received a request to change the density on 30.70 acres of the property subject to Ordinance 98-16, and

WHEREAS, the various requirements in the Comprehensive Plan limiting this property to a density no greater than one dwelling unit per five acres have now been addressed, and

WHEREAS, the County adopted Ordinance 2004-37, which amended the Comprehensive Plan for the subject properties, and

WHEREAS, the amendment adopted by Ordinance 2004-37 was noticed as "not in compliance" with the requirements of Chapter 163, Florida Statutes and administrative proceedings were begun, and

WHEREAS, the County and the Department of Community Affairs have entered into a Stipulated Settlement Agreement in an attempt to resolve all issues raised by the Department in its Notice of Intent and the administrative hearing, and

WHEREAS, this ordinance is adopted to effect the terms of the Stipulated Settlement Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS that the Policy 2.2(d)(1) of the Land Use Element be amended to read as provided in Exhibit "A" attached hereto and hereby incorporated by reference.

This Ordinance is adopted this 1st day of November, 2005, in a regular meeting of the Franklin County Board of County Commissioners after notice was duly given and pursuant to the requirements of Chapter 163, Florida Statutes.

FRANKLIN COUNTY BOARD OF
COUNTY COMMISSIONERS

ATTEST: Marcia M. Johnson
Marcia M. Johnson, Clerk of Court

BY: [Signature]
Cheryl Sanders, Chairperson




Exhibit A
Remedial Amendment
05-R1
Franklin County Comprehensive Plan

Future Land Use Policy 2.2(d)

1. The site which is the subject of Ordinance Number 98-16, is restricted to a zoning designation of District R-3, which is Single Family Estate Residential (one single family unit per five acres) as per Franklin County Zoning Code, amended on July 7, 1998, by Ordinance 98-13. The following property subject to Ordinance Number 98-16 is rezoned to R-1 Single Family Residential, one unit per acre: Lots 6, 7, 8, 9, 11 and 12 ("Soundings Property"). Development of the Soundings Property is subject to the following restrictions:

(a) Residential development shall be prohibited within the portions of the Soundings Property within the Coastal High Hazard Area designated by the Apalachee Regional Hurricane Evacuation Study prepared in 2004 and adopted by the Franklin County Board of County Commissioners on April 5, 2005. The only development allowed within the portions of the Soundings Property within the above described Coastal High Hazard Area shall be (i) recreational trails and paths, (ii) water access in the form of a dock with viewing platform and no permanent mooring of vessels allowed, (iii) stormwater management facilities and (iv) wetland maintenance and restoration as permitted or required by the regulatory agency with wetland jurisdiction.

(b) All wetlands on the site will be buffered by a fifty foot (50') vegetated perimeter. Development within wetlands or the fifty foot perimeter shall be prohibited except for (i) road crossings and minor encroachments for utilities and their maintenance; (ii) recreational paths and trails, (iii) water access, (iv) stormwater management facilities, and (v) wetland maintenance and restoration as permitted or required by the regulatory agency with wetland jurisdiction.

(c) Development of the portions of the Soundings Property not located within the Coastal High Hazard Area described in Policy 2.2(d).l.(a) shall be at a maximum density of one dwelling unit per gross acre and the residential units will be clustered onto uplands portions of the Soundings Property to implement the protections of paragraphs (a) and (b).