

AN ORDINANCE AMENDING THE FRANKLIN COUNTY COMPREHENSIVE PLAN TO ADD LANGUAGE TO FUTURE LAND USE POLICY 2.2.

**ORDINANCE 99-22
FRANKLIN COUNTY, FLORIDA**

WHEREAS, on August 4, 1998, the Franklin County Board of County Commissioners adopted Ordinance 98-16 which amended the Franklin County Comprehensive Plan by changing the land use on 132 acres from Rural Residential to Residential Estates, and

WHEREAS, the Florida Department of Community Affairs issued its Statement and Notice of Intent regarding the Amendment on September 17, 1998, contending that the adopted ordinance was inconsistent with the Franklin County Comprehensive Plan, and

WHEREAS, the Florida Department of Community Affairs initiated formal administrative proceedings challenging the Amendment, and

WHEREAS, both the Franklin County Board of County Commissioners and the Florida Department of Community Affairs, to avoid the expense, delay, and uncertainty of lengthy litigation, negotiated a Stipulated Settlement Agreement, and

WHEREAS, as part of this Stipulated Settlement Agreement the County Commission agreed to amend the Franklin County Comprehensive Plan Future Land Use Policy 2.2 to include certain language,

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS that the following text will be added to the Franklin County Comprehensive Plan Future Land Use Policy 2.2 (d) Residential:

1) The site, which is the subject of Ordinance No. 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.

2) Should the zoning on the site which is the subject of Ordinance No. 98-16 be changed to a density greater than that which is allowed by the above described R-3 zoning district, Franklin County shall adopt an amendment to the comprehensive plan to revise Policy 2.2 d) 1, to allow the higher density.

3) By September 30, 1999, Franklin County shall apply to the Department's Small Town Environmental Program (STEP) for assistance in developing a study of the feasibility and available options of central sewer and water. Regardless of the status of the study, Franklin County shall require all new development in the study area to provide easements for sewer and water. The study area will encompass the coastal area within two miles of the coast, between Eastpoint and Carrabelle, excluding public land. The study area will run from the Carrabelle River westward, to and including the property subject of Ordinance 98-16. Should a study show that connections to central water and sewer are possible and economically feasible within the described study area, then any further development within this area should be connected.

4) As the City of Carrabelle has already authorized construction of a water expansion program into part of the study area (as far as Carrabelle Beach), with construction beginning by September 20, 1999, and as the City has tentative plans to provide water as far as Yent's Bayou, Franklin County will cooperate with the City in applying for funds to continue water expansion. As the City is the most likely provider of sewer service, Franklin County and the City will cooperatively seek funding to initiate sewer service in the study area.

This Ordinance adopted this 7th day of December, 1999, in a regular meeting of the Franklin County Board of County Commissioners after notice was duly given, and pursuant to Chapter 163, Florida Statutes.

THE FRANKLIN COUNTY BOARD OF
COUNTY COMMISSIONERS

BY: Clarence Williams
Clarence Williams, Chairman



Kendall Wade, Clerk