

**ORDINANCE
2004-17**

AN ORDINANCE MODIFYING THE NOTICE REQUIREMENTS AND PROCEDURES FOR PLATTING; MODIFYING THE REQUIREMENTS FOR DEVELOPMENT ORDERS, PROVIDING FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE IN THE LAND DEVELOPMENT CODE.

WHEREAS, Florida Statute **177** establishes platting requirements, and enables local governing bodies powers to regulate and control the platting of lands and

WHEREAS, it is the intent of the Walton County Board of County Commissioners that projects with approved Development Orders not be subjected to additional notification requirements, and

WHEREAS minor Development Orders currently do not require a sign or other notification prior to issuance of a Development Order, and

WHEREAS it was and is the intention of the Walton County Board of County Commissioners to ensure adequate public notification and to incorporate the modifications into the Walton County Code;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WALTON COUNTY, that the Walton County Code be amended, as follows:

(deletions are ~~strike through~~ additions are underlined)

Section 1: Section 10.02.02 of the Walton County Land Development Code are amended as follows:

10.02.02 Notice of Quasi-Judicial Proceedings.

Unless otherwise specifically provided for in this Code, each quasi-judicial hearing shall be subject to the minimum notice requirements provided in Section 10.03.02 of this Code.

Platting & Replatting is exempt from all Notification Requirements except notice publication.

10.03.02. Notice

- D. *Certified Certificate of Mailing Notice.* Certified Notice of the time and place of ~~the~~ each public hearing ~~by~~ before the Planning Commission or the Board of County Commissioners shall be ~~sent~~ postmarked at least ten (10) days in advance of the hearing by ~~certified certificate~~ of mailing to owners of real property within 300 feet of the property directly affected by the proposed action whose address is known by reference to the latest approved ad valorem tax roll. The applicant, or his/her designee, shall certify at the time of the public hearing that notice as herein required was given. The certification shall be conclusive of the giving of certified notice.
- E. *Sign Notice.* The applicant shall post a sign on the property or directly in front of the property that is visible from the public right of way, no less than fourteen (14) days prior to any and all public meetings at which the application will be considered. The sign shall be 36" x 36" and shall contain the name of the project, date, time and location of the public hearing, the type of meeting and the name of the public body holding the meeting. The placement of the sign shall be determined by Planning Staff for double frontage or corner lots.
- H. *Responsibility for Insuring that Property Notice Is Provided; Costs.* The person applying for any action, permit or order requiring a legislative decision shall be responsible for insuring that all notices are provided as specified in this subpart. The applicant shall provide to the County, through the ~~Director of the~~ Department of Planning and Zoning, a sworn affidavit for posting sign, a sworn affidavit for notification of property owners and the Certificate Of Mailing receipt no less than three (3) working days prior to the advertised meeting date:

Section 2: Adding Section 11.02.06 to the Walton County Land Development Code as follows:

11.02.06 Development Order Application Signs

A sign provided by the Planning Department will be posted upon or directly in front of the site within 10 days of filing a major or minor application with the Planning Department.

Section 3. AUTHORITY AND PURPOSE. This ordinance is adopted pursuant to the authority granted to counties by Chapter 125, Florida Statutes. Its purpose is to clarify the regulations pertaining to Notice for Public Hearings.

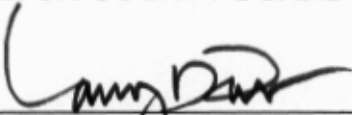
Section 4. CONFLICT. Those portions of ordinance whose subject matter is the Land Development Code and/or the Comprehensive Plan which are in conflict are hereby repealed.

Section 5. SEVERABILITY. Should any word, phrase, sentence or section of this ordinance be held by a court of competent jurisdiction to be illegal, void, unenforceable or unconstitutional then such shall be severed from this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 6. EFFECTIVE DATE. This ordinance shall take effect as provided by law.


ADOPTED in an advertised public hearing of the Board of County Commissioners this 6 day of April, 2004.

WALTON COUNTY BOARD OF COUNTY COMMISSIONERS



Larry Jones, Chair

ATTEST:



CLERK