

ORDINANCE NUMBER 2015-5

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA COUNTY, FLORIDA, AMENDING AND REVISING POLICY 2.3.1 OF THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE WAKULLA COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN AS ADOPTED BY ORDINANCE NO. 10-07, AS AMENDED; PROVIDING FOR APPLICABILITY AND EFFECT; PROVIDING SEVERABILITY AND FOR FILING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Wakulla County Board of County Commissioners is empowered to adopt Ordinances pursuant to Chapter 125.66, Florida Statutes; and

WHEREAS, Chapter 163, Part II, Florida Statutes, the Local Government Comprehensive Planning and Land Development Regulation Act, empowers and requires the Wakulla County Board of County Commissioners to: (a) plan for the County's future development and growth; (b) adopt and amend comprehensive growth management plans or elements or portions thereof, to guide the future growth and development of the County; (c) implement adopted or amended comprehensive growth management plans by the adoption of appropriate land development regulations; and (d) establish, support, and maintain administrative instruments and procedures to carry out the provisions and purposes of the Act; and

WHEREAS, the Wakulla County Planning Commission has been established and designated as the Local Planning Agency (LPA) for unincorporated Wakulla County, Florida, pursuant to Subsection 163.3174, Florida Statutes; and

WHEREAS, the LPA and the Board have in the preparation of the Text Amendment to the Comprehensive Growth Management Plan performed or caused to be performed the necessary studies and surveys, the collection of appropriate data, the holding of such public hearings, workshops and meetings as necessary, and have effectively provided for public participation, notice, broad dissemination of proposals and alternatives, opportunity for written comments, open discussion, communication programs, information services, considerations of, and response to, public and official comments; and

WHEREAS, the Wakulla County Board of County Commissioners (Board) held its transmittal hearing to consider the recommendation of the Local Planning Agency on February 2, 2015, and transmitted the proposed Text Amendment to the Department of Economic Opportunity ("DEO"), in its role as the State land planning agency, and to other State review agencies; and

WHEREAS, the DEO, by letter dated February 18, 2015, notified the County of receipt of the Amendment; and

WHEREAS, comments were not received from any of the State Agencies within 30 days of receipt of the Amendment; and

WHEREAS, on or about April 16, 2015, the County scheduled and advertised the adoption hearing for the Text Amendment to the Comprehensive Growth Management Plan in The Wakulla News, a local newspaper of general circulation, for May 4, 2015; and

WHEREAS, on or about May 4, 2015, the Board held a duly advertised public hearing in accordance with Section 163.3184, Florida Statutes, to consider and receive all oral and written comments relating to the proposed Text Amendment, including the data collection and analyses package, the Wakulla County Planning Commission recommendations; and

WHEREAS, in exercise of its statutory authority, the Wakulla County Board of County Commissioners has determined it necessary and desirable to adopt the amended version of the Comprehensive Growth Management Plan's Public School Facilities Element to further preserve and enhance present advantages; encourage the most appropriate use of land, water, and natural resources consistent with public interest; overcome present handicaps; and deal effectively and efficiently with future growth and problems that may result from the use and development of land within Wakulla County, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WAKULLA 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, Chapter 163, Part II, Florida Statutes, Chapter 125, Florida Statutes, and the Wakulla County Home Rule Charter.

Section 2. Amendments to the Comprehensive Growth Management Plan.

(A) The Board of County Commissioners of Wakulla County, Florida, hereby amends and revises Policy 2.3.1 of the Public School Facilities Element of the Comprehensive Growth Management Plan for Wakulla County, Florida, as adopted by Ordinance No. 10-07, as amended, as set forth in Attachment A attached hereto and incorporated herein by reference.

(B) The amendment was fully considered after a public hearing pursuant to legal notice duly published as required by law.

(C) To make the Wakulla County Comprehensive Growth Management Plan available to the general public, a certified copy of this Ordinance, the Comprehensive Growth Management Plan, and any Amendments thereto, shall be located in the Wakulla County Planning and Community Development Department, located at 11 Bream Fountain Road, mailing address 3093 Crawfordville Highway, Crawfordville, Florida, 32327. The Planning and Community Development Department, through its Director, shall make copies available for public inspection, and provide duplication for a reasonable publication and copy charge.

Section 3. Applicability and Effect.

The applicability and effect of the Wakulla County Comprehensive Growth Management Plan shall be as provided by the Community Planning Act, Chapter 163, Part II, Florida Statutes, and this Ordinance. Except to the extent amended herein, the Comprehensive Growth Management Plan is hereby ratified, confirmed, and remains in full force and effect.

Section 4. Severability.

If any provision or portion of this Ordinance is declared by a court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all the remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 5. Filing.

A Certified Copy of this Ordinance, as well as Certified Copies of the Wakulla County Comprehensive Growth Management Plan, and subsequent Amendments thereto, shall be filed with the Wakulla County Clerk of the Circuit Court.

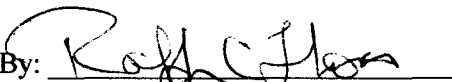
Section 6. Effective Dates.

(A) The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies Wakulla County that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

(B) A certified copy of this Ordinance shall be filed in the Department of State within ten (10) days after enactment by the Board and the Ordinance shall take effect as provided by law.

PASSED AND DULY ADOPTED this 4th day of May, 2015.

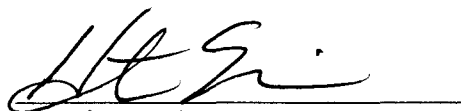
BOARD OF COUNTY COMMISSIONERS
OF WAKULLA COUNTY, FLORIDA

By: 
Ralph Thomas, Chair

ATTEST:

APPROVED AS TO CONTENT AND FORM:


BRENT X. THURMOND, Ex Officio
Clerk to the Board


Heather Encinosa, Esq.
County Attorney

annually by the School Board. The student generation rates shall be updated at a minimum of once every 5 years and will be revised to include rates by housing type. The student generation rates referenced in the supporting data and analysis for the element are based on the Bureau of Economic and Business Research (BEBR) medium population projections for Wakulla County. Should Wakulla County amend its comprehensive plan based on the BEBR high population projections, the School Board shall update the student generation rates in accordance with these forecasts to ensure internal consistency of the plan elements.

Objective 2.3: Ensure future needs are addressed consistent with the adopted level of service standards for public schools, based on the identification of facility needs and level of service standards contained in the Public School Facilities Element, the Wakulla County School Board shall develop and annually review and author a program of capital improvements for educational facilities that will be incorporated by reference by the County and municipalities on an annual basis into the 5-year schedule of capital improvements.

Policy 2.3.1: The County and the municipalities hereby incorporate by reference the Wakulla County School Board Educational Facilities Work Program dated ~~September 9, 2013~~ September 8, 2014, authored by the Wakulla County School Board, that includes school capacity sufficient to meet anticipated student demand projected by the County and municipalities, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools.

Policy 2.3.2: The County and municipalities shall annually update, by December 1st of each year, the Capital Improvements Element by adopting by reference the School Board authored financially feasible Work Program to ensure a financially feasible capital improvements schedule and to ensure level of service standards will continue to be achieved and maintained during the five-year planning period.

Policy 2.3.3: The 5-year schedule of capital improvements for public school facilities ensures the level of service standards are achieved and maintained within the period covered by the 5-year schedule. After the initial 5-year schedule of capital improvements for public school facilities, annual updates to the schedule shall ensure levels of service standards are achieved and maintained each year of the subsequent 5-year schedule of capital improvements.

FUTURE CONDITIONS MAPS

The Public School Facilities Element contains future conditions maps **PSFE Map 6** and **PSFE Map 7** showing existing and anticipated schools over the 5-year and long range planning periods. The maps are general and do not prescribe a land use on a particular parcel.

Revised December 2014

FILED
AT THE CLERK'S OFFICE

15 MAY -6 PM 2:12

CLERK OF DISTRICT COURT
WAKULLA COUNTY, FLORIDA



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 7, 2015

Mr. Brent X. Thurmond
Clerk of Circuit and County Courts
Wakulla County
3056 Crawfordville Highway
Crawfordville, Florida 32327

Attn: Ms. Evelyn Evans, Deputy Clerk

Dear Mr. Thurmond:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Wakulla County Ordinance No. 2015-5, which was filed in this office on May 6, 2015.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb