

ORDINANCE NO. 2011- 01

AN ORDINANCE OF THE TOWN OF GREENWOOD, FLORIDA, CORRECTING A SCRIVINER'S OMISSION OF RECORDING WITH RESPECT TO ORDINANCE NO. 01-02 (AN ORDINANCE ADOPTING AMENDMENT 98-1 TO THE COMPREHENSIVE PLAN); DIRECTING THE TOWN CLERK TO INSERT THE ATTACHED EXACT COPY OF THE ORDINANCE IN THE ORDINANCE BOOK OF THE TOWN OF GREENWOOD; AND RATIFYING AND AFFIRMING ORDINANCE 01-02 AS A VALID AND DULY PASSED ORDINANCE OF, AND COMPREHENSIVE PLAN AMENDMENT 98-1, AS A VALID AND DULY PASSED AMENDMENT TO THE COMPREHENSIVE PLAN OF, THE TOWN OF GREENWOOD; AND RE-ENACTING ORDINANCE 01-02 IN FULL.

WHEREAS; the Town Council of the Town of Greenwood had its first reading of Ordinance 01-02, for final approval of the Comprehensive Plan Amendment, DCA Reference No. 98-1, at its duly noticed public council meeting on November 13, 2001; and

WHEREAS; the Town of Greenwood published notice of Ordinance 01-02, at least 10 days prior to adoption, in a newspaper of general circulation in the municipality. The notice stated the date, time, and place of the meeting; the title of the proposed ordinance; and the place within the municipality where such proposed ordinance could be inspected by the public. The notice also advised that interested parties could appear at the meeting to be held on December 11, 2001, and be heard with respect to the proposed ordinance; and

WHEREAS; Ordinance 01-02 was read the second time by the Town Council of the Town of Greenwood in its regularly scheduled public meeting on December 11, 2001, a motion being made by council member Robert D. Waltz to accept and adopt the ordinance as read, the ordinance was passed unanimously; and

WHEREAS; Ordinance 01-02 as passed was approved and signed by the Mayor and the Clerk of the Town of Greenwood; and

WHEREAS; however, the original of the signed ordinance has been lost and is no longer present in the Ordinance Book of the Town of Greenwood, with no official action having been taken by the Town Council to repeal or remove the ordinance; and

WHEREAS; The official records of the Town of Greenwood contain the unsigned exact copy of Ordinance 01-02 as presented to the Town Council on November 13, 2001, and December 11, 2001, which contains the exact language of the Ordinance as passed on December 11, 2001, and is attached hereto and incorporated herein by reference; and

WHEREAS; The Town Council of the Town of Greenwood finds that the attached copy of Ordinance 01-02 is the Ordinance as passed on December 11, 2001, and should be enrolled in the Ordinance Book of the Town of Greenwood as duly enacted Ordinance 01-02.

NOW THEREFORE, be it ordained and enacted:

Section 1. Findings. The Town Council of the Town of Greenwood finds that Ordinance

01-02, an Ordinance for final passage of the Comprehensive Plan Amendment 98-1, was duly enacted on December 11, 2001.

Section 2. *Final Passage of Comprehensive Plan Amendment 98-1.* The Town of Greenwood hereby reaffirms and re-approves Comprehensive Plan Amendment 98-1.

Section 3. *Ratification.* Ordinance 01-02, as attached hereto and incorporated herein by reference, is hereby ratified and affirmed as a valid and duly passed ordinance of the Town of Greenwood, Florida.

Section 4. *Enrollment of Ordinance.* The Town Clerk is directed to insert and enroll the attached copy of Ordinance 01-02 in the Ordinance Book of the Town of Greenwood, Florida as enacted on December 11, 2001.

Section 5. *Re-enactment.* Ordinance 01-02 of the Town of Greenwood, attached hereto and incorporated herein is hereby re-enacted in full.

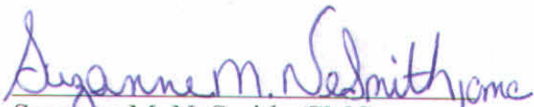
Section 6. *Severability.* If any word, phrase, sentence, part, section, subsection, or other portion of this law or any application thereof to any person or circumstance is declared void, unconstitutional or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed Application thereof, shall be severable, and the remaining provisions of this Law, and all applications thereof, not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

Section 7. *Effective Date.* This Ordinance is effective upon adoption.

Adopted at a duly advertised public hearing at which a quorum was present and a majority voted in favor, this 13th day of December, 2011.

ATTEST:

**TOWN COUNCIL OF THE
TOWN OF GREENWOOD, FLORIDA**


Suzanne M. NeSmith, CMC
Town Clerk


Charles Sanders, Mayor

**TOWN OF GREENWOOD
COMPREHENSIVE AMENDMENT
ORDINANCE 01-02**

I. Description of Change:

On 10 October 1995, the Town of Greenwood adopted Ordinance No. 95-3, which annexed approximately 210.88 acres. The real property is described as 210.88 acres, more or less in the E ½ of SE ¼ of Section 30, Township 6 North, Range 9 West, lying North of County Road 165, less the East 10 acres thereof. A copy of the Ordinance is attached as Appendix A.

On 23 June 1998, the Town adopted Ordinance 98-2, which annexed approximately 131.44 acres. The annexed land is more or less in the North West ¼ of the 29th Section, Township 6 North, Range 9 West, Line East of State Road 71 less 24.82 acres thereof. A copy of the Ordinance is attached as Appendix B.

Prior to annexation, the annexed areas were classified by the Jackson County Comprehensive Plan as Agriculture 2. The proposed land use within the Town is Agriculture. The definition of land use categories, allowable uses, and densities are the same.

Analysis of Proposed Change:

1. Need for the Change:

The Town of Greenwood has annexed areas in response to requests by citizens. This proposed amendment to the Future Land Use Map is intended to bring the map into conformance with the revised municipal boundaries.

2. Analysis of Impact to Public Facilities:

The annexed areas are served by centralized water provided by the Town of Greenwood. The Town's potable water system has a capacity of 432,000 gallons per day and is currently operating at approximately 30% of capacity. The annexed areas will be served by the Town's system, but it is not anticipated that the additional users will result in a degradation below the adopted Level of Service.

The annexed areas are bisected by State Road 71. In addition State Highway 165 runs parallel to the southwest border of the annexed area. According to the *1996 Town of Greenwood Level of Service Study* prepared by the Apalachee Regional Planning Council, State Road 71 was operating at 22 percent of its capacity. Whereas recent traffic counts for State Highway 165 are not available, the proposed change does not involve a more intensive use and it is not anticipated that a degradation of the adopted LOS will occur.

The land use designation of the annexed property is not changed by this amendment, and it is not anticipated that the annexation will adversely impact the Town's drainage. All development within the Town of Greenwood is required to meet state and regional permitting standards for stormwater management.

The level of service standard for solid waste for the Town of Greenwood is 3.3 pounds per person per day. It is not anticipated that the proposed change will result in a degradation of the level of service.

3. Analysis of Impacts to Natural Resources:

The area of proposed change is not adjacent to a surface water body. There is a small portion of the annexed area that is classified by the Flood Insurance Rate Map as Zone A, which is a 100 year flood area where the base flood elevations have not been determined. The proposed map amendment is not anticipated to increase the potential impact to the floodplain, since the type and intensity of allowed development is not being changed. Additionally, it is not anticipated that there will be an increase in the potential impacts to wetlands, soils, species listed as endangered, threatened or of special concern, and archeological or historic resources for the aforementioned reason.

4. Analysis of Compatibility with Abutting and Adjacent Uses:

The area of proposed change abuts land designated as Agriculture with the Town and Agriculture 2 within the County. The area of proposed change will be designated Agriculture by the Town of Greenwood.

5. Analysis of Consistency with Adopted Comprehensive Plan:

The area of proposed change will not alter the overall intent of the Town's Comprehensive Plan. The area will be designated as Agriculture and will not increase the demand for infrastructure or increase the potential impacts to natural resources and features.

II. This Ordinance shall become effective upon its passage by the Town Council.

The effective date will be December 11, 2001.

Proposed ordinance presented to the Town Council of the Town of Greenwood, Florida, and read in full, and discussed with an opportunity for interested persons to be heard at the November 13, 2001, regular meeting.

Proposed ordinance noticed once in a newspaper of general circulation in the Town of Greenwood, Florida, at least ten days prior to its adoption.

Proposed ordinance read by title before the Town Council of the Town of Greenwood, Florida, at the December 11, 2001, regular meeting, interested parties who appeared before the Town Council being heard, and proposed ordinance passed by at least two affirmative votes of members of the Town Council of the Town of Greenwood, Florida at said meeting.

S/

Chairman of the Town Council

ATTEST:

S/

Town Clerk

Approved by me on this 11th day of December, 2001.

S/

Mayor

Copies of the foregoing ordinance have been posted in three public places including the office of the Town Clerk in the Town of Greenwood, Florida, for one week after its passage.

S/

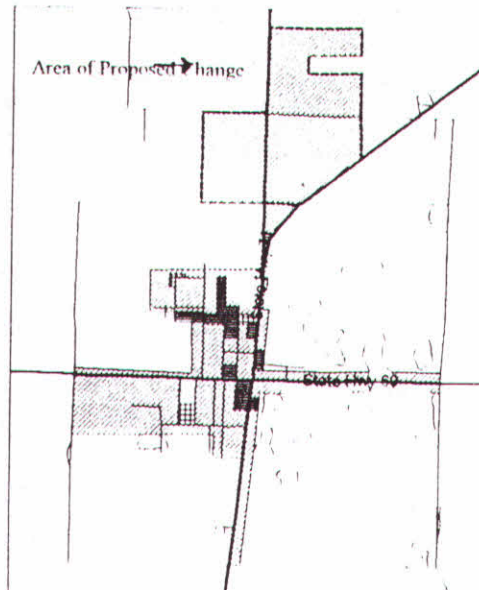
Town Clerk

NOTICE OF LAND USE CHANGE

The Town of Greenwood Town Commission proposes to change the use of land within the areas shown on the map in this advertisement and further described as 210.88 acres south of Lee Willis Road and west of State Highway 71 and 131.44 acres north of State Highway 165 and east of State Road 71. The areas will be changed from Agriculture 2 to Agriculture.

A public hearing on the proposal will be held on September 9, 1998, at 6:30 PM at the Town Hall in Greenwood, Florida. More information can be obtained and the proposed change may be inspected at Town Hall, 4207 Bryan Street, Greenwood, Florida (850-594-1216).

Persons wishing to comment may do so in person at the public hearing or in writing to the Greenwood Town Council, Post Office Drawer 9, Greenwood, Florida 32443.



TOWN OF GREENWOOD

Name: Rita Millwood

Title: Town Clerk