

ORDINANCE NUMBER: 81- 47

INTRODUCED BY: COMMISSIONER

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, THAT ADOPTS THE LAND USE ELEMENT OF THE ST. JOHNS COUNTY COMPREHENSIVE PLAN; THAT PROVIDES DEFINITIONS AND GUIDES FOR THE INTERPRETATION OF CERTAIN WORDS AND PHRASES THEREIN; THAT PERMITS DEVIATIONS FROM THE PLAN BY ORDINANCE, RESOLUTION OR MOTION; AND THAT PROVIDES SEVERABILITY, AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

Section 1. Pursuant to Florida Statutes § 163.3161, et. seq. (the Local Government Comprehensive Planning Act of 1975), hereinafter called "the act", the Land Use Element of the St. Johns County Comprehensive Plan, hereinafter called "the land use plan", as amended, and as filed with the Clerk this 25th day of June, 1981, is hereby adopted by reference as though it were copied fully herein and it is and shall be in effect in St. Johns County, Florida, to the extent required by "the act".

Section 2. All language in "the land use plan" that indicates a finding or determination of "need" is to be interpreted and used as an expression of possible long term future needs and not as a determination or finding of an immediate need.

Section 3. "The land use plan" is to be construed as a guide and not as a rigid regulation. Words in "the land use plan" such as "should", "will", "must", and "shall" are to be deemed expressions of guidance and as such are to be read as permissive in nature and not as mandatory or obligatory commands. Maps in the plan are visual aids for "the land use plan" and are not substantive in nature.

Section 4. Unless prohibited by "the act", deviations from the land use plans, policies, intent, directions, maps or charts may be made by the Board of County Commissioners of St. Johns County, by ordinance, motion or resolution at regularly scheduled or special board meetings.

Section 5. Policies as determined in "the land use plan" are not to be considered as rigid expressions of law, but are merely guides or suggestions for future development or activity.

Section 6. Should any clause, sentence or portion of this Ordinance or "the land use plan" be held to be unconstitutional or illegal, then the remaining provisions of this ordinance and "the land use plan" shall continue in full force and effect as if said portion found unconstitutional or illegal was not a part thereof.

Section 7. This ordinance shall take effect immediately upon receipt of official acknowledgment by the Office of the Secretary of State to the Clerk of the Board of County Commissioners of St. Johns County, Florida, that same has been filed.

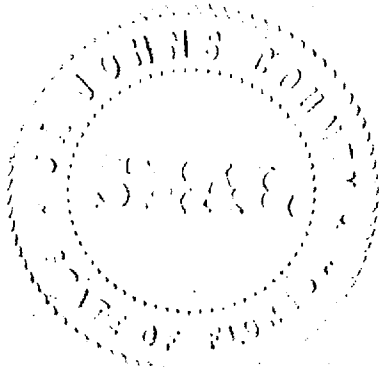
PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, this 25th day of June, 1981.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: Kay Waldron
Its Chairman

ATTEST: CARL "BUD" MARKEL
Clerk

By: Marie Hudson
Deputy Clerk



Adopted special meeting 6/25/81

Effective: 6-30-81

81-47

COPY OF ADVERTISEMENT

The St. Augustine Record
PUBLISHED EVERY AFTERNOON EXCEPT SUNDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA, }
COUNTY OF ST. JOHNS }

Before the undersigned authority personally appeared _____
Robert E. James who on oath says that he is
Advertising Manager of the St. Augustine Record, a
daily newspaper published at St. Augustine in St. Johns County, Florida;
that the attached copy of advertisement, being a _____
Notice of Public Hearing
_____ in the matter of _____
St. Johns County Comprehensive Plan
_____ in the _____ Court,
was published in said newspaper in the issues of _____
June 1, 1981.

Affiant further says that the St. Augustine Record is a newspaper
published at St. Augustine, in said St. Johns County, Florida, and that the
said newspaper has heretofore been continuously published in said St.
Johns County, Florida, each day, except Sundays, and has been entered
as second class mail matter at the post office in the City of St. Augustine,
in said St. Johns County, Florida, for a period of one year next preceding
the first publication of the attached copy of advertisement; and affiant
further says that he has neither paid nor promised any person, firm or
corporation any discount, rebate, commission or refund for the purpose
of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me
this 1st day of June _____
A.D. 1981
Keith M. Walker

(SEAL) **Notary Public**
Notary Public, State of Florida
My Commission Expires May 13, 1985
Signed thru Troy Jan _____

NOTICE IS HEREBY GIVEN THAT THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AT ITS SPECIAL MEETING ON JUNE 25, 1981, AT 7:00 O'CLOCK P.M. IN THE COUNTY COMMISSIONERS ROOM, ST. JOHNS COUNTY COURTHOUSE, ST. AUGUSTINE, FLORIDA, WILL HOLD A PUBLIC HEARING TO CONSIDER THE PASSAGE OF THE FOLLOWING ORDINANCE:
AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, THAT ADOPTS THE LAND USE ELEMENT OF THE ST. JOHNS COUNTY COMPREHENSIVE PLAN; THAT PROVIDES DEFINITIONS AND GUIDES FOR THE INTERPRETATION OF CERTAIN WORDS AND PHRASES THEREIN; THAT PERMITS DEVIATIONS FROM THE PLAN BY ORDINANCE, RESOLUTION OR MOTION; AND THAT PROVIDES SEVERABILITY; AND AN EFFECTIVE DATE.
The proposed Ordinance is on file in the office of the Clerk of the Circuit Court, St. Johns County, Florida, St. Johns County Courthouse, and may be examined by parties interested prior to said public hearing.
All parties having any interest in said Ordinance will be afforded an opportunity to be heard at the public hearing.
If a person decides to appeal any decision made by the Board of County Commissioners with respect to any matter considered at the meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
BY: CARL BUD MARKEL, Its Clerk
Marie Hudson
1439 June 1981



FLORIDA DEPARTMENT OF STATE
George Firestone
Secretary of State

June 29, 1981

FILED

Honorable Carl "Bud" Markel
Clerk of Circuit Court
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32084

'81 JUN 30 AM 10 12

Carl "Bud" Markel
CLERK OF CIRCUIT COURT

Attention: Marie Hudson, Deputy Clerk

Dear Mr. Markel:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge:

1. Receipt of your letter/s of June 26
and certified copy/ies of St. Johns
County Ordinance/s No./s 81-47
2. Receipt of _____ County Ordinance/s
relative to:
 - (a) _____
which we have numbered _____
 - (b) _____
which we have numbered _____
3. We have filed this/these Ordinance/s in this office
June 29 1981
4. The original/duplicate copy/ies showing the filing date
is/are being returned for your records.

Cordially,

Nancy Kavanaugh
(Mrs.) Nancy Kavanaugh
Chief, Bureau of Laws

NK/mb

FLORIDA-State of the Arts
The Capitol · Tallahassee, Florida 32301 · (904) 488-3680