

ORDINANCE NO. 99-6

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING PORTIONS OF ORDINANCE 97-15, WHICH IS THE ORDINANCE ESTABLISHING A COMPREHENSIVE ZONING CODE FOR ALL OF ST. JOHNS COUNTY, FLORIDA, EXCEPT THAT AREA COMPRISING THE PONTE VEDRA ZONING DISTRICT, AS DEFINED IN CHAPTER 65-2171, LAWS OF FLORIDA, AND FURTHER EXCEPTING STATE AND NATIONAL PARKS AND ALL INCORPORATED CITIES AND TOWNS IN ST. JOHNS COUNTY; SPECIFICALLY AMENDING SECTIONS 7-16-13 (a) ALCOHOLIC BEVERAGES ESTABLISHMENTS, NEARBY CHURCH-NEARBY SCHOOL AND 7-16-13 (3) SUBSEQUENT ESTABLISHMENT OF CHURCH OR SCHOOL; PROVIDING A SEVERANCE CLAUSE AND SETTING AN EFFECTIVE DATE.

Whereas, St. Johns County has areas established as alcoholic beverage zones, prohibiting the location of alcoholic beverage establishments within 1000 feet of a church or school; and

Whereas, the St. Johns County Zoning Code does not provide for similar restrictions in the placement of church or school within 1000 feet of an alcoholic beverage establishment; and,

Whereas, St. Johns County needs regulations to ensure compatibility with the intent of the Zoning Code, along with providing for the protection of the safety and welfare of those persons operating an established business, providing similar protection to each established use.

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

**Section 1.** Section 7-16-13 (a) of Ordinance 97-15 is hereby deleted and the following is substituted in its stead:

**7-16-13. Alcoholic Beverage Establishments.**

- a. **Nearby Church - Nearby School:** Except those beer and wine vendors who sell no alcoholic beverages other than malt beverages and wine and who are licensed in accordance with Section 563.02 (1) (a) and/or Section 564.02 (1) (a) of the Florida Statutes, as may be amended from time to time, no vendor of alcoholic beverages that is located within the unincorporated area of St. Johns County shall maintain a place of business within one thousand (1,000) feet of an established school or within one thousand (1,000) feet of an established church located in the unincorporated or incorporated area of St. Johns County. No church or school shall be established within 1,000 feet of an established vendor of alcoholic beverages except those vendors licensed in accordance with Section 563.02 (1)(a) and/or Section 564.02(1)(a) of the Florida Statutes, as may be amended from time to time, unless a Variance has been granted as provided in Section 11-9-2 or a substantial burden on exercise of religion is shown as described by Section 761.03, Florida Statutes . In the case of a church, this distance shall be measured by following the shortest route of ordinary pedestrian travel along the public

thoroughfare from the main entrance of such place of business to the main entrance of the church, and in the case of a school, to the nearest point of the school grounds in use as part of the school facilities as measured from the main entrance of the place of business.

**Section 2.** Section 7-16-13 (3) , Ordinance 97-15 is hereby deleted and the following is substituted in its stead:

7-16-13 Subsequent Establishment of Church or School

- (3) Subsequent Establishment of Church or School - Whenever a licensee has procured a license certificate permitting the sale of beverages containing more than one percent of alcohol by weight and has commenced the business of selling such beverages at a properly zoned location and thereafter a church or school shall be established within a distance otherwise prohibited by this ordinance, the establishment of such church or school shall not be cause for the discontinuance of the business of such licensee at that location nor shall such business be considered nonconforming as defined in Article 10 of this Code.

**Section 3.** It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**Section 4.** This Ordinance shall take effect upon its being filed with the Secretary of State of Florida.

**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA** this 26th day of January, 1999.

**BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA**

BY: Marc A. Janelone  
Its Chair

ATTEST: Cheryl Strickland

By: Cheryl Strickland  
Clerk

Effective Date: February 1, 1999

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# The St. Augustine Record

PUBLISHED EVERY AFTERNOON MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING  
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_

LINDA Y MURRAY who on oath says that she is

ACCOUNTING CLERK 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 \_\_\_\_\_

ORDINANCE/REGULATIONS AFFECTING THE USE OF LAND

in the \_\_\_\_\_ Court, was published in said newspaper in the

issues of WEDNESDAY, DECEMBER 23, 1998

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 heretofore been continuously published in said St. Johns County, Florida, each day 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 copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 23rd day of DECEMBER, 1998,

by [Signature] who is personally

known to me or who has produced PERSONALLY KNOWN as

(Type of Identification)

identification.



Zoe Ann Moss  
MY COMMISSION # CC641814 EXPIRES  
August 22, 2001  
BONDED THRU TROY FAIR INSURANCE, INC.

[Signature]

(Signature of Notary Public)

(Seal)

ZOE ANN MOSS

(Print, Type or Stamp Commissioned Name of Notary Public)

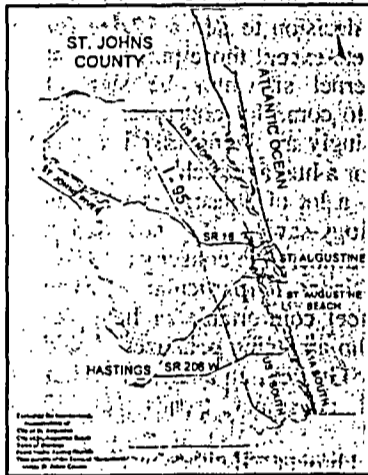
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# NOTICE OF PUBLIC HEARINGS OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ON ESTABLISHMENT OF ORDINANCE/REGULATIONS AFFECTING THE USE OF LAND

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at a regular meeting on Tuesday, January 12, 1999 at 2:30 p.m. and at a regular meeting on Tuesday, January 26, 1999 at 5:30 p.m. in the County Auditorium at the County Administrative Complex, 4020 Lewis Speedway (County Road 16-A and U.S. 1 North), St. Augustine, Florida will hold public hearings to consider the following proposed ordinances and at the January 26, 1999 public hearing will consider adoption of the proposed ordinances:

## ORDINANCE:

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING PORTIONS OF ORDINANCE 97-15, WHICH IS THE ORDINANCE ESTABLISHING A COMPREHENSIVE ZONING CODE FOR ALL OF ST. JOHNS COUNTY, FLORIDA, EXCEPT THAT AREA COMPRISING THE PONTE VEDRA ZONING DISTRICT, AS DEFINED IN CHAPTER 65-2171, LAWS OF FLORIDA, AND FURTHER EXCEPTING STATE AND NATIONAL PARKS AND ALL INCORPORATED CITIES AND TOWNS IN ST. JOHNS COUNTY; SPECIFICALLY AMENDING SECTIONS 7-10-2, PROVIDING USES PERMITTED AND LENGTH OF STAY IN TRAVEL TRAILER PARKS AND CAMPGROUNDS; ADDING SECTION 7-10-2A DEFINING PORTABLE HOUSING UNIT; ADDING SECTION 7-10-2B PROVIDING FOR NON-CONFORMING UNITS IN TRAVEL TRAILER PARKS AND CAMPGROUNDS; ADDING SECTION 6-1-68B DEFINING PORTABLE HOUSING UNIT; AMENDING SECTION 6-1-23, DEFINING DWELLING UNIT; ADDING SECTION 6-1-15B DEFINING COOKING FACILITIES; AMENDING SECTION 7-6; PROVIDING FOR RESTRICTIONS ON PARKING OF HEAVY VEHICLES IN RESIDENTIAL DISTRICTS; PROVIDING A SEVERANCE CLAUSE AND SETTING AN EFFECTIVE DATE.



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The proposed ordinances are on file in the office of the Clerk of the Board of County Commissioners at the St. Johns County Administration Complex, 4020 Lewis Speedway (CR 16A and U.S. #1, St. Augustine, Florida) and may be examined by parties interested prior to the said public hearings. Please take note that the ordinances are subject to revision prior to the hearings or adoption. All parties having any interest in said ordinances will be afforded an opportunity to be heard at the public hearings.

If a person decides to appeal any decision made with respect to any matter considered at the hearings, such person will need a record of the proceedings, and for such purposes he/she 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.

**NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS:** In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in these proceedings should contact ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 4 days prior to the date of the hearing.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA  
CHERYL STRICKLAND, ITS CLERK  
By: Patricia DeGrande, Deputy Clerk

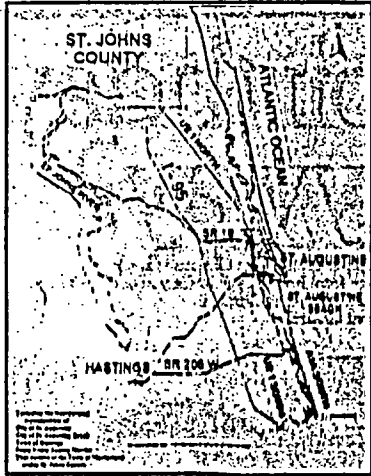
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BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA  
 CHERYL STRICKLAND, ITS CLERK  
 By: Patricia DeGrande, Deputy Clerk

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ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,  
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared \_\_\_\_\_

LINDA Y MURRAY who on oath says that she is  
ACCOUNTING CLERK 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 BOARD OF COUNTY COMMISSIONERS  
ON ESTABLISHMENT OF ORDINANCE/REGULATIONS AFFECTING LAND USE

in the \_\_\_\_\_ Court, was published in said newspaper in the  
issues of JANUARY 14, 1999

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 heretofore been continuously published in said St. Johns County, Florida, each day 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 copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 15th day of JANUARY, 1999,  
by Linda Y Murray who is personally  
known to me or who has produced PERSONALLY KNOWN as  
identification.  
(Type of Identification)

Zoe Ann Moss  
(Signature of Notary Public)



Zoe Ann Moss  
MY COMMISSION # CC641814 EXPIRES  
August 22, 2001  
BONDING THROUGH TROY FARM INSURANCE, INC.  
(Seal)

ZOE ANN MOSS  
(Print, Type or Stamp Commissioned Name of Notary Public)

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