

ORDINANCE NO. 2004 - 91

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN #ACPA 2004-05, ORDINANCE NO. 2000-34, AS AMENDED, TO DESIGNATE THE VILANO BEACH TOWN CENTER FISHING PIER PAVILION, COUNTY OWNED AND LOCATED AT THE WEST END OF VILANO ROAD ON THE INTRACOASTAL AS PARKS AND OPEN SPACE ON THE FUTURE LAND USE MAP; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapters 125 and 163, Florida Statutes provide for the Board of County Commissioners to prepare, implement and enforce Comprehensive Plans and Land Development regulations for the control of development within the County; and,

WHEREAS, Section 163.3184, 163.3187 and 163.3189 Florida Statutes provides the process for the adoption of Comprehensive Plan amendments; and,

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

SECTION 1. The St. Johns County 2015 Comprehensive Plan is amended to add the Future Land Use Map designation of Parks and Open Space for the Vilano Beach Town Center Fishing Pier Pavilion located at the west end of Vilano Road and part of the county owned Fishing Pier, as shown on **EXHIBIT A**; based on the following Findings of Fact:

- (a) The amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
- (b) The amendment is consistent with the State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- (c) The amendment is consistent with applicable sections of the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code.

SECTION 2. The remaining portions of the St. Johns County Comprehensive Plan, 2000-34 and the 2015 Future Land Use Map, as amended, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 3. Should any section, subsection, sentence, clause, phrase, or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions.

SECTION 4. The amendment to the St. Johns County Comprehensive Plan shall become effective

on the date the State Land Planning Agency issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184 (9) Florida Statutes, or in the alternative and if applicable on the date the Florida Administration Commission issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184 (10) Florida Statutes.

SECTION 5. This ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 3rd DAY OF November 2004.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Karen R. Stern, Chair

SESSION DATE 11/06/04

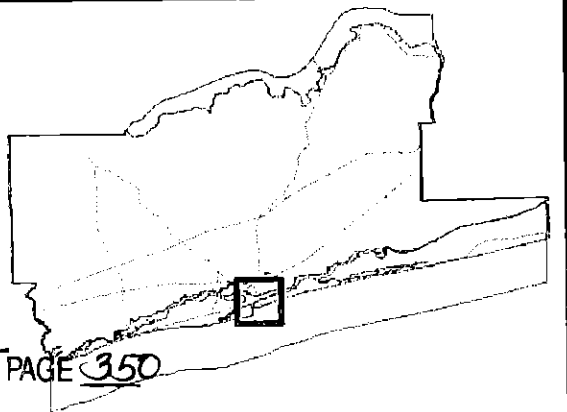
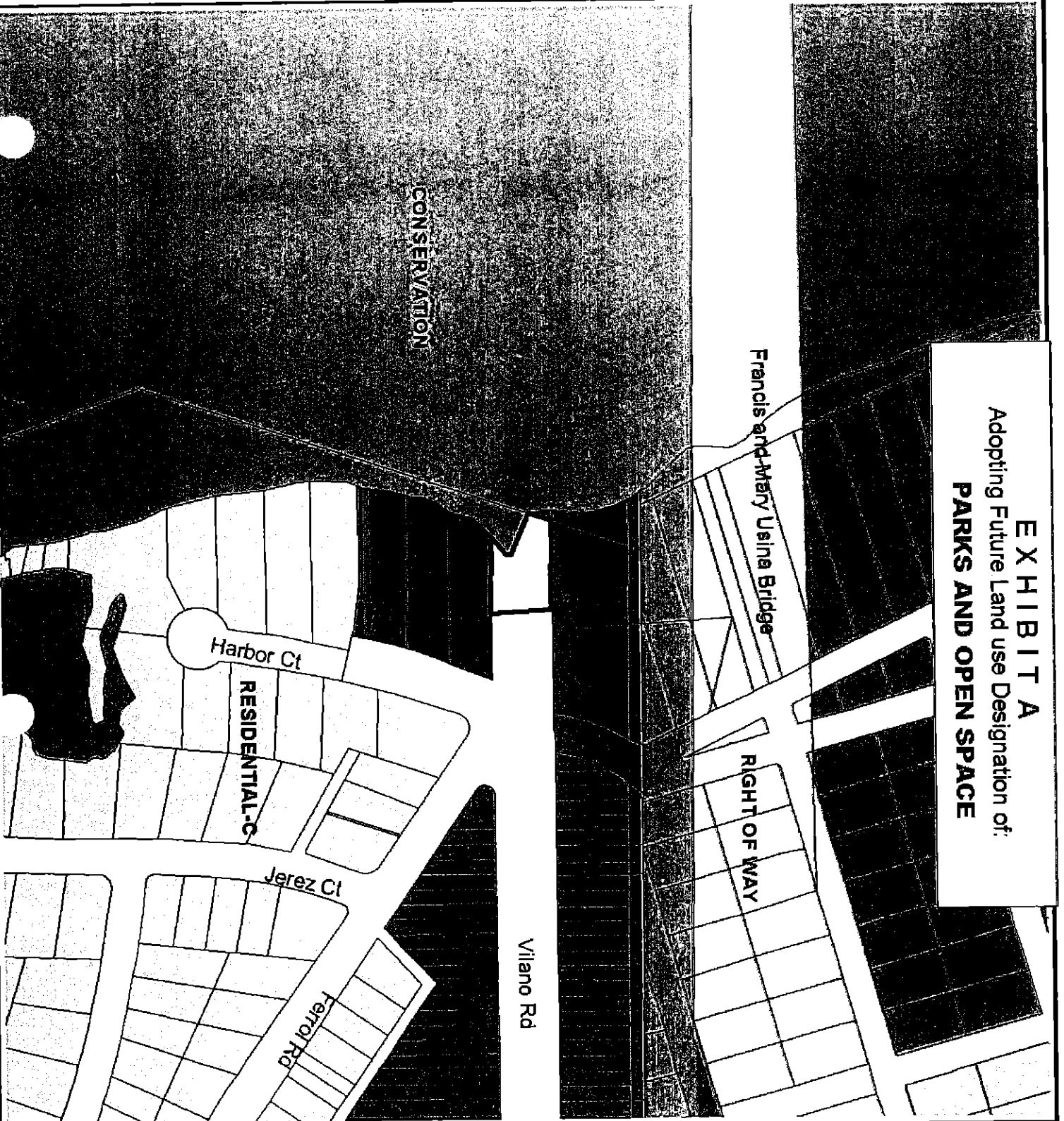
ATTEST: Cheryl Strickland, Clerk

BY: 
Deputy Clerk

EFFECTIVE DATE: 01/20/05



EXHIBIT A
 Adopting Future Land use Designation of:
PARKS AND OPEN SPACE



**Future Land
 Use Map**



Map Prepared: Apr 20, 2004
 *Depicts General Project Boundary

**VILANO BEACH
 FISHING PIER
 PAVILLION
 COMP PLAN
 AMENDMENT**
 ORD# 2004-91
 (OFFSET SITE)



St. Johns County
 Growth Mgmt. Svcs.
 Plan 1 Division



THE ST. AUGUSTINE RECORD

PUBLISHED EVERY MORNING 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 **CHARLES BARRETT**

who on oath says that he is an 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 **DISPLAY ADVERTISEMENT**

in matter **NOTICE OF PUBLIC HEARING**

was published in said newspaper in the issues of

OCTOBER 6, 2004

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, for a period of one year 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 **6TH** day of **OCTOBER, 2004**.

by *Charles Barrett* who is personally known to me or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist

(Signature of Notary Public)



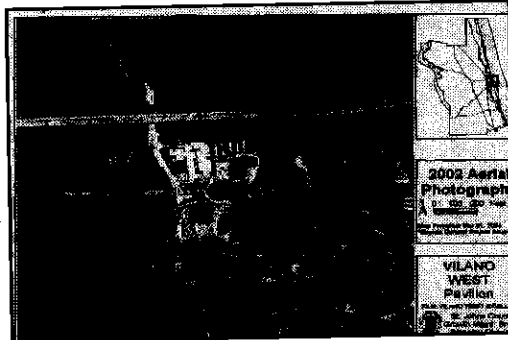
Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,

AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO DESIGNATE THE VILANO BEACH TOWN CENTER FISHING PIER PAVILION, COUNTY OWNED AND LOCATED AT THE WEST END OF VILANO ROAD ON THE INTRACOASTAL AS WATERWAY PARKS AND OPEN SPACE ON THE FUTURE LAND USE MAP; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.



NOTICE IS
HEREBY GIVEN
that the St.
Johns County
Planning and
Zoning Agency
at its regular
meeting, **Thursday, October 21, 2004 at 1:30 p.m.**, and the St. Johns County Commissioners on **Wednesday,**

November 3, 2004 at 9:00 a.m. will hold a public hearing to consider adoption of a proposed amendment to the St. Johns County 2015 Future Land Use Map. Said hearings will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding the proposed amendment.

A complete description is available in the St. Johns County Planning Office. See map generally depicting the location. The amendment proposes to designate the Vilano Beach Town Center Fishing Pier as Parks and Open Space.

It should be noted the Board of County Commissioners may consider one or more amendments to the Goals, Objectives and Policies of the 2015 Comprehensive Plan as appropriate relating to this request.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he/she will need records of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings are made, which record includes the testimony and evidence upon which 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 special accommodations or an interpreter to participate in this proceeding should contact ADA Coordinator, at (904) 823-2501 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida, 32095 For hearing impaired individuals, call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearings.

RESIDENTS, PROPERTY OWNERS AND OTHER INTERESTED INDIVIDUALS ARE ENCOURAGED TO PARTICIPATE IN THESE PROCEEDINGS AND ALL OTHER COMPREHENSIVE PLANNING PROCESSES TO THE FULLEST EXTENT POSSIBLE.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
ROBERT TAYLOR, CHAIR

BOARD OF COUNTY COMMISSION
ST. JOHNS COUNTY, FLORIDA
KAREN STERN, CHAIR