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ORDINANCE 2002-02

An ordinance of the Board of County Commissioners of Liberty County, Florida, amending, revising, and replacing in its entirety the Land Development Code of Liberty County, Florida.

BE IT ORDAINED by the Board of County Commissioners of Liberty County, Florida:

WHEREAS, Chapter 125, Florida Statutes empowers the Board of County Commissioners of Liberty County to prepare and enforce land development codes for the development of the County; and

WHEREAS, Sections 163.3202, Florida Statutes, empowers and requires the Board of County Commissioners to establish a Land Development Code; and

WHEREAS, pursuant to Section 125.66, Florida Statutes, the Board of County Commissioners of Liberty County, Florida, held two public hearings on the proposed Land Development Code, with due public notice having been provided:

WHEREAS, the Board of County Commissioners of Liberty County, Florida, further considered all oral and written comments received during the public hearings; and

WHEREAS, in the exercise of its authority the Board of County Commissioners of Liberty County, Florida, determined that it is necessary and desirable to adopt an amended Land Development Code to encourage the most appropriate use of land consistent with the public interest; and deal effectively with future issues regarding land within Liberty County.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Liberty County, Florida, that the proposed Liberty County Land Development Code is adopted in its entirety and replaces the prior Land Development Code as follows:

Section 1. Purpose and Intent..

This Ordinance is enacted to update the Liberty County Land Development Code. This Ordinance is enacted to adopt the proposed Land Development Code in its entirety, and to carry out the purpose and intent of, and exercise the authority set out in Section 163.3202, Florida Statutes, and Chapter 125, Florida Statutes.

Section 2. Title of Code.

The revised version of the land development code for Liberty County, Florida, shall be entitled "Liberty County Land Development Code."

Section 3. "Status of Land Development Code and Procedure for Amendment", Chapter 1 of Code.

Chapter 1 of the Liberty County Land Development Code, which names the Code, declares the authority for the Code, states the purpose of the Code, establishes jurisdiction and amendment requirements, and mandates the right to a hearing, is hereby adopted in its entirety.

Section 3A. "Language and Definitions", Chapter 2 of Code.

Chapter 2 of the Code, which sets forth definitions and terms, as well as rules for the construction of the language, is hereby adopted in its entirety.

Section 3B. "Administration of Code", Chapter 3 of Code.

Chapter 3 of the Code, which sets forth standards for due public notice and hearings, establishes various powers and responsibilities for the County Commission and the County Clerk, as well as establishes the capacity of the Local Planning Agency, is hereby adopted in its entirety.

Section 3C. "Land Use Districts and Development Standards", Chapter 4 of Code.

Chapter 4 of the Code, which establishes the purpose and intent, categories on the Future Land Use Map, the development of uses allowed, and sets forth the land use district requirements, is hereby adopted in its entirety.

Section 3D. "Land Development Regulations", Chapter 5 of Code.

Chapter 5 of the Code, which establishes the purpose, jurisdiction, and compliance plan and violations, as well as sets forth the subdivision plat approval procedure, general requirements for minimum standards of design and required improvements, and the requirements for final record plat, is hereby adopted in its entirety.

Section 3E. "Natural Resource Management", Chapter 6 of Code.

Chapter 6 of the Code, which establishes the authority, definitions, administration, and enforcement, as well as establishes stabilized resource management and development review, and sets forth wetlands and historic sites, is hereby adopted in its entirety.

Section 3F. "Flood Protection", Chapter 6A of Code.

Chapter 6A of the Code, which sets forth the objectives, procedures, penalties, duties, variance procedures, provisions for Flood Hazard Reduction, responsibilities of development administrator, and standards for subdivision proposals, is hereby adopted in its entirety.

Section 3G. "Stormwater Management Regulation", Chapter 6B of Code.

Chapter 6B of the Code, which sets forth the review of plans, regulation of the protection of natural features, requirement for financial guarantee, storm water management plans and facilities, is hereby adopted in its entirety.

Section 3H. "Concurrency", Chapter 7 of Code.

Chapter 7 of the Code, which establishes the purpose, vested projects, concurrency assessment, procedures, and development restrictions, is hereby adopted in its entirety.

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Section 4. Severability.

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

Section 5. Copy on File.

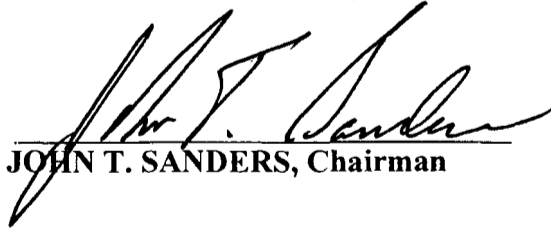
A certified copy of the enacting ordinance, as well as certified copies of the Code shall be filed with the Clerk of the Court of Liberty County, Florida, and copies shall be made available to the public for a reasonable publication charge.

Section 6. Effective Date.

This Ordinance and the adopted version of the Liberty County Land Development Code shall not become effective until the Code has been determined to be In-Compliance; the 21 day period for affected parties to file a petition has expired, and the Ordinance has been officially filed with the Secretary of State.

PASSED AND DULY ADOPTED, with a quorum present and voting, by the Board of County Commissioners of Liberty County, Florida, this 21st day of March, 2002.

**BOARD OF COUNTY COMMISSIONERS
OF LIBERTY COUNTY, FLORIDA**


JOHN T. SANDERS, Chairman

ATTEST:

By: 
ROBERT HILL
Clerk of Liberty County, Florida