

ORDINANCE NO. 2018 - 04

AN ORDINANCE OF FRANKLIN, FLORIDA, REPEALING ORDINANCE 87-4, ENTITLED THE FRANKLIN COUNTY PLANNED UNIT DEVELOPMENT ORDINANCE; AN ORDINANCE ESTABLISHING REQUIREMENTS FOR PLANNED UNIT DEVELOPMENTS AND PROVIDING FOR PLANNED UNIT DEVELOPMENTS IN FRANKLIN COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS, FRANKLIN COUNTY, FLORIDA:

SECTION 1: AUTHORITY.

The authority for the enactment of this Ordinance is Chapter 125, *Florida Statutes*, and Franklin County's Home Rule powers.

SECTION 2: FINDINGS OF FACTS.

WHEREAS, Franklin County is required to protect the public health, safety, and welfare; and

WHEREAS, Franklin County finds that it is necessary to exercise its police power to repeal ordinance 87-4 which created the Franklin County Planned Unit Development Ordinance; an Ordinance establishing requirements for Planned Unit Developments and Providing for Planned Unit Developments in Franklin County; and

WHEREAS, Franklin County finds that this ordinance is necessary to protect the unique character of Franklin County, Florida, and the reasonable development expectations of property owners; and

WHEREAS, in 1987, Franklin County, Florida was a designated area of critical state concern and was required to obtain approval from the State of Florida prior to any land development ordinance, such as Ordinance 87-4, becoming effective as the law of Franklin County, Florida; and,

WHEREAS, the State of Florida never granted approval for Ordinance 87-4; and

WHEREAS, it is the intent of Franklin County to prohibit development and/or uses that are inconsistent with the purpose of this ordinance; and

WHEREAS, Franklin County finds that the repeal of Ordinance 87-4 for the express

purpose of eliminating planned unit developments in Franklin County, Florida is appropriate to protect the health, safety and general welfare of its citizens; and

WHEREAS, Franklin County finds that the repeal of Ordinance 87-4 for the express purpose of eliminating planned unit developments in Franklin County, Florida is consistent with the comprehensive plan; and,

WHEREAS, Franklin County intends that in the event of conflict between the terms of this ordinance and any other ordinance, then the terms of this ordinance repealing Ordinance 87-4 for the express purpose of eliminating planned unit developments in Franklin County, Florida shall prevail; and

NOW, THEREFORE BE IT ORDAINED by the County Commission of Franklin County, Florida, that the County hereby repeals Franklin County Ordinance 87-4 for the express purpose of eliminating planned unit developments in Franklin County, Florida.

PROHIBITIONS

1. Planned Unit Developments shall not be allowed in Franklin County, Florida.
2. Any use not specifically authorized by this ordinance.

SECTION 3: SEVERABILITY.

If any section, phrase, sentence, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall take effect as provided by law.

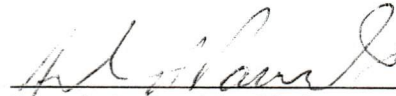
SECTION 5: CONFLICTS.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED and ADOPTED on the first reading, in regular session, with a quorum present and voting, by the County Commission, on this 17th day of April, 2018.

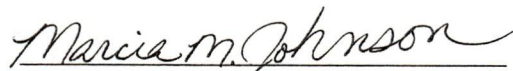


FRANKLIN COUNTY, a political
subdivision of the State of Florida



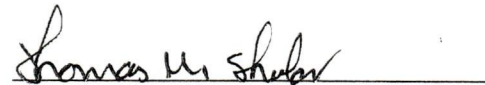
Joseph A. Parrish, Chairman

ATTEST:



Marcia M. Johnson, Clerk

APPROVED AS TO FORM



Thomas M. Shuler, County Attorney