

ORDINANCE NO. 98-24

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA AMENDING THE ADOPTED COMPREHENSIVE PLAN ORDINANCE 90-53, AS AMENDED, AN AMENDMENT ESTABLISHING A REVISED LEVEL OF SERVICE STANDARD TO THE FLORIDA INTRASTATE HIGHWAY SYSTEM BY AMENDING THE TRAFFIC CIRCULATION ELEMENT POLICIES OF THE ST. JOHNS COUNTY COMPREHENSIVE PLAN; PROVIDING FOR INTENT; AUTHORITY; FINDINGS OF FACT; THE AMENDMENT; FINDINGS OF CONSISTENCY; EFFECT ON THE COMPREHENSIVE PLAN; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 125 and Section 163.3161-163.3215, Florida Statutes, empowers and requires 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 163.3187, Florida Statutes, provides for the amendment of an adopted Comprehensive Plan; and

WHEREAS, Section 163.3187, Florida Statutes, provides that amendments to Comprehensive Plan may be made two times during any calendar year,

WHEREAS, St. Johns County Ordinance 92-16 establishes procedures for amending the St. Johns County Comprehensive Plan establishing two cycles per year and this being the first amendment cycle for calendar year of 1998,

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

Section 1. Intent.

The purpose of this Ordinance is to amend Ordinance 90-53, which adopted the St. Johns County on September 14, 1990, ("Plan) to provide for the orderly growth of the St. Johns County, Florida and to exercise the authority and perform the duties set out in Sections 163.3161 - 163.3215, Florida Statutes.

Section 2. Authority

This Ordinance is adopted pursuant to Florida Statutes, Chapter 163 and 125; Florida Administrative Code Rules 9J-5 and 9J-11; and the Constitution of the State of Florida, as may be amended from time to time.

Ordinance Book 21 Page 163

Section 3. Findings of Fact.

The amendment is based upon: (i) the Evaluation and Appraisal Report of the Comprehensive Plan and (ii) the review, process and coordination efforts between the County, the Department of Community Affairs and Department of Transportation, resulting in a proposed Petition for Variance from Chapter 14-94, F.A.C. to address the Level of Service standard for portions of Interstate 95 (I-95).

Section 4. Amendment

- (a) The following amendment to Traffic Circulation Element Policies B 1.1.1 and B.1.1.3 of the St. Johns County Comprehensive Plan is to support and establish consistency with the recommendations in the St. Johns County Evaluation and Appraisal Report and the Petition for Variance to Chapter 14-94, F.A.C. The Petition proposes to request the Florida Department of Transportation to grant a variance that immediately reduces the Level of Service Standard applicable to the rural portions of Interstate 95 in the County from LOS "B" to LOS "C" and that reduces the level of service standard applicable to both the rural portions and the transitioning urbanized portion of I-95 in St. Johns County to LOS "D" after December 31, 2001, provided certain conditions are met that are outlined in the Petition.
- (b) St. Johns County Comprehensive Plan Policies B.1.1.1 and B 1.1.3 are hereby repealed and deleted and are hereby replaced with the following Policies:

Policies

- B.1.1.1** Peak Hour Level of Service Standards. The established level of service standards during the peak hours shall be as set forth below, and in Policy B.1.1.2 and Policy B.1.1.3. Roadway Level of Service shall be measured by methodologies outlined in Florida's Level of Service Standards and Guidelines Manual for Planning, Florida Department of Transportation, 1995, or as updated.

Minimum Acceptable Level of Service Standards

Florida Intrastate Highway System

The Peak Hour Level of Service Standards for the Florida Intrastate Highway System shall be as set forth in Rule 14-94, Florida Administrative Code, as updated, except as modified by approval of a Rule Variance pursuant to Section 120.542, Florida Statutes, 1997, and related rules, or as modified by general law in Florida Statutes. The least stringent standard available pursuant to any such modification is the established level of service standard.

	Rural Area	Transitioning Urban Area, or Community	Urbanized Area
All Other Roadways	C	D	D

Exceptions to the standards adopted herein, which represent an adequate level of service standard for each of the listed segments, shall apply as follows:

Roadway Segment	Level of Service
US 1 Wildwood Dr. to St. Aug. City Limits	E
CR 214 (W. King St.) Holmes Blvd. to US 1	E
SR 16 Clay Co. Line to SR 13	D
SR 13 SR 16 to CR 16A	D
CR 16A SR 13 to CR 210	D
CR 210 CR 16A to Greenbriar Rd.	D

B.1.1.3 Backlogged Facilities. The inventory of backlogged facilities is comprised of those roadways operating below the adopted level of service standard at the time of plan adoption and are not designated as constrained.

The adopted level of service standard for roadways designated as backlogged shall be maintained. Roadway segments in St. Johns County designated as backlogged are located within the rural area. Maintained in the rural area means that any backlogged facility will be allowed to operate at levels that do not exceed a five percent increase in peak hour traffic volumes or a five percent decrease in travel speed.

Section 5. Findings of Consistency

The Board of County Commissioners of St. Johns County, Florida hereby finds and determines that the revised policies of the Traffic Circulation Element are: (i) consistent with the State Comprehensive Plan, Section 187.201, Florida Statutes, construed as a whole; (ii) consistent with the Northeast Florida Comprehensive Regional Policy Plan construed as a whole, without isolated application of a specific goal or policy; (iii) consistent with Florida Administrative Code Rule 9J-5 as revised, to the extent such Rule is not in conflict with Chapter 163, Part II, as provided in Section 163.3177 (10)(c); and (iv) is internally consistent in that the Traffic Element is related and consistent with other elements of the Plan.

Section 6. Effect on the Comprehensive Plan.

The remaining portion of the adopted Comprehensive Plan Ordinance 90-53 of St. Johns County, Florida, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section 7. Severability.

It is declared to be the intent of the Board of County Commissioners that if any provisions, paragraph, or section of this Ordinance is for any reason finally held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be deemed separate, distinct, and independent, and such holding shall not affect the remaining provisions .

Section 4. Effective Date.

This Ordinance shall take effect upon receipt of the Secretary of State.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 14 DAY OF APRIL, 1998.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY

BY: M. A. Floyd
M.A. Floyd, Chairman

ATTEST: CHERYL STRICKLAND

BY: Stacy M. Daniel
DEPUTY CLERK

EFFECTIVE DATE: April 20, 1998

Ordinance Book 21 Page 166

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 _____

Sandra D. Oliver

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 _____

Display Ad

in the matter of _____ Notice of Hearing _____

in the _____ Court, was published in said newspaper in the
issues of _____ March 10, 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 11 day of March, 1998,

by Sandra D. Oliver 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.

Zoe Ann Moss

(Signature of Notary Public)

(Seal)

Zoe Ann Moss

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

PLANNING & ZONING
DEPARTMENT
MAY 11 1998
ST. JOHNS COUNTY
FLORIDA

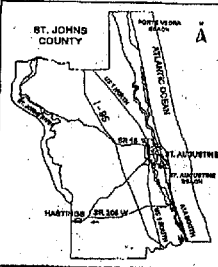
Ordinance Book 21 Page 167

NOTICE OF PUBLIC HEARINGS ON A PROPOSED TEXTUAL AMENDMENT TO THE ST. JOHNS COUNTY COMPREHENSIVE PLAN (1990-2005)

NOTICE IS HEREBY GIVEN that St. Johns County Planning and Zoning Agency (PZA), at the regular meeting on Thursday, March 19, 1998 at 1:30 PM in the County Auditorium, County Administration Complex, 4020 Lewis Speedway (County Road 16-A and US 1 North), St. Augustine, Florida, will hold a public hearing to consider and make recommendations to the Board of County Commissioners on a proposed textual amendment to the St. Johns County Comprehensive Plan Ordinance 90-53, as amended. Further, on Tuesday, April 14, 1998 at 5:30 p.m. the St. Johns County Board of County Commissioners will hold a public hearing to consider the PZA recommendations and decide whether to transmit the amendment to the Department of Community Affairs (DCA) for their review. The St. Johns County Comprehensive Plan excludes the incorporated municipalities of the City of St. Augustine, City of St. Augustine Beach, Town of Hastings, and the portion of the Town of Marineland within St. Johns County.

The proposed amendments consists of revisions to the Traffic Circulation Element Policy B.1.1.1. Peak Hour Level of Service Standards, specifically related to the Minimum Acceptable Level of Service Standards for the Florida Intrastate Highway System through St. Johns County, and Policy B.1.1.3. Backlogged Facilities.

The proposed textual amendment to the Traffic Circulation Element of the St. Johns County Comprehensive Plan (1990-2005), File Number CPA-98-002, is available for review in the St. Johns County Planning Department, at the St. Johns County Administration Complex, 4020 Lewis Speedway, St. Augustine, Florida, and may be examined by parties interested prior to said public hearing.



All parties having any interest in the proposed amendments will be afforded an opportunity to be heard at the public hearing. If a person decides to appeal any decision made with respect to any matter considered at the hearing, such person will need a record of the proceedings and for such purpose 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 interpreter, to participate in this proceeding should contact ADA Coordinator, at (904) 823-2501 or at the County Administration Building, 4020 Lewis Speedway, St. Augustine, Florida 32095. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): 823-2501 or Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

PLANNING AND ZONING AGENCY
OF ST. JOHNS COUNTY, FLORIDA
DIEDRICH L. LAMPE, CHAIRMAN

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

DIVISIONS OF FLORIDA DEPARTMENT OF STATE
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Office of International Relations
Division of Administrative Services
Division of Corporations
Division of Cultural Affairs
Division of Elections
Division of Historical Resources
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Preservation Board
Ringling Museum of Art

FLORIDA DEPARTMENT OF STATE
Sandra B. Mortham
Secretary of State
DIVISION OF ELECTIONS

April 20, 1998

Honorable Cheryl Strickland
Clerk to Board of County Commissioners
St. Johns County
Post Office Drawer 300
St. Augustine, Florida 32085-0300

Attention: Patricia DeGrande, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge your letter dated April 16, 1998 and certified copy of St. Johns County Ordinance No. 98-24, which was filed in this office on April 20, 1998.

Sincerely,

Liz Cloud, Chief
Bureau of Administrative Code

LC/mw

98 APR 22 11:36
CLERK OF CIRCUIT COURT
ST. JOHNS COUNTY FL

FILED

Ordinance Book 21 Page 169

BUREAU OF ADMINISTRATIVE CODE

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