

ORDINANCE NO. 2001- 55

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT, POLICY A.1.9.4 AND PROVIDING FOR 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 Plan and Land Development Regulations for the control of development within the County; and,

**WHEREAS**, Section 163.3184, Florida Statutes provides the process for the adoption of a Comprehensive Plan amendment.

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

**SECTION 1.** Upon consideration of the support documents, the recommendations of the Planning and Zoning Agency and statements from Staff received at the public hearing, finds as follows:

1. The amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
2. The amendment is consistent with the St. Johns County Comprehensive Plan, as amended, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5 of the Florida Administrative Code.
3. The amendment is consistent with the applicable portions of the Land Development Code.

**SECTION 2.** Pursuant to this application (File No. CPA-01-004), Policy A.1.9.4 of the St. Johns County Comprehensive Plan is amended as follows:

**(See Attached Exhibit A)**

**SECTION 3.** The remaining portions of the St. Johns County Comprehensive Plan, as amended, which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 4.** 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 5.** The effective date of this Ordinance shall be the date the final order is issued by the Department of Community Affairs or Administrative Commission finding the amendment in compliance with Section 163.3184, Florida Statutes.

**SECTION 6.** This Ordinance shall be filed in a book of land use regulation ordinances kept and maintained by the Clerk of the Court, in accordance with Section 125.58, Florida Statutes.

**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS** 18<sup>th</sup> **DAY OF** September **2001.**

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

BY: Marc Jacalone  
Marc Jacalone, Chair

**ATTEST: CHERYL STRICKLAND, CLERK**

BY: Cherilyn DeGrande  
Deputy Clerk

Rendition Date 09-21-01

**EFFECTIVE DATE:** 12-5-01

## EXHIBIT A

- A.1.9.4 Development parcels within Mixed Use Districts equal to or greater than 40 acres in size shall be required to have Recreation/Open Space and at least two of the other three land use categories listed above (Commercial, Light Industrial, Residential) at a level equal to or greater than the mixed use percentages contained in Policy A.1.9.3.

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

RECEIVED  
SEP 04 2001  
ST. JOHNS COUNTY  
PLANNING DEPARTMENT

Before the undersigned authority personally appeared **Patricia Bergquist**  
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 Advertisement  
in the matter of Notice of Public Hearing  
in the Court was published in said newspaper in the issues of  
August 31, 2001

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 31st day of August, 2001

by Patricia Bergquist who is personally known to me  
or who has produced PERSONALLY KNOWN as identification.

Zoe Ann Moss  
(Signature of Notary Public) (Seal)  
Zoe Ann Moss

**NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED TEXT AMENDMENT TO THE ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN. THIS IS A NOTICE OF CHANGE TO THE FUTURE LAND USE ELEMENT.**

NOTICE IS HEREBY GIVEN that the St. Johns County Board of County Commissioners (BCC), at its regular meeting on Tuesday, September 18, 2001 at 1:30 p.m., will hold a public hearing to consider a proposed Text Amendment to the Future Land Use Element.

Said hearing will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway (County Road 16-A) and US 1 North, St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment.

The text amendment proposes to increase the minimum size of development parcels which are subject to the mixed use goals from twenty (20) to forty (40) acres, as required by Policy A.1.9.4 of the Future Land Use Element.

The proposed amendment is known as File Number CPA-01-004 (Mixed Use Goals), and is available for review at the St. Johns County Planning Office and the local County Libraries and may be examined by interested parties prior to said public hearing.

If a person decides to appeal any decision made with respect to any matter considered at the meeting or hearing, he/she will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is 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 a special accommodations 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: Telecommunications Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

**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.**

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
BY: CHERYL STRICKLAND, CLERK