

ORDINANCE NO. 2003 - 85

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED; AMENDING A.1.11 TO PERMIT ELEMENTARY SCHOOLS IN THE A-I AND R/S DESIGNATIONS AS LONG AS THE SCHOOL IS WITHIN TWO MILES OF A RESIDENTIAL OR MIXED USE DESIGNATION; AMENDING A.1.11 TO ADD NEW TOWN AS A FUTURE LAND USE DESIGNATION; AMENDING THE ROAD CLASSIFICATION AND FUTURE LAND USE MAPS TO RECLASSIFY CERTAIN ROADWAYS FROM MAJOR COLLECTOR TO MINOR COLLECTOR ROADWAYS; 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 a 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 Comprehensive Plan Goals, Objectives and Policies are amended, as provided in **EXHIBIT A**, and the 2015 Road Classification and Future Land Use Maps are amended to reclassify Solana/Roscoe Boulevard, Corona Road and Fruit Cove Road from Major Collector roadways to Minor Collector roadways, based on the following Findings of Fact:

- a. The amendments were fully considered after public hearing pursuant to legal notice duly published as required by law; and,
- b. The amendments are consistent with the State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- c. The amendments are 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 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 effect 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 14 DAY OF October 2003.

BOARD OF COUNTY COMMISSISONERS OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant
James E. Bryant, Chair

ATTEST: Cheryl Strickland, Clerk

BY: Wenne King
Deputy Clerk

RENDITION DATE 10/17/03

EFFECTIVE DATE: 12/30/2003

EXHIBIT A

Objective A.1.11 Provision of Efficient, Compact Development

The County shall encourage an efficient and compact land use pattern providing moderate overall densities and adequate land uses to support balanced growth and economic development.

Policies

A.1.11.1 The land use designations, as depicted on the Future Land Use Map, shall permit the following land uses:

(a) **Agricultural-Intensive** and **Rural / Silviculture** shall mean those lands designated on the Future Land Use Map which are primarily intended for agriculture, silviculture, and other uses typical of rural areas. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Agricultural
- Cultural / Institutional;
- Mining and Extraction;
- Outdoor/Passive;
- Neighborhood Public Service;
- Solid Waste and Correctional Facilities;
- Public elementary, middle schools and high schools, if located within two (2) miles of an existing Residential or Mixed Use District land use designation on the Future Land Use Map, or any new public school which is replacing an existing school serving the rural areas of the County;
- Residential uses, as permitted and regulated through the County's Land Development Regulations (LDRs), including Planned Rural Developments (PRD) as specified in the LDRs and as specified in policy A.1.6.2.;
- Other uses ancillary to, or supportive of, agricultural or silviculture uses or activities, and single family residential structures which are utilized by the owners of the agricultural

or silviculture lands (or family members of such owners) as their primary residence;

- Family Farms and Lots as defined in Policy A.1.6.4.

(b) **Airport District** shall mean those lands occupied by the St. Augustine Airport and adjacent lands included within the Airport's Five-Year Master Plan as designated on the Future Land Use Map. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- All uses allowed in the Airport Development District of the County land development regulations, and further controlled through the Airport Overlay District requirements of the County land development regulations;
- Residential uses on lands zoned to permit residential at the time of this Plan Amendment and subject to the Airport Overlay District requirements of the County land development regulations.

(c) **Commercial** – Commercial uses shall be allowed within areas designated on the Future Land Use Map as Commercial consistent with and compatible to the surrounding area and on other Commercial land use designations as described below:

(1) **Neighborhood Commercial** shall mean low-intensity commercial uses intended to serve the immediate surrounding neighborhood. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Neighborhood Business and Commercial;
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;
- Multi-family residential, approved through the Planned Development land development regulations, and when constructed with Neighborhood Commercial uses, such as apartments located on the second floor of retail shops; or other residential as may be allowed as an

Accessory Use within the County land development regulations.

(2) **Community Commercial** shall mean commercial and office uses intended to serve the surrounding community with a larger market area than Neighborhood Commercial, but of a sub-regional nature. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Neighborhood Business and Commercial;
- General Business and Commercial;
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;
- Residential as may be allowed as an Accessory Use within the County land development regulations.

(3) **Intensive Commercial** shall mean highway commercial or high-intensity commercial uses, along with large office, institutional, and tourist-oriented uses which are generally incompatible with residential uses. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Neighborhood Business and Commercial;
- General Business and Commercial;
- High Intensity Commercial;
- Highway Commercial
- Cultural/Institutional;
- Office and Professional;
- Neighborhood Public Service;
- General Public Service;

- Regional Business and Commercial;
- Regional Cultural and Entertainment.
- Residential as may be allowed as an Accessory Use within the County land development regulations.

(4) **Rural Commercial** shall mean commercial uses intended to serve rural communities and which are compatible with rural land use densities and intensities. Permitted uses shall include the following as defined and controlled by the County land development regulations:

- Rural Commercial (uses supportive of rural communities, including general stores; establishments for the retail sale of motor fuels, bait & tackle and general supplies; roadside stands; nurseries; fish camps with accessory lodging and restaurant facilities; bed and breakfast establishments; campgrounds; Recreational Vehicle parks; hunt clubs; saddle clubs; riding academies; boarding stables; shooting ranges, and other similar uses); and agricultural manufacturing establishments as defined in the County's Land Development Regulations;
- Neighborhood Business and Commercial;
- Cultural/Institutional
- Neighborhood Public Service
- Residential as may be allowed as an Accessory Use within the County land development regulations.

(d) **Conservation** shall mean marsh lands and other areas subject to saltwater tidal influence along with adjacent upland islands and other areas as designated on the Future Land Use Map. Due to their sensitive environmental qualities, only very low-intensity uses shall be permitted subject to all regulatory permitting requirements. Permitted uses shall include:

- Water dependent or water-related recreational uses, including but not limited to boat ramp facilities (excluding marinas and ports), shore access facilities, fish camps, or similar water oriented recreational facilities, provided such uses shall be subject to all applicable federal, state, regional, and local

permitting requirements, and such uses shall be designed and constructed pursuant to applicable land development regulations so as to minimize the impact on adjacent natural resources and such uses shall be subject to a maximum floor area ratio of 0.20 and a maximum impervious surface ratio of 0.10, and such uses shall maintain the following minimum percentages of the proposed development site as undisturbed open space:

- (a) for proposed development sites containing five (5) acres or less, minimum open space of 70% of the site;
 - (b) for proposed development sites containing more than five (5) acres but less than ten (10) acres, minimum open space of 80% of the site;
 - (c) for proposed development sites containing ten (10) acres or more, but less than fifty (50) acres, minimum open space of 85% of the site; and,
 - (d) for proposed development sites containing fifty (50) acres or more, minimum open space of 90% of the site.
- Outdoor passive or resource-oriented recreational uses, including nature centers and trails, parks, picnic or scenic areas, environmental interpretative centers, game preserves, primitive campgrounds, and similar low impact uses, provided such uses shall be subject to all applicable federal, state, regional, and local permitting requirements, and such uses shall be subject to a maximum floor area ratio of 0.10, and a maximum impervious surface ratio of 0.10, and such uses shall maintain the following minimum percentages of the proposed development site as undisturbed open space:
 - (a) for proposed development sites containing five (5) acres or less, minimum open space of 70% of the site;
 - (b) for proposed development sites containing more than five (5) acres but less than ten (10) acres, minimum open space of 80% of the site;
 - (c) for proposed development sites containing ten (10) acres or more, but less than fifty (50) acres, minimum open space of 85% of the site; and

- (d) for proposed development sites containing fifty (50) acres or more, minimum open space of 90% of the site.
- Aquaculture, shellfishing, and other similar uses, subject to all permitting requirements.
 - Existing development that was lawful prior to the adoption of the Plan. Any such existing development shall be treated as a legal non-conforming use pursuant to the Plan.
- (e) **Industrial** shall mean light and heavy industrial uses along with other uses complimentary or compatible to industrial activities. Permitted uses shall include the following as defined and controlled by the County land development regulations:
- Light Industrial;
 - Heavy Industrial;
 - Mining and Extraction;
 - Neighborhood Public Service;
 - General Public Service;
 - Solid Waste and Correctional Facilities; and
 - Residential as may be allowed as an Accessory Use within the County land development regulations.
- (f) **Parks and Open Space** shall mean active and passive recreation areas, or lands permanently maintained as open space. Permitted uses shall include:
- Active and passive parks and recreational facilities, together with permitted accessory uses; and
 - Public safety government facilities such as police, fire, and emergency medical facilities.
- (g) **Public** shall mean government owned grounds, buildings or facilities. Permitted uses shall include:
- All governmental uses or activities which are consistent with the Plan including public schools and government owned or leased buildings or facilities.

- (h) **Residential** shall mean single-family or multi-family dwelling units appropriate to the residential densities as designated on the Future Land Use Map along with uses supportive or complimentary to residential. Permitted uses shall include the following as defined and controlled by the County land development regulations:
- Residential uses at the applicable density established by density zone as depicted on the Future Land Use Map and further defined below, together with permitted accessory uses;
 - Cultural/Institutional;
 - Outdoor/Passive;
 - Neighborhood Public Service;
 - Public or private elementary schools, middle schools, and high schools;
 - In Density Zone “A” and “B” designations, Neighborhood Commercial uses, approved pursuant to the Planned Development land development regulations, and on a size and scale compatible with the surrounding residential area, and further governed through Future Land Use Element Policies A.1.3.6, A.1.3.8, A.1.3.9, A.1.3.11, and A.1.11.2;
 - In Density Zone “C” and “D” designations, Neighborhood Commercial and Community Commercial uses, approved pursuant to the Planned Development land development regulations, and on a size and scale compatible with the surrounding residential area, and further governed through Future Land Use Element Policies A.1.3.6, A.1.3.8, A.1.3.9, A.1.3.11, and A.1.11.2;
 - In Density Zone “D” designation, hotels, motels and club facilities, together with ancillary commercial uses, when not incompatible with surrounding residential uses; and
 - Agriculture uses, and agricultural support services and facilities, when not incompatible with surrounding residential uses.
- (i) Residential Density Zones for the Mainland Area are established as follows:

MAINLAND AREA	A	B	C	D
Minimum Base Density (per net acre)	1.0	2.0	2.0	4.0
Variable Density Factors				
Planned Development Approval (PUD)	-	-	2.0	4.0
Central Water	-	-	1.0*	2.5*
Central Sewer	-	-	1.0*	2.5*
Maximum Density (Base + Variable)	1.0	2.0	6.0	13.0

**Required for Development Approval*

(2) Residential Density Zones for the Coastal Area are established as follows:

COASTAL AREA	A	B	C	D
Minimum Base Density (per net acre)	0.4	2.0	2.0	4.0
Variable Density Factors				
Planned Development Approval (PUD)	-	-	-	2.0
Central Water	0.6	*	1.0*	1.0*
Central Sewer	-	*	1.0*	1.0*
Maximum Density (Base + Variable)	1.0	2.0	4.0	8.0

**Required for Development Approval*

- (3) Density permitted by the applicable Density Zones shall be allocated only to the net acreage proposed for development. Net acreage is defined as the total acreage of the site proposed for development less St. Johns River Water Management District or Florida Department of Environmental Protection jurisdictional wetlands, or lands designated Conservation contained within the site. Except as provided pursuant to the Optional Density Factors, wetlands shall not be assigned density.
- (4) All new development on parcels equal to or greater than ten (10) acres in size that requires a zoning change in the Density Zone “A”, “B”, “C”, or “D” designations shall be required to apply for development approval pursuant to the County’s Planned Development land development regulations.
- (5) All new development in the Density Zone “C” or “D”

designations shall be required to provide central water and sewer service for the proposed development except for residential development that is projected to generate less than four (4) Equivalent Residential Connections, or non-residential development that is projected to generate less than 500 gallons per day demand of potable water or sanitary sewer service.

- (6) All development within the Coastal Area shall connect to central sewer as provided by Florida Statutes, Section 387.00655.
- (7) Optional Density Factors shall be provided to encourage protection of natural resources. Application of these Optional Density Factors shall be as provided in the County land development regulations. Optional Density Factors are established as follows:

OPTIONAL DENSITY FACTORS	
Public Beach Access	2
Public Beach Parking	4
Dedication of Land for Public Benefit	2
Preservation of Open Space East of SR A1A	1
Preservation of Open Space West of SR 13	1
Preservation of Uplands Adjacent to Contiguous Wetlands	2
Dedication of Uplands Adjacent to State-Owned Navigable Waters for Public Benefit with Public Access and Parking	4
Mitigation of an Existing Non-conforming or Incompatible Land Use	2
Traditional Neighborhood Development*	2
Wetlands Preservation	See Note 1
Affordable Housing	See Note 2

**Subject to approval through the Planned Development land development regulations*

Notes:

- 1. A density bonus shall be permitted equal to the lesser of: (a) ten percent (10%) of the wetland acreage preserved, or (b) ten percent (10%) of the upland acreage proposed for development, multiplied by the density permitted by the applicable residential density zone. The preservation of the wetland acreage, which is

the basis for the calculation of the Wetland Preservation Factor, shall be by conservation easement, deed restriction, or other written evidence acceptable to the County.

2. For each unit of affordable housing provided within a development, one additional unit of market rate housing shall be permitted, up to a maximum overall density increase (including affordable units) of one (1) unit per net acre in Density Zone "A" and "B" designations, and two (2) units per net acre in Density Zone "C" and "D" designations.

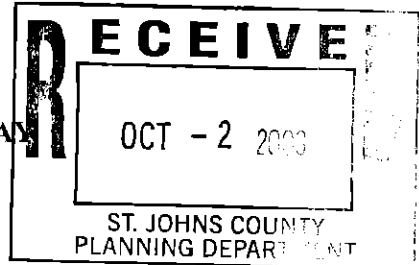
- (i) New Town – as provided in Objective A.1.19 of this Comprehensive Plan.

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 **LINDA Y MURRAY**
who on oath says that she 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 a

NOTICE OF PUBLIC HEARING (DISPLAY ADVERTISEMENT)

In the matter of **ADOPTION OF PROPOSED AMENDMENTS**

FUTURE LAND USE MAP & TRAFFIC CIRCULATION PLAN

in the Court, was published in said newspaper in the issues of

SEPTEMBER 29, 2003

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.

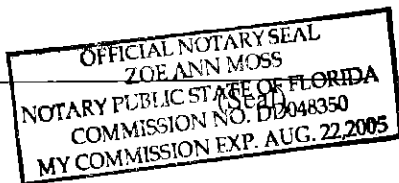
Sworn to and subscribed before me this **29TH** day of **SEPTEMBER** 2003

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

Zoe Ann Moss

(Signature of Notary Public)

Zoe Ann Moss



**NOTICE OF PUBLIC HEARINGS FOR
THE ADOPTION OF PROPOSED
AMENDMENTS TO THE ST. JOHNS
COUNTY COMPREHENSIVE PLAN
GOALS, OBJECTIVES, AND
POLICIES (2000-2015) FUTURE LAND
USE MAP AND TRAFFIC
CIRCULATION PLAN**

NOTICE IS HEREBY GIVEN that the St. Johns County Board of County Commissioners as to the adoption of proposed amendments to the St. Johns County Comprehensive Plan Future Land Use Map (2000-2015) and Traffic Circulation Plan. Further, the St. Johns County Board of County Commissioners at their regularly scheduled meeting on Tuesday, October 14, 2003, will consider adopting the amendments. Said hearing will be held in the County Auditorium, County Administration Building, 4020 Lewis Speedway and US 1 North, St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment. 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 include revisions to the Future Land Use Map and Traffic Circulation Plan to reclassify CR 210A (Roscoe Boulevard and Solana Road), CR210 (Corona Road) and CR13 B (Fruit Cove Road) from Major to Minor Collectors.

The proposed changes are available for review at the St. Johns County Planning Offices and Libraries and may be examined by interested parties prior to said public 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

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 verbatim records of the proceedings are made, which records 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 to participate in the proceedings 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 at 1-800-955-8770, no later than 5 days prior to the date of the hearings.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
BY: JAMES E. BRYANT, CHAIRMAN**