

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC) AND CONSERVATION (CV) FOR PROPERTY LOCATED ON THE NORTH SIDE OF INTERNATIONAL GOLF PARKWAY ABOUT ¼ MILE EAST OF I-95, AND TO AMEND THE FUTURE LAND USE ELEMENT BY CREATING POLICY A.1.3.13 TO LIMIT THE LAND AREA COMMITTED TO COMMERCIAL/RETAIL USES ON THE IC AREA OF THE SITE, AND BY ADDING A REFERENCE TO SAME AT EXISTING POLICY A.1.11.1(c)(3); 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 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 2015 Comprehensive Plan is amended to:

- a) Change the Future Land Use Map designation of property located on International Golf Parkway from Rural Silviculture (R/S) to Intensive Commercial (IC) and Conservation (CV) as shown on **EXHIBIT A**; and
- b) Amend the Future Land Use Element by creating Policy A.1.3.13 to limit the land area committed to commercial/retail uses on the IC area of the site, and by adding a reference to same at existing Policy A.1.11.1(c)(3), as shown on **EXHIBIT B**, based on the following Findings of Fact:
  - (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 State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.

(3) The amendment is 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 and the 2015 Future Land Use Map, 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

RENDITION DATE 10/17/03

ATTEST: Cheryl Strickland, Clerk

BY: Wenne King  
Deputy Clerk

There is no effective date for this ordinance. It was repealed by Ord. No. 2005-96.

EFFECTIVE DATE: NONE

EXHIBIT A

LEGAL DESCRIPTION  
INTENSIVE COMMERCIAL PARCEL

PART OF SECTIONS 11 AND 12, TOWNSHIP 6 SOUTH,  
RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,  
BEING MORE FULLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 11, BEING MARKED BY A RAILROAD SPIKE AND LYING IN THE CENTERLINE OF INTERNATIONAL GOLF PARKWAY, ALSO KNOWN AS NINE MILE ROAD; THENCE NORTH  $00^{\circ}39'27''$  WEST, 33.00' TO AN ANGLE POINT IN THE NORTH RIGHT OF WAY LINE OF THE AFOREMENTIONED INTERNATIONAL GOLF PARKWAY, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH  $89^{\circ}32'10''$  WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 1915.61'; THENCE ALONG THE NORTHEAST LINE OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 837, PAGE 814, OF THE PUBLIC RECORDS OF SAID COUNTY, FOR THE NEXT 4 COURSES: 1) NORTH  $79^{\circ}57'27''$  WEST, 531.96'; 2) NORTH  $00^{\circ}27'50''$  WEST, 70.00'; 3) NORTH  $26^{\circ}09'10''$  WEST, 70.00', TO THE POINT OF CURVATURE OF A CURVE BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 375.00', DELTA OF  $49^{\circ}37'47''$  AND ARC LENGTH OF 324.83'; 4) THENCE NORTH  $34^{\circ}57'47''$  WEST, ALONG THE CHORD OF SAID CURVE, 314.77'; THENCE NORTH  $00^{\circ}11'37''$  WEST, ALONG THE EAST LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1350, PAGE 148, OF THE PUBLIC RECORDS OF SAID COUNTY, 790.31' TO THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH  $00^{\circ}11'07''$  WEST, ALONG THE EAST LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK, 1512, PAGE 1180, 2624.86'; THENCE NORTH  $88^{\circ}31'41''$  EAST, ALONG THE SOUTH LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1568, PAGE 482, 1285.97'; THENCE NORTH  $00^{\circ}44'58''$  WEST, ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11, 400.55'; THENCE SOUTH  $87^{\circ}44'29''$  EAST, 1600.00'; THENCE SOUTH  $65^{\circ}40'40''$  EAST, 681.20'; THENCE NORTH  $88^{\circ}31'41''$  EAST, 400.03'; THENCE SOUTH  $00^{\circ}11'07''$  EAST, 1076.57'; THENCE SOUTH  $47^{\circ}59'58''$  WEST, 509.17'; THENCE SOUTH  $00^{\circ}49'40''$  EAST, 400.00'; THENCE SOUTH  $56^{\circ}16'21''$  WEST, 400.00'; THENCE SOUTH  $11^{\circ}28'12''$  WEST, 1300.00'; THENCE SOUTH  $58^{\circ}49'40''$  EAST, 1020.00'; THENCE SOUTH  $00^{\circ}11'07''$  EAST, 125.00' TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF SAID INTERNATIONAL GOLF PARKWAY; THENCE SOUTH  $89^{\circ}08'57''$  WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 1150.32' TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 328 ACRES, MORE OR LESS.

EXHIBIT A

**LEGAL DESCRIPTION  
CONSERVATION PARCEL**

All of Government Lots 1, 2, 3, 5, 6 and 7 of Section 1; East Half of East Half of Section 2; Northeast quarter of Northeast quarter; South half of Northeast quarter; Southeast quarter; southeast quarter of southwest quarter of Section 11, excepting that part or portion of said lands situate in said Section 11 – which lie South and East of Nine-Mile Road; Government Lots 1, 2, 3 and 4 and West half of Section 12, excepting that part or portion of the said West half of Section 12, which is located South of the Nine-Mile Road; all of Sections 45, 46 and 48, all situate in Township 6 South, Range 2 East. Together with all of the right, title and interest (including rentals, royalties and all other benefits of every nature) in that certain Oil, Gas and Mineral Lease recorded in Deed Book 143, page 82, which said lease is referred to in that certain deed recorded in Deed Book 188, page 465, between Fredrick G. Francis, Grantor, and Weinstein Bros., Inc., Grantee, EXCEPTING HOWEVER therefrom that certain land heretofore conveyed to Cummer Sons Cypress Company, a corporation of Florida, recorded in Deed Book 200, page 434, described as follows: All of Lot 4 of Section 12, and all of Section 48, Township 6 South, Range 28 East, lying South of Nine-Mile Road. All of said property being located in St. Johns County, Florida.

And,

The following described land, situate, lying and being in St. Johns County, Florida, to wit:

Lot Four (4) in Section One (1), Township Six (6) South, Range Twenty-eight (28) East, in St. Johns County, Florida and containing 39.5 acres more or less.

**LESS AND EXCEPTING:**

**PART OF SECTIONS 11 AND 12, TOWNSHIP 6 SOUTH,  
RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA,**

**BEING MORE FULLY DESCRIBED AS FOLLOWS:**

FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 11, BEING MARKED BY A RAILROAD SPIKE AND LYING IN THE CENTERLINE OF INTERNATIONAL GOLF PARKWAY, ALSO KNOWN AS NINE MILE ROAD; THENCE NORTH  $00^{\circ}39'27''$  WEST, 33.00' TO AN ANGLE POINT IN THE NORTH RIGHT OF WAY LINE OF THE AFOREMENTIONED INTERNATIONAL GOLF PARKWAY, ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH  $89^{\circ}32'10''$  WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 1915.81'; THENCE ALONG THE NORTHEAST LINE OF A PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 837, PAGE 814, OF THE PUBLIC RECORDS OF SAID COUNTY, FOR THE NEXT 4 COURSES: 1) NORTH  $79^{\circ}57'27''$  WEST, 531.96'; 2) NORTH  $00^{\circ}27'50''$  WEST, 70.00'; 3) NORTH  $26^{\circ}09'10''$  WEST, 70.00', TO THE POINT OF CURVATURE OF A CURVE BEING CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 375.00', DELTA OF  $49^{\circ}37'47''$  AND ARC LENGTH OF 324.83'; 4) THENCE NORTH  $34^{\circ}57'47''$  WEST, ALONG THE CHORD OF SAID CURVE, 314.77'; THENCE NORTH  $00^{\circ}11'37''$  WEST, ALONG THE EAST LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1350, PAGE 148, OF THE PUBLIC RECORDS OF SAID COUNTY, 790.31' TO THE NORTHEAST CORNER OF SAID PARCEL; THENCE NORTH  $00^{\circ}11'07''$  WEST, ALONG THE EAST LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK, 1512, PAGE 1180, 2624.86'; THENCE NORTH  $88^{\circ}31'41''$  EAST, ALONG THE SOUTH LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 1568, PAGE 482, 1285.97'; THENCE NORTH  $00^{\circ}44'58''$  WEST, ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF THE NORTHEAST ONE-QUARTER OF SAID SECTION 11, 400.55'; THENCE SOUTH  $87^{\circ}44'29''$  EAST, 1600.00'; THENCE SOUTH  $65^{\circ}40'40''$  EAST, 681.20'; THENCE NORTH  $88^{\circ}31'41''$  EAST, 400.03'; THENCE SOUTH  $00^{\circ}11'07''$  EAST, 1076.57'; THENCE SOUTH  $47^{\circ}59'58''$  WEST, 509.17'; THENCE SOUTH  $00^{\circ}49'40''$  EAST, 400.00'; THENCE SOUTH  $56^{\circ}16'21''$  WEST, 400.00'; THENCE SOUTH  $11^{\circ}28'12''$  WEST, 1300.00'; THENCE SOUTH  $58^{\circ}49'40''$  EAST, 1020.00'; THENCE SOUTH  $00^{\circ}11'07''$  EAST, 125.00' TO THE INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF SAID INTERNATIONAL GOLF PARKWAY; THENCE SOUTH  $89^{\circ}08'57''$  WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 1150.32' TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 328 ACRES, MORE OR LESS.

ORDINANCE BOOK 32 PAGE 443

**EXHIBIT A**  
From Rural Silviculture to  
Intensive Commercial & Conservation



# Proposed Future Land Use Map

0 1000 2000 Feet

Map Prepared: Oct 10, 2003

\*Depicts General Project Boundary

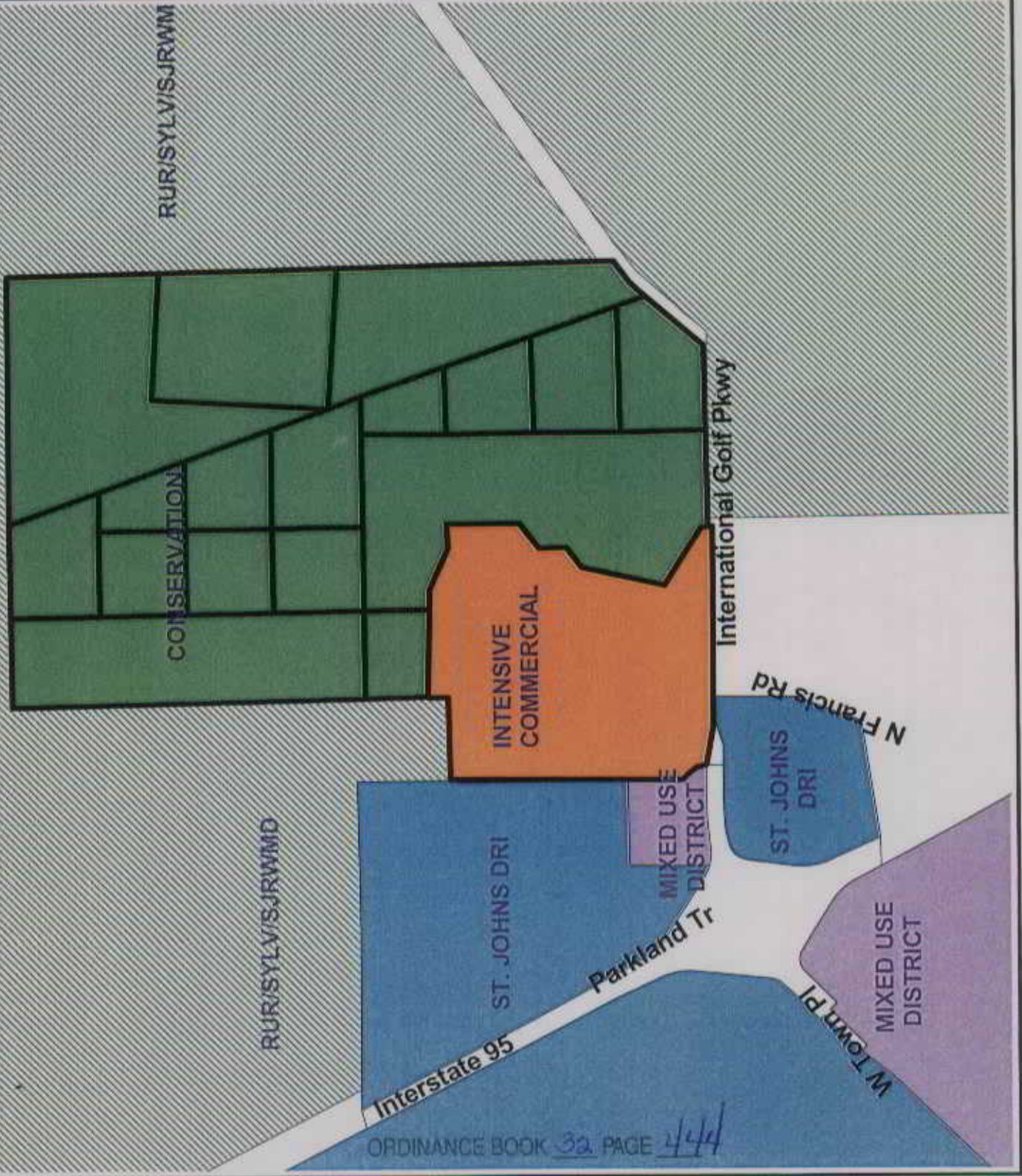
## Comprehensive Plan Amendment for

### Nine Mile Gang

FILE: COMPAMD2002-07



St. Johns County  
Growth Mgmt. Svcs.  
Planning Division



## EXHIBIT B

### New Policy

A.1.3.13 The Intensive Commercial (IC) designation located along International Golf Parkway at Interstate-95 is to provide for regional, economic, business and employment opportunities through the development of Office and Professional Services, Regional Business and Commercial Uses and Regional Cultural and Entertainment Facilities as defined in the County's land development regulations and controlled and developed as follows:

- (a) No more than 20 percent of land area shall be developed as retail commercial uses, unless it is demonstrated that a need for an increase in commercial retail uses exists. Need shall be demonstrated through market and economic impact studies acceptable to the County.
- (b) A Conservation designation is located to the north and east of the IC designation. In order to protect this Conservation area, the highest intensity of uses shall be located along International Golf Parkway and shall transition to less intense uses as development approaches the north and east boundary. Any development within 200 feet of the north and east boundary shall be limited to a maximum ISR of sixty percent (60%), 10,000 square feet per acre and FAR of fifty percent (50%).
- (c) Development projects within the IC designation shall address transportation management techniques, which discourage peak hour traffic on International Golf Parkway and I-95, and direct traffic to the North/South Corridor, where feasible. Development projects shall create or become part of an existing Transportation Management Organization (TMO) and participate in transportation management strategies such as transit studies, transit subsidies, transportation disadvantaged programs, van pools, joint participation with public and private ventures to provide mass transit services, shuttle services, telecommuting and flexible work schedules. Proposed transportation management strategies shall be filed with the County at the time of development approval.

### Addition to Policy A.1.11.1(c) (3)

- The Intensive Commercial (IC) designation located along International Golf Parkway at Interstate-95 is to provide for regional, economic, business and employment opportunities through the development of Office and Professional Services, Regional Business and Commercial Uses and Regional Cultural and Entertainment Facilities as defined in the County's land development regulations and controlled and developed in accordance with Policy A.1.3.13.

T:\2015 Comp Plan\Nine-Mile Gang Proposed A.1.3.13.doc

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**

**FILE# CPA (SS) 2002-07 NINE MILE GANG**

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

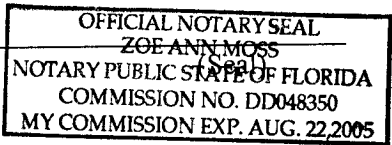
**SEPTEMBER 29, 2003**

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.

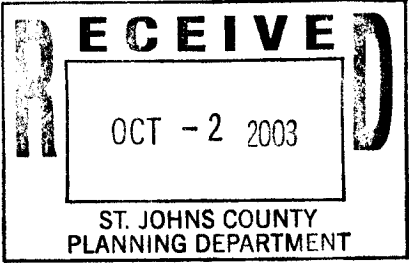
Sworn to and subscribed before me this **29<sup>TH</sup>** day of **SEPTEMBER** 2003

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

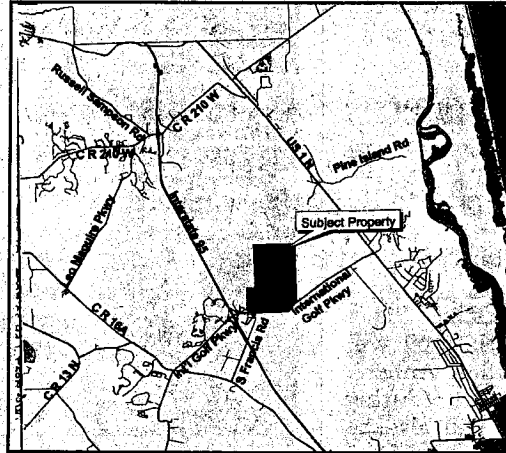
*Zoe Ann Moss*  
(Signature of Notary Public)



Zoe Ann Moss



# NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PRO- POSED AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN



**NOTICE IS HEREBY GIVEN** that the St. Johns County Board of County Commissioners, at its regular meeting on Tuesday, October 14, 2003, at 1:30 p.m., will hold a public hearing to consider transmittal of a proposed amendment to the St. Johns County 2015 Future Land Use Map. 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 subject property is approximately 1,770 acres in size and is located approximately 1/4 mile east of I-95 Interchange on the north side of International Golf Parkway. A complete legal description is available in the St. Johns County Planning Offices. See map generally depicting the location. The amendment proposes to change the Future Land Use Map designation from Rural/Silviculture to Intensive Commercial and from Rural/Silviculture to Conservation.

The proposed amendment is known as File Number CPA (SS) 2002-07, Nine Mile Gang, and is available for review at the local County Planning Offices and Libraries and may be examined by interested parties prior to said public hearing.

**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.

**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  
OF ST. JOHNS COUNTY, FLORIDA  
BY: JAMES E. BRYANT, CHAIRMAN  
File Number: CPA (SS) 2002-07 Nine Mile Gang