

ORDINANCE NO. 2004 - 28

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 RESIDENTIAL - C FOR PROPERTY LOCATED ABOUT ONE MILE SOUTH OF RACE TRACK ROAD AND WEST OF RUSSELL SAMPSON ROAD, ALONG PROPOSED CR 223 (FKA PROPOSED CR 210B), DIRECTLY WEST AND ADJACENT TO THE DURBIN CROSSING DRI; 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 change the Future Land Use Map designation of property located about one mile south of Race Track Road and west of Russell Sampson Road, along proposed County Road 223 (f/k/a proposed CR 210b), directly west and adjacent to the Durbin Crossing DRI from Rural Silviculture (R/S) to Residential Density – C, as shown on **EXHIBIT A**; based on the following Findings of Fact:

- (a) The amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
- (b) The amendment is consistent with the State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- (c) 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 27th DAY OF April 2004.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: *Karen R. Stern*
Karen R. Stern, Chair

RENDITION DATE May 4, 2004

ATTEST: Cheryl Strickland, Clerk

BY: *Cheryl Strickland*
Deputy Clerk

EFFECTIVE DATE: 10/4/2004



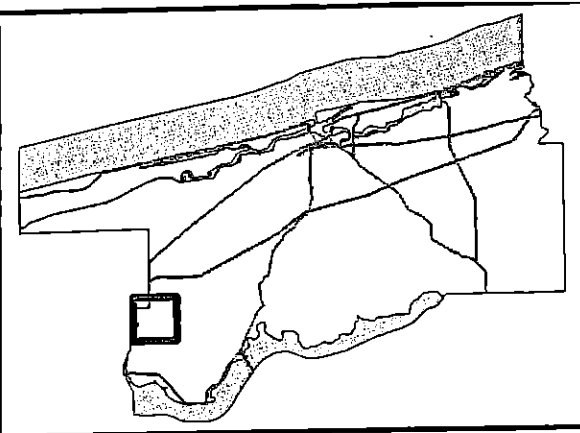
"EXHIBIT A"

PARCEL B

THE SOUTHEAST ¼ OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST.
JOHNS COUNTY, FLORIDA.

EXHIBIT A

From Rural Silviculture to Residential C

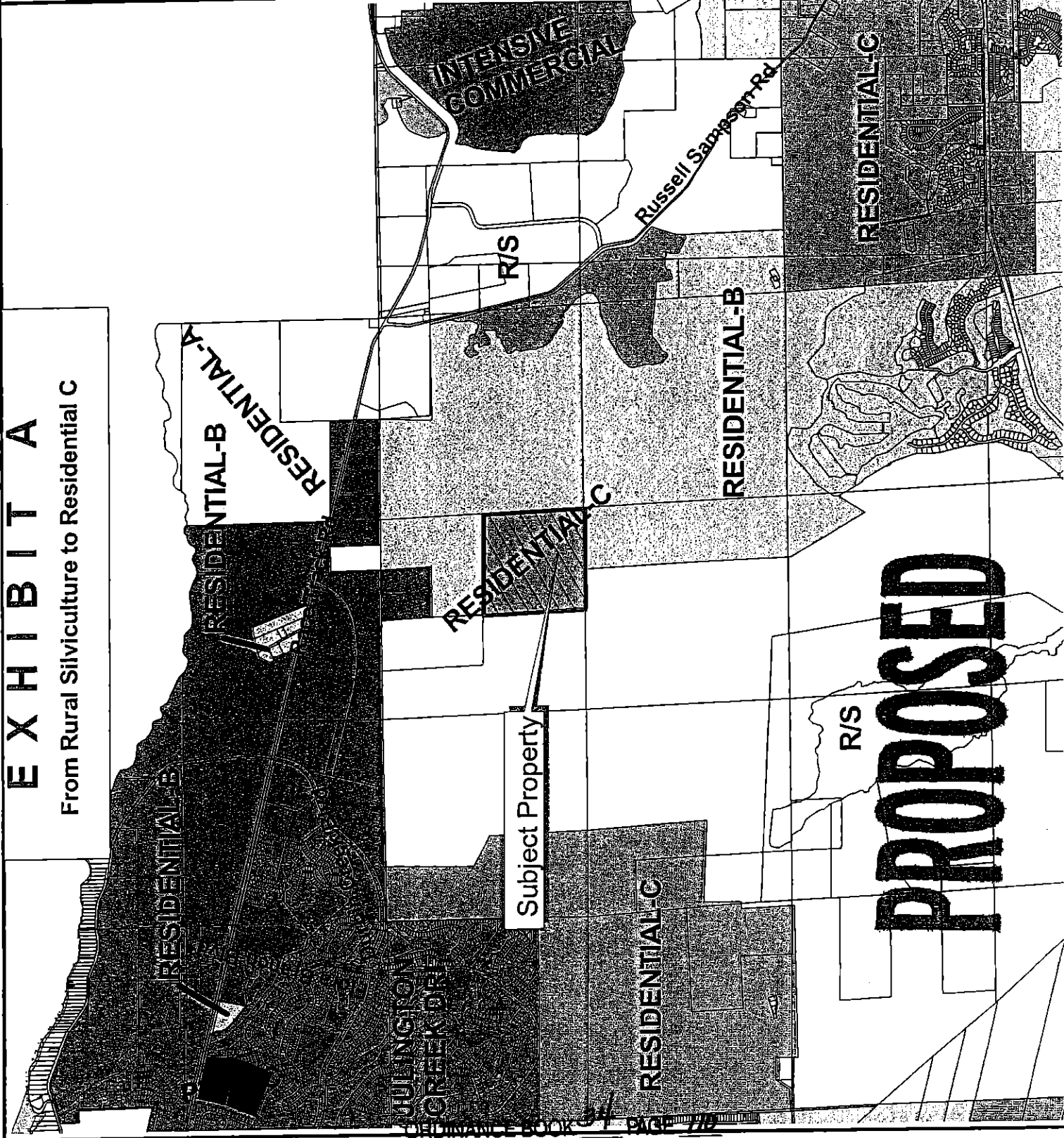


Future Land Use Map



Map Prepared: Oct 17, 2003
*Depicts General Project Boundary

Comprehensive
Plan Amendment
For
R T Timber
FILE: CPA2003-06
St. Johns County Ordinance #: 2003-
St. Johns County
Growth Mgmt. Svcs
Planning Division



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 **AMANDA N. BRUNK**
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**
In the matter of **ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN**
in the Court, was published in said newspaper in the issues of
MARCH 26, 2004

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 **6TH** day of **APRIL 2004**

by Amanda N. Brunk who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification.

Patricia A. Bergquist
(Signature of Notary Public)

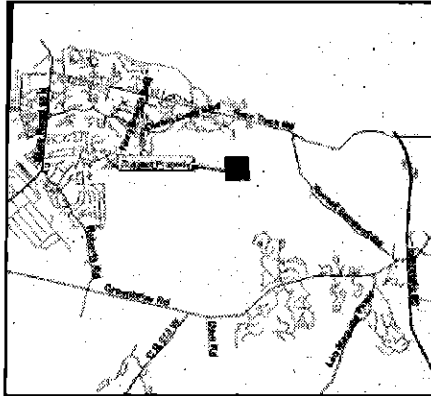


Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A BERGQUIST

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



NOTICE IS HEREBY GIVEN that the St. Johns County Planning and Zoning Agency, at its regular meeting on Thursday, April 15, 2004, at 1:30 p.m., and before the St. Johns County Board of County Commissioners at its regular meeting, Tuesday, April 27, 2004, at 1:30 p.m. will hold a public hearing to consider adoption 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, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding the proposed amendment.

The subject property is located at Russell Sampson Road. A complete description is available in the St. Johns County Planning Office. See map generally depicting the location. The amendment proposes to change the Future Land Use Map designation from Rural Silviculture to Residential "C".

The proposed amendment is known as File Number CPA-2003-06 RT Timber, and is available for review at the local County Planning Office 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 a verbalim record of the proceedings are 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 special accommodations or an interpreter 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, call 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
ROBERT TAYLOR, CHAIR
File Number: CPA-2003-06 RT Timber

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
KAREN STERN, CHAIR