

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 INTENSIVE COMMERCIAL (IC) TO RESIDENTIAL - C FOR PROPERTY LOCATED WEST OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY, NEAR THE SOUTHWEST CORNER OF RACE TRACK ROAD AND U.S. HIGHWAY 1 NORTH; 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 west of the Florida East Coast Railway Right-of-Way, near the southwest corner of Race Track Road and U.S. Highway 1 North from Intensive Commercial (IC) 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, Chair

RENDITION DATE May 4, 2004

ATTEST: Cheryl Strickland, Clerk

BY: 
Deputy Clerk

EFFECTIVE DATE: July 28, 2004



"Parcel Nos.: 023430-0000
023430-0010"

Legal Description

PARCEL 2

A PARCEL OF LAND IN SECTIONS 3 AND 4, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, AND BEING MORE FULLY DESCRIBED AS FOLLOWS.

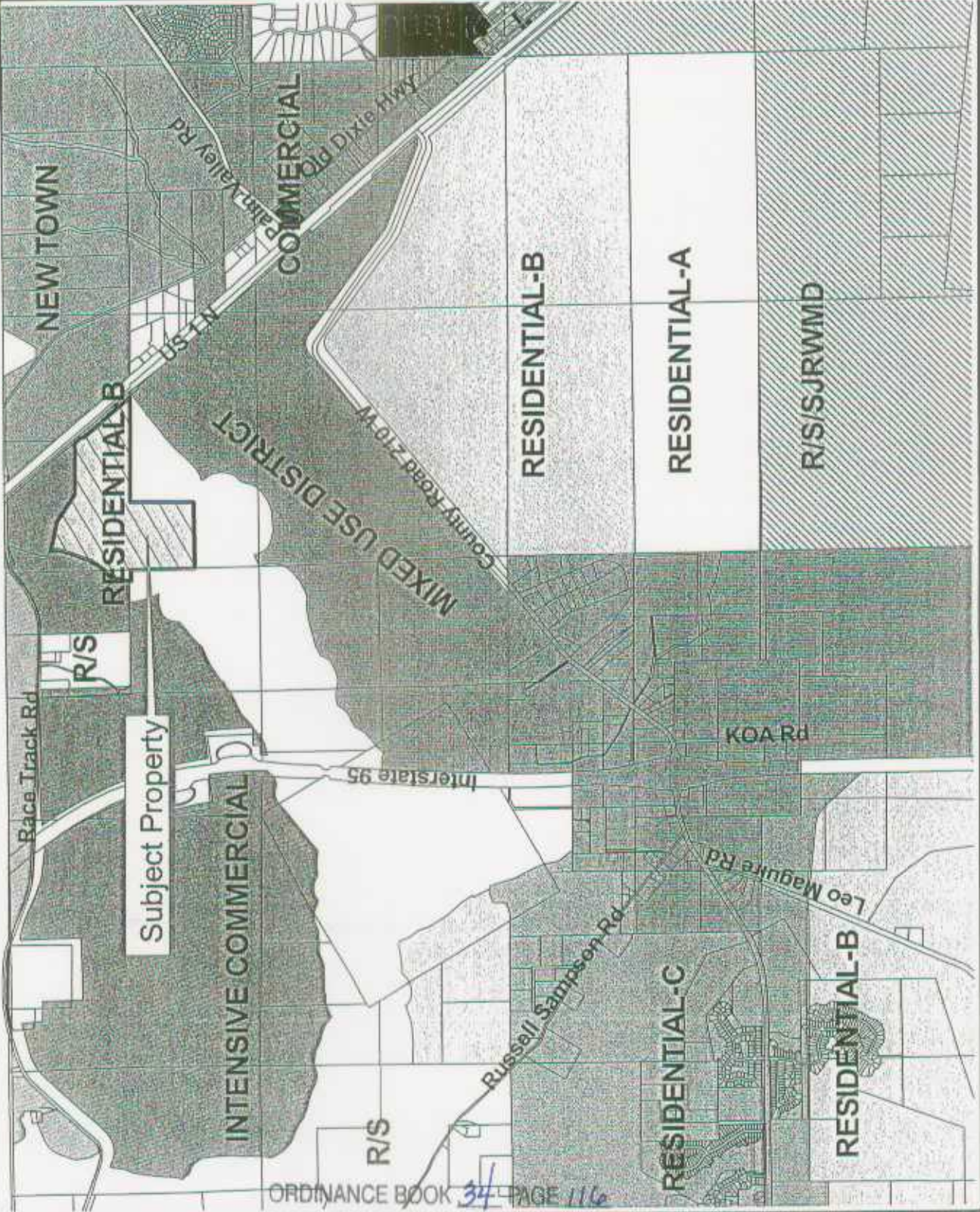
COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 4 (BEARINGS ON SAID WEST LINE BEING NORTH 01 DEGREE 29 MINUTES 26 SECONDS WEST) WITH THE SOUTH RIGHT OF WAY LINE OF RACE TRACK ROAD, SAID RIGHT OF WAY BEING 66 FEET IN WIDTH AND LYING 33 FEET ON EACH SIDE OF THE CENTER LINE OF SAID ROAD; THENCE EASTERLY ON SAID RIGHT OF WAY LINE AND ON A CURVE TO THE LEFT WITH RADIUS OF 1,465.69 FEET, THROUGH A CENTRAL ANGLE OF 37 DEGREES 11 MINUTES 15 SECONDS, AN ARC DISTANCE OF 951.30 FEET (CHORD=NORTH 70 DEGREES 26 MINUTES 15 SECONDS EAST 931.71 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 51 DEGREES 00 MINUTES 34 SECONDS EAST, ON SAID RIGHT OF WAY LINE AND TANGENT TO SAID CURVE WITH RADIUS OF 1,465.69 FEET, 231.15 FEET TO THE POINT OF A CURVE TO THE RIGHT WITH RADIUS OF 1,399.69 FEET; THENCE CONTINUING EASTERLY ON SAID RIGHT OF WAY LINE AND ON SAID CURVE TO THE RIGHT WITH RADIUS OF 1,399.69 FEET, THROUGH A CENTRAL ANGLE OF 37 DEGREES 23 MINUTES 01 SECOND, AN ARC DISTANCE OF 913.25 FEET (CHORD=NORTH 69 DEGREES 42 MINUTES 05 SECONDS EAST 897.14 FEET) TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 88 DEGREES 23 MINUTES 35 SECONDS EAST, ON SAID RIGHT OF WAY LINE AND TANGENT TO SAID CURVE WITH RADIUS OF 1,399.69 FEET, 797.26 FEET TO THE WEST LINE OF FLORIDA EAST COAST RAILWAY RIGHT OF WAY; THENCE SOUTH 42 DEGREES 05 MINUTES 47 SECONDS EAST, ON SAID RAILWAY RIGHT OF WAY LINE, 1,608.73 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 42 DEGREES 05 MINUTES 47 SECONDS EAST, ON SAID RAILWAY RIGHT OF WAY LINE, 456.03 FEET; THENCE SOUTH 01 DEGREE 22 MINUTES 06 SECONDS EAST, ON SAID RAILWAY RIGHT OF WAY LINE AND ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 3, A DISTANCE OF 38.31 FEET; THENCE SOUTH 42 DEGREES 05 MINUTES 47 SECONDS EAST, ON SAID RAILWAY RIGHT OF WAY LINE, 1,318.46 FEET; THENCE DEPARTING SAID RAILWAY RIGHT OF WAY LINE, SOUTH 88 DEGREES 23 MINUTES 56 SECONDS WEST, ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 3, A DISTANCE OF 2,218.88 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE SOUTH 01 DEGREE 24 MINUTES 33 SECONDS EAST, ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, A DISTANCE OF 1,572.26 FEET; THENCE SOUTH 88 DEGREES 24 MINUTES 08 SECONDS WEST, ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, A DISTANCE OF 1,357.61 FEET; THENCE NORTH 01 DEGREE 26 MINUTES 59 SECONDS WEST, ON THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, A DISTANCE OF 1,572.18 FEET; THENCE SOUTH 88 DEGREES 08 MINUTES 10 SECONDS WEST, ON SAID SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, A DISTANCE OF 316.60 FEET; THENCE NORTH 23 DEGREES 37 MINUTES 28 SECONDS EAST 425.25 FEET TO THE POINT OF A CURVE TO THE RIGHT WITH RADIUS OF 195.00 FEET; THENCE ON SAID TO THE RIGHT WITH RADIUS OF 195.00 FEET, THROUGH A CENTRAL ANGLE OF 41 DEGREES 42 MINUTES 51 SECONDS, AN ARC DISTANCE OF 141.97 FEET (CHORD=NORTH 44 DEGREES 28 MINUTES 54 SECONDS EAST 138.86 FEET) TO A POINT ON A NON-TANGENT LINE; THENCE NORTH 19 DEGREES 39 MINUTES 38 SECONDS EAST, ON SAID NON-TANGENT LINE 411.73 FEET; THENCE NORTH 01 DEGREE 09 MINUTES 52 SECONDS EAST 424.03 FEET; THENCE SOUTH 77 DEGREES 32 MINUTES 29 SECONDS EAST 591.74 FEET; THENCE SOUTH 66 DEGREES 22 MINUTES 32 SECONDS EAST 460.55 FEET; THENCE NORTH 88 DEGREES 59 MINUTES 53 SECONDS EAST 1,087.22 FEET TO THE POINT OF BEGINNING, CONTAINING 6,201,272 SQUARE FEET OR 142.36 ACRES MORE OR LESS.

PROPOSED

EXHIBIT A

From Intensive Commercial to Residential B

D U V A L C O U N T Y



ORDINANCE BOOK 34 PAGE 116

Future Land Use Map



Map Prepared: Apr 01, 2003

*Depicts General Project Boundary

Comprehensive Plan Amendment For

Bayard Raceways

FILE: COMPAMD2002-09

St. Johns County Ordinance #: 2003-



St. Johns County Growth Mgmt. Svcs. Planning Division

BOARD OF COUNTY COMMISSIONERS
HISTORICAL ST. JOHNS COUNTY, FLORIDA



CHERYL STRICKLAND - CLERK
POST OFFICE DRAWER 300
ST. AUGUSTINE, FLORIDA 32085-0300

Patricia DeGrande, Director
Minutes & Records Department
Phone (904) 819-3645
Fax Number (904) 819-3664

May 25, 2004

Department of State
Bureau of Administrative Code
The Collins Building
107 West Gaines Street, Suite L43
Tallahassee, FL 32399-0250
Attn: Misty Pearson
Bureau of Administrative Code

Dear Ms. Pearson:

On April 27, 2004, the Board of County Commissioners of St. Johns County, Florida, voted to adopt Ordinance No. 2004-29 which included an Exhibit "A", (Ordinance Book 34, Page 116). Exhibit "A" to the Ordinance that was filed with your office on May 7, 2004, does not correctly reflect the motion of the Board or the text of the enacted Ordinance. I have enclosed a certified copy of the correct Exhibit A and request that you file it with Ordinance No. 2004-29 to adjust your records and correct this error.

If you have any questions, please contact me at (904) 819-3645.

Sincerely,

CHERYL STRICKLAND, CLERK

By: 
Patricia DeGrande, Deputy Clerk

enclosure

ORDINANCE BOOK 34 PAGE 116(a)



FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
 Secretary of State
 DIVISION OF LIBRARY AND INFORMATION SERVICES

May 27, 2004

Ms. Patricia DeGrande
 Deputy Clerk
 St. Johns County
 Post Office Drawer 300
 St. Augustine, Florida 32085-0300

Dear Ms. DeGrande:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 25, 2004 and corrected copy Exhibit A to be attached to St. Johns County Ordinance No. 2004-29, which was received in this office on May 27, 2004.

Sincerely,

Liz Cloud
 Program Administrator

LC/mp

CHERYL STRICKLAND
 CLERK COUNTY COMMISSION
 ST. JOHNS COUNTY FL

04 JUN - 1 AM 10:24

FILED

STATE LIBRARY OF FLORIDA
 R.A. Gray Building • Tallahassee, Florida 32399-0250 • (850) 245-6600
 FAX: (850) 488-2746 • TDD: (850) 922-4085 • <http://www.dos.state.fl.us>
 LEGISLATIVE LIBRARY SERVICE RECORDS MANAGEMENT SERVICES FLORIDA STATE ARCHIVES
 (850) 488-2812 • FAX: (850) 488-9879 (850) 487-2180 • FAX: (850) 413-7224 (850) 245-6700 • FAX: (850) 488-4894
 ADMINISTRATIVE CODE AND WEEKLY
 (850) 245-6270 • FAX: (850) 245-6282

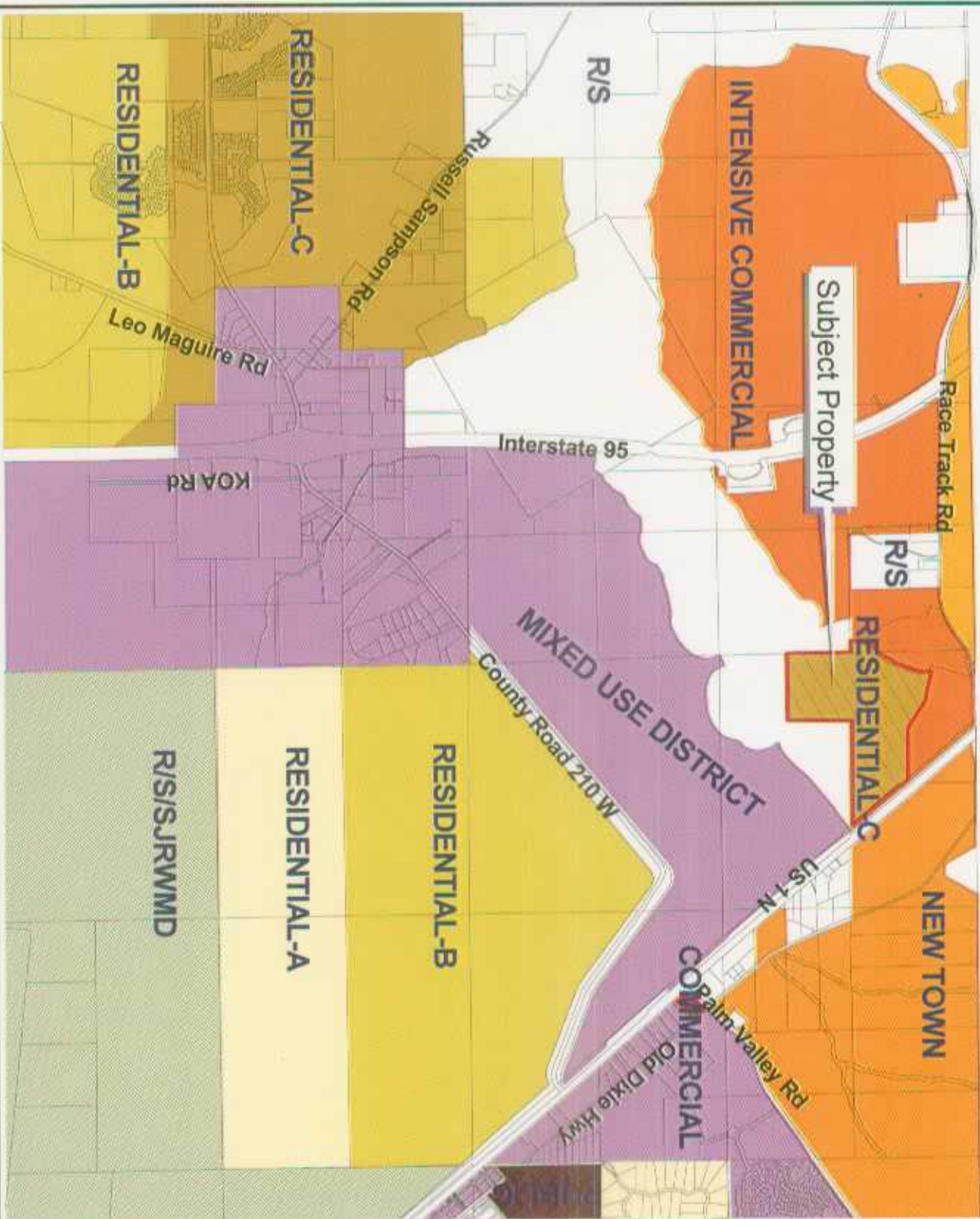
ORDINANCE BOOK 34 PAGE 116(b)

CORRECTED

EXHIBIT A

From Intensive Commercial to Residential C

D U V A L C O U N T Y



ORDINANCE BOOK 34 PAGE 116 (c)

Future Land Use Map



Map Prepared: March 23, 2004
*Depicts General Project Boundary

Comprehensive Plan Amendment For Bayard Raceways

FILE: CPA 2003-04

St. Johns County Ordinance #: 2004-29

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 **PROPOSED AMMENDMENT ADOPTION/SJC 2015 COMP 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 **1ST** 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



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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 the St. Johns County Board of County Commissioners at its regular meeting, Tuesday, April 27, 2004, at 1:30 p.m. will hold public hearings 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 6320, 6322 Race Track 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 Commercial Intensive to Residential "C".

The proposed amendment is known as File Number CPA-2003-04 Bayard Raceway, 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 a verbatim 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-2003-04 Bayard Raceways

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