

ORDINANCE NO. 2004 - 90

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN #ACPA 2004-04, ORDINANCE NO. 2000-34, AS AMENDED, TO ST. JOHNS COUNTY COMPREHENSIVE PLAN TO ADD POLICY A TO THE VILANO BEACH TOWN CENTER MIXED USE DISTRICT OBJECTIVE A.3 THAT ALLOWS OWNERS OF HISTORIC STRUCTURES OR FACADES ONLY WITHIN THE VILANO BEACH TOWN CENTER AND AS REFERENCED IN POLICY A.3.2.6 ONE TIME OPTION TO OBTAIN TRANSFER OF DEVELOPMENT RIGHTS IN RETURN FOR PRESERVATION OF THE SUBJECT HISTORIC STRUCTURE OR FAÇADE; 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 add Policy 3.2.6 to the Vilano Beach Town Center Objective 3.2. This policy will allow a one time option to property owners with historic structures 50 years or older in return for preservation of the subject historic structure as defined by the Land Development Code as shown on attached **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.

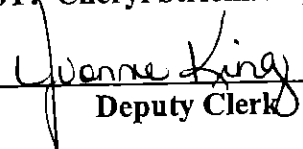
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 3rd DAY OF November 2004.

BOARD OF COUNTY COMMISSISONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Karen R. Stern, Chair

RENDITION DATE 11/06/04

ATTEST: Cheryl Strickland, Clerk

BY: 
Deputy Clerk

EFFECTIVE DATE: 01/20/05

EXHIBIT A

A.3.2.6

In an effort to promote the preservation of historic "landmark" structures that establish the unique historic character or "sense of place" in the Vilano Beach Town Center an option will be given to property owners with historic structures that are fifty years or older.

This option is to allow a one time only Transfer of Development Rights for the maximum residential density allowed within the Town Center to be transferred to other properties located within the Town Center (sending and receiving area) in exchange for preservation of the historic structure(s) in perpetuity, and as required by the Land Development Code. Other credits may be considered for preservation of historic building facades.

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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 **CHARLES BARRETT**

who on oath says that he 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 **DISPLAY ADVERTISEMENT**

in matter **NOTICE OF PUBLIC HEARING**

was published in said newspaper in the issues of

OCTOBER 6, 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 OCTOBER, 2004.

by Charles Barrett who is personally known to me or who has produced PERSONALLY KNOWN as identification.

Patricia A. Bergquist

(Signature of Notary Public)



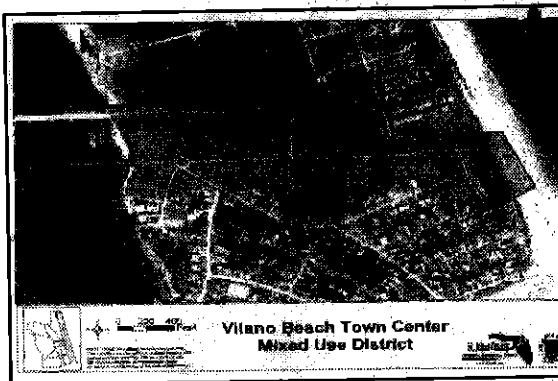
Patricia A. Bergquist
My Commission DD275991
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,

AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND THE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO ADD A POLICY TO VILANO BEACH TOWN CENTER MIXED USE DISTRICT OBJECTIVE A.3.2 THAT ALLOWS OWNERS OF HISTORIC STRUCTURES OR FACADE, ONLY WITHIN THE VILANO BEACH TOWN CENTER AND AS LISTED IN THE POLICY, A TIME ONLY OPTION TO OBTAIN TRANSFER OF DEVELOPMENT RIGHTS IN EXCHANGE FOR PRESERVATION OF THE SUBJECT HISTORIC STRUCTURES OR FACADE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.



NOTICE IS HEREBY GIVEN that the St. Johns County Planning and Zoning Agency at its regular meeting, **Thursday, October 21, 2004 at 1:30 p.m.**, and the St.

Johns County Commissioners on **Wednesday, November 3, 2004 at 9:00 a.m.** will hold a public hearing to consider adoption of a proposed amendment to the St. Johns County 2015 Future Land Use Map. Said hearings 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.

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.

The proposed amendment is known as File Number COMPAMD 2004-04 Town Center Mixed Use District, and is available for review at the local County Planning Division office and Libraries and may be examined by interested parties prior to said public hearings.

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

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