

ORDINANCE NUMBER: 2005- 22

**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 RESIDENTIAL C TO PARKS AND OPEN SPACE DESIGNATION FOR PROPERTY BOUNDED IN PART BY THE INTRACOASTAL WATERWAY, MOULTRIE CREEK, VAILL POINT ROAD, AND STURDIVANT ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.**

WHEREAS, Chapters 125 and 163, Florida Statutes, provides for the amendment of an adopted Comprehensive Plan; 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 2015 Comprehensive Plan is amended to change the Future Land Use Map designation from Residential C to Parks and Open Space for property bounded in part by the Intracoastal Waterway, Moultrie Creek, Vaill Point Road, and Sturdivant Road, 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, and Rule 9J-5 of the Florida Administrative Code.
- c. The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code.

SECTION 2. The remaining portion of the St. Johns County Comprehensive Plan Ordinance, 2000-34 as amended 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 affect the validity of the remaining portion.

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 is 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 by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in the official records of St. Johns County, Florida.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 9<sup>th</sup> DAY OF March 2005.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant  
James E. Bryant Vice Chair

ENACTMENT DATE 03/10/05

ATTEST: CHERYL STRICKLAND, CLERK

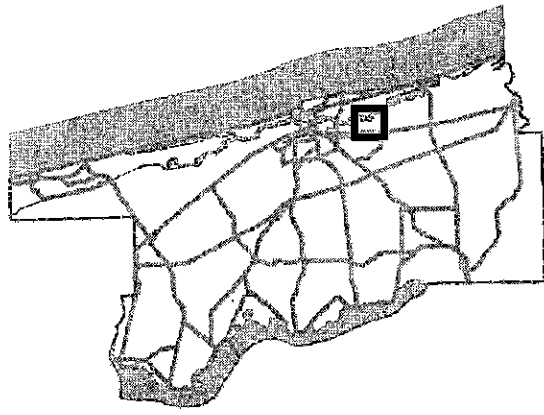
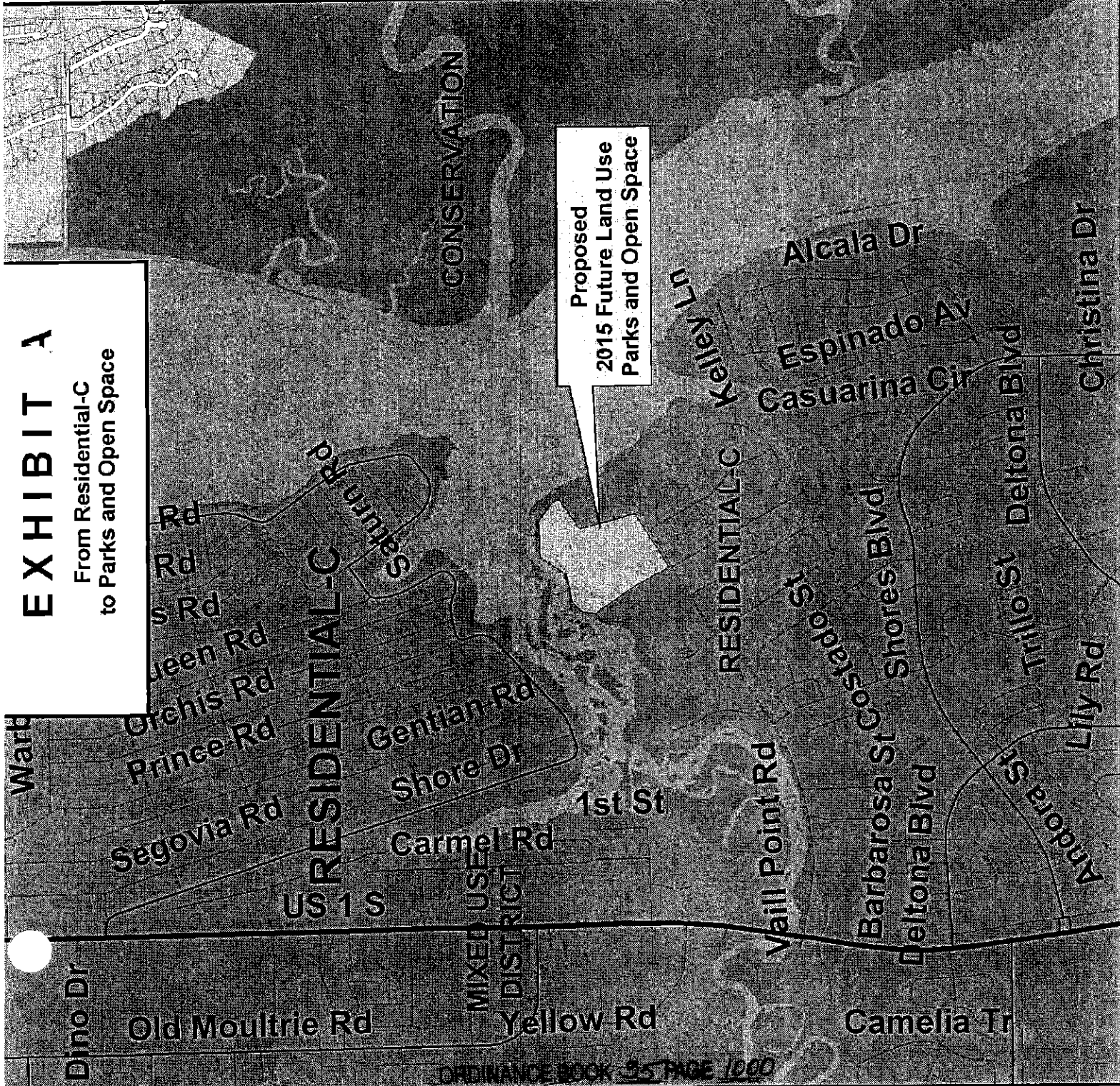
BY: Yvonne King  
Deputy Clerk

EFFECTIVE DATE: 05/20/05



# EXHIBIT A

From Residential-C  
to Parks and Open Space



## FUTURE LAND USE MAP



Map Prepared: 9/29/2004

Depicts General Project Boundary

## Administrative Comprehensive Plan Amendment for Vail Point

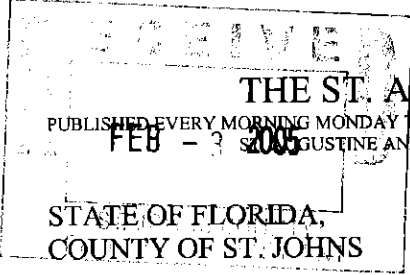
File: ACPA-2004-13

St. Johns County  
Growth Mgmt. Svcs.  
Planning Division



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COPY OF ADVERTISEMENT



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 the matter of **AMMENDING 2015 COMPREHENSIVE PLAN ORD #2000-34** was published in said newspaper in the issues of **FEBRUARY 1, 2005.**

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 **2ND** day of **FEBRUARY** , **2005.**

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

*Patricia A. Bergquist*  
 (Signature of Notary Public)



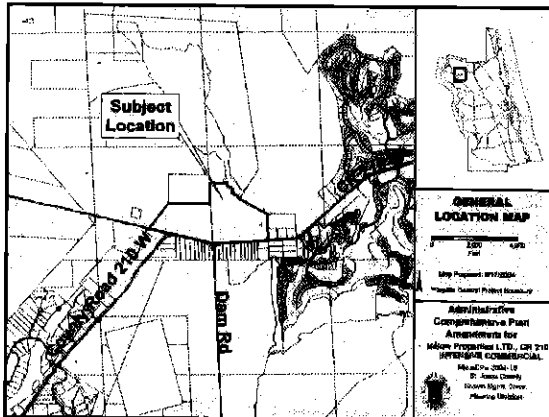
Patricia A. Bergquist  
 My Commission 30275991  
 Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

**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) DESIGNATION FOR PROPERTY LOCATED ON THE NORTH SIDE OF GREENBRIAR ROAD – COUNTY ROAD 210, APPROXIMATELY ACROSS FROM DAM; 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 on Thursday, February 17, 2005, at 1:30 p.m., and the St. Johns County Board of County Commissioners, on Wednesday, March 9, 2005 at 9:00 a.m., will hold 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 located on the north side of Greenbriar Road – County Road 210, approximately across from Dam 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 Intensive Commercial Designation.

The proposed amendment is known as File Number ACPA 2004-18 Helow Properties, Ltd., 210 – Intensive Commercial Site 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.

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 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 County's ADA Coordinator, at (904) 823-2235 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 this meeting.

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  
RONALD S. SCHUMAKER, CHAIR  
File Number ACPA 2004-18 Helow Properties, Ltd. CR 210 Intensive Commercial Site

BOARD OF COUNTY COMMISSION  
ST. JOHNS COUNTY, FLORIDA  
BRUCE A. MAGUIRE, CHAIR