

**ORDINANCE NO. 2005 - 30**

**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 DENSITY - B TO COMMUNITY COMMERCIAL (CC) FOR PROPERTY LOCATED ON THE SOUTH SIDE OF STATE ROAD 16, NEAR THE EAST SIDE OF THE PACETTI ROAD - INTERNATIONAL GOLF PARKWAY INTERSECTION, 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 from Residential Density - B to Community Commercial (CC), for property located on the south side of State Road 16, near the east side of the Pacetti Road - International Golf Parkway intersection, as shown on **EXHIBITS A and B**; 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.** This ordinance shall take effect 31 days after adoption. If challenged within 30 days after adoption, this ordinance shall not become effective until the state land planning agency or Administration Commission issues a final order determining the adopted small scale amendment is in compliance.

**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 23rd DAY OF March, 2005.**

**BOARD OF COUNTY COMMISSISONERS OF ST. JOHNS COUNTY, FLORIDA**

**BY:**   
**Bruce A. Maguire, Chairman**

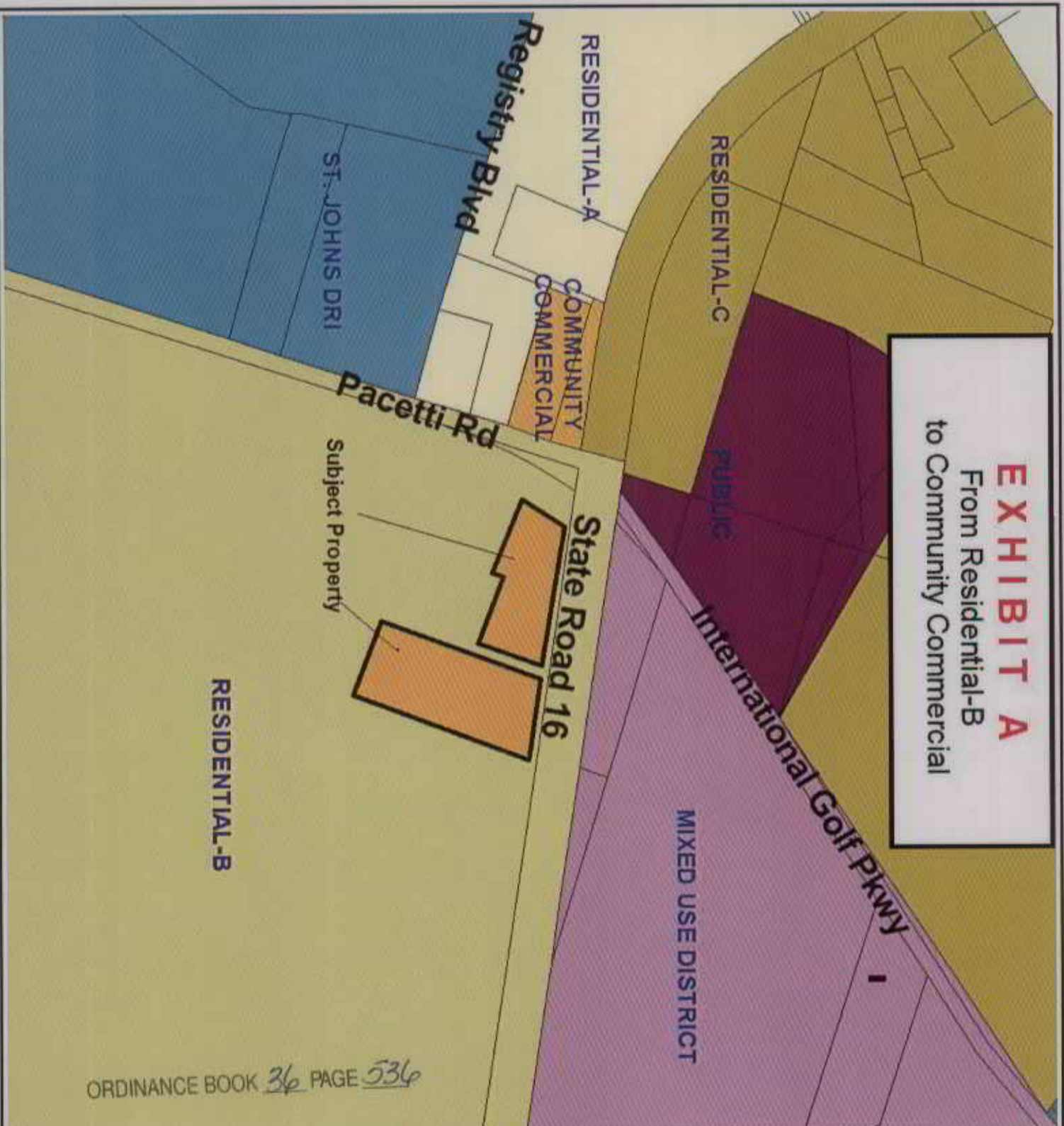
RENDITION DATE 3/28/05

**ATTEST: Cheryl Strickland, Clerk**

**BY:**   
**Deputy Clerk**

**EFFECTIVE DATE:** 04/23/05

**EXHIBIT A**  
From Residential-B  
to Community Commercial



ORDINANCE BOOK 36 PAGE 536



**Future Land Use Map**



Map Prepared: Nov 09, 2004  
\*Depicts General Project Boundary

**Small Scale Comprehensive Amendment For Palm Lakes**

FILE: CPA 2004-03  
Ordinance NO. 2005-30



St. Johns County  
Growth Mgmt. Svcs.  
Planning Division

# EXHIBIT B

Parcel Numbers: 028670-0013 & 0014

PARCEL 4A:

A portion of Subsection 10, lying within Section 38, of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the intersection of the centerline of County Road No. 13-A (a 100 foot right of way as presently established) with the centerline of baseline for State Road No. 16 (a 200 foot right of way as shown on the Florida Department of Transportation Right of Way Map, Section 78060-2522, dated November 16, 1998); thence South 19°30'15" West, along said centerline of County Road No. 13-A, a distance of 71.23 feet to its intersection with the Westerly prolongation of the Southerly right of way line of said State Road No. 16; thence South 81°10'43" East, along said Westerly prolongation of the Southerly right of way line of State Road No. 16 and along said Southerly right of way line, 75.65 feet; thence South 20°44'25" West, 75.65 feet for a POINT OF BEGINNING, thence continue South 20°44'25" West, 297.88 feet; thence North 69°17'26" West, 311.15 feet; thence South 21°19'32" West, 47.74 feet; thence North 68°57'43" West, 341.97 feet; thence Northerly around and along the arc of a curve concave Southeasterly and having a radius of 2,146.58 feet, a distance of 221.22 feet, said arc being subtended by a chord bearing and distance of North 33°04'42" East, 221.13 feet; thence South 81°10'43" East, parallel to and 75 feet Southerly of when measured at right angles to said Southerly right of way line of State Road No. 16, a distance of 619.71 feet to the POINT OF BEGINNING.

Containing 3.7024 acres, more or less.

PARCEL 4B:

A portion of Subsection 10, lying within Section 38, of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCE at the intersection of the centerline of County Road No. 13-A (a 100 foot right of way as presently established) with the centerline of baseline for State Road No. 16 (a 200 foot right of way as shown on the Florida Department of Transportation Right of Way Map, Section 78060-2522, dated November 16, 1998); thence South 19°30'15" West, along said centerline of County Road No. 13-A, a distance of 71.23 feet to its intersection with the Westerly prolongation of the Southerly right of way line of said State Road No. 16; thence South 81°10'43" East, along said Westerly prolongation of the Southerly right of way line of State Road No. 16 and along said Southerly right of way line, 75.65 feet for a POINT OF BEGINNING, thence continue South 20°44'25" West, 75.65 feet; thence North 69°17'26" West, 350.00 feet; thence North 20°44'25" East, 746.92 feet; thence South 81°10'43" East, parallel to and 75 feet Southerly of when measured at right angles to said Southerly right of way line of State Road No. 16, a distance of 357.71 feet to the POINT OF BEGINNING.

Containing 6.2975 acres, more or less.

MAR 11 2005

COPY OF ADVERTISEMENT

**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 the matter **PUBLIC HEARING AMENDMENT FUTURE LAND USE MAP**  
was published in said newspaper in the issues of  
**MARCH 8, 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  
he 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 **8TH** day of **MARCH 2005.**

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

*Brian Fike*

(Signature of Notary Public)



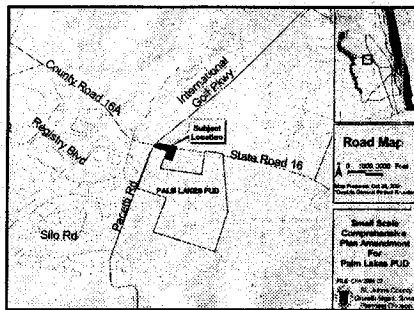
Brian Fike  
My Commission DD327588  
Expires June 09, 2008

(Seal)

BRIAN FIKE

# NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE 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 Commissioners at its regular on **Wednesday, March 23, 2005 at 9:00 a.m.** will hold public hearings to consider 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.



The subject property is approximately 9.99 acres and is located at the Southeast corner of State Road 16 and County Road 13A (Pacetti 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 Residential B to Community Commercial.

The proposed amendment is known as File Number CPA (SS) 2004-03 Palm Lakes, and is available for review at the local County Planning 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 meetings or hearings, he/she will need a record of the proceedings and for such purpose may need to ensure that a verbatim records of the proceedings are made, which records include 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 a special accommodation to participate in the proceedings should contact ADA Coordinator at (904) 823-2235 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32095. For hearing impaired individuals Telecommunications Device for the Deaf (TDD): Florida Relay Service: 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 PROCESSING TO THE FULLEST EXTENT POSSIBLE.

BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
BRUCE A. MAGUIRE, CHAIRMAN  
File Number: CPA (SS) 2004-03 Palm Lakes