

ORDINANCE NO. 2006 - 142

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, RESCINDING ORDINANCE NO. 2006-132, ADOPTED NOVEMBER 1, 2006; AND AMENDING THE 2015 COMPREHENSIVE PLAN (ORDINANCE NO. 2000-34, AS AMENDED), TRANSPORTATION ELEMENT, POLICY B.1.1.1, PEAK HOUR LEVEL OF SERVICE (LOS) STANDARDS, TO REMOVE SR 16, SR 13, CR 16A, AND CR 210 ROADS AS EXCEPTION AREAS, AND TO ADD ROADS LOCATED WITHIN THE CITY OF ST. AUGUSTINE BEACH AS EXCEPTION AREAS INCLUDING 11TH STREET, 16TH STREET, "A" STREET, AND POPE ROAD AND REDESIGNATING SAID ROADS WITHIN THE CITY OF ST. AUGUSTINE BEACH FROM LOS D TO LOS C; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the Board finds it necessary to rescind Ordinance No. 2006-132 due to a continuance of the meeting in which the Board were to consider other regular cycle Comprehensive Plan amendments; and,

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 Board of County Commissioners rescinds Ordinance 2006-132, adopted November 1, 2006.

SECTION 2. The St. Johns County 2015 Comprehensive Plan (Ordinance No. 2000-34, as amended) is amended to change the Transportation Element, Policy B.1.1.1, Peak Hour Level of Service (LOS) standards, to remove SR 16, SR 13, CR 16A, and CR 210 roads as exception areas, and to add roads located within the City of St. Augustine Beach as exception areas including 11th Street, 16th Street, "A" Street, and Pope Road and redesignating said roads within the City of St. Augustine Beach from LOS D to LOS C, as depicted in **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 3. The remaining portions of the St. Johns County Comprehensive Plan, 2000-34, as amended which are not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. 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 5. 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 6. 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 15th DAY OF November 2006.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: James E. Bryant
James E. Bryant, Chairman

RENDITION DATE 11/16/06

ATTEST: Cheryl Strickland, Clerk

BY: Wanna King
Deputy Clerk

EFFECTIVE DATE: 02/02/07



Exhibit A

B. TRANSPORTATION ELEMENT

Goal B.1

The County will provide countywide coordination and planning to achieve a balanced transportation system which consists of both public and private transportation systems, and which will provide for the safe and efficient movement of goods and people, including the transportation disadvantaged.

Objective B.1.1

Level of Service Standards

The County shall maintain Levels of Service standards based on data and analysis for all roadway segments within the major roadway network.

Policies

B.1.1.1 Peak Hour Level of Service Standards. The established level of service standards during the peak hours shall be set forth below, and in Policy B.1.1.2 and Policy B.1.1.3. Roadway Level of Service shall be measured by methodologies outlined in the 1998 Level of Service Handbook, Florida Department of Transportation, 1998, or as updated.

Minimum Acceptable Level of Service Standards

Florida Intrastate Highway System

The Peak Hour Level of Service Standards for the Florida Intrastate Highway System shall be as set forth in Rule 14-94, Florida Administrative Code, as updated, except as modified by the Order Granting the Petition for Variance signed by Florida Department of Transportation Secretary Thomas F. Barry, on December 9, 2002 or as modified by general law in Florida Statutes. The least stringent standard available pursuant to any such modification is the established level of service.

	Rural Area	Transitioning Urbanized Area, Urban Area, or Community	Urbanized Area
All Other Roadways	C	D	D

Exceptions to the standards adopted herein, which represent an adequate level of service standard for each of the listed segments, shall apply as follows:

Roadway Segment		Level of Service
US 1	Wildwood Dr. to St. Aug. City Limits	E
CR 214	Holmes Blvd. to US 1	E
11 th Street	SR A1A to A1A Beach Blvd.	C
16 th Street	SR A1A to A1A Beach Blvd.	C
A Street	SR A1A to A1A Beach Blvd.	C
Pope Road	SR A1A to A1A Beach Blvd.	C

The St. Augustine Record

PUBLISHED EVERY MORNING MONDAY THROUGH FRIDAY, SATURDAY AND SUNDAY MORNING
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

COPY OF ADVERTISEMENT

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 **NOTICE FILE # ACPA 2006-03**
was published in said newspaper in the issues of
NOVEMBER 10, 2006.

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 **10TH** day of **NOVEMBER, 2006.**

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 HEARINGS 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 POLICY B.1.1.1, PEAK HOUR LEVEL OF SERVICE (LOS) STANDARDS, TO ADD ROADS LOCATED WITHIN THE CITY OF ST. AUGUSTINE BEACH AS EXCEPTION AREAS, SAID ROADS TO INCLUDE 11TH STREET, 16TH STREET, "A" STREET, A1A BEACH BOULEVARD, AND POPE ROAD, AND TO REMOVE SR16, SR13, CR16A AND CR210 AS EXCEPTION AREAS. THE LEVEL OF SERVICE REDESIGNATION FOR ROADS WITHIN THE CITY OF ST. AUGUSTINE BEACH SHALL BE FROM LEVEL OF SERVICE (LOS) D TO LEVEL OF SERVICE (LOS) C; PROVIDING FOR FINDINGS OF FACT, FINDINGS OF CONSISTENCY, SEVERABILITY, AND AN EFFECTIVE DATE.

NOTICE IS HEREBY GIVEN that the St. Johns County Board of County Commissioners on Wednesday, November 15, 2006 at 9:00 a.m. will hold public hearings to consider the adoption of proposed amendments to the St. Johns County Goals, Objectives and Policies of the 2015 Comprehensive Plan. 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 amendments.

A complete description is available in the St. Johns County Planning Office. The amendments propose to amend the 2015 Comprehensive Plan Ordinance No. 2000-34, as amended, to amend Policy B.1.1.1, Peak Hour Level of Service (LOS) standards, to add roads located within the City of St. Augustine Beach as exception areas, said roads to include 11th street, 16th street, "A" Street, A1A Beach Boulevard, and Pope Road, and to remove SR16, SR13, CR16A and CR210 as exception areas. The Level of Service redesignation for roads within the City of St. Augustine Beach shall be from Level of Service (LOS) D to Level of Service (LOS) C.

The proposed amendment is known as File Number ACPA2006-03, 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.

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 a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is 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 a special accommodation to participate in the proceedings should contact the County's ADA Coordinator at (904) 209 0650 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32085. For hearing impaired individuals and Telecommunications Device for the Deaf (TDD), call Florida Relay Service at 1 800 955-8770, no later than 5 days prior to the dates 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.

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JAMES E. BRYANT, CHAIR
File Number: ACPA 2006-03 Roads within St. Augustine Beach



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DEPARTMENT OF STATE
STATE LIBRARY AND ARCHIVES OF FLORIDA

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Governor

SUE M. COBB
Secretary of State

CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY, FL

06 NOV 28 AM 8:56

FILED

November 22, 2006

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

Attention: Yvonne King, Minutes and Records Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated November 20, 2006 and certified copies of St. Johns County Ordinance Nos. 2006-135 through 2006-150, which were filed in this office on November 21, 2006.

Sincerely,

Liz Cloud
Program Administrator

LC/bpn

DIRECTOR'S OFFICE

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