

ORDINANCE NO. 2006 - 143

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, RESCINDING ORDINANCE NO. 2006-133 AND AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND THE RECREATION AND OPEN SPACE GOAL F-1 AND RELATED OBJECTIVES AND POLICIES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the Board finds it necessary to rescind Ordinance No. 2006-133 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,

WHEREAS, the County adopted the Master Park and Recreation Plan in August 2005 providing for recommendations to include in the Comprehensive Plan Recreation and Open Space Element.

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 Recreation and Open Space Element, Goal F.1 and related Objectives and Policies 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 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 15th DAY OF November 2006.

BOARD OF COUNTY COMMISSISONERS OF ST. JOHNS COUNTY, FLORIDA

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

RENDITION DATE 11/16/06

ATTEST: Cheryl Strickland, Clerk

BY: Warne King
Deputy Clerk

EFFECTIVE DATE: 02/02/07

Ordinance Book 42, Page 717

EXHIBIT A

F. RECREATION AND OPEN SPACE ELEMENT

Goal F.1

The development of a system of parks, recreation facilities, and open spaces to meet the health, safety, and welfare needs of the County citizens and visitors.

Objective F.1.1

Park, Beach, and Waterway Access

The County shall improve public access to County parks, beaches, and waterways (rivers and their tributaries, creeks and/or branches) by providing: improved beach parking by constructing the necessary facilities for: (a) the US 1 /Intracoastal Waterway corridor between the City of St. Augustine limits and CR 210; (b) the St. Johns River and its tributaries; and (c) all other County rivers and creeks.

Policies

- F.1.1.1. The County shall improve physical access to parks and recreational sites by:
- (a) All new oceanfront development except Single Family and Two Family Dwellings on existing platted or legally documented lots of record prior to this amendment, with ocean frontage shall provide at least one public beach access for every 750 feet of ocean frontage. Public off-beach pervious (e.g. turf block, stone and etc.) parking will be required at each public beach access at 5 spaces per beach access.
 - (b) Advocating the addition of bike lanes to State and County Roads.
 - (c) Requiring mixed use developments to provide walk/bike paths to connect its open space and recreational sites to residential areas.
 - (d) Developing a bike path plan which prioritizes the development of bike paths which link neighborhoods to schools and parks and uses the Greenway, Blueway & Trails Master Plan as a guide.
 - (e) Provision of adequate parking at beach and waterway access points or off-beach parking shall be located where a vehicle and pedestrian traffic identifies that there is a need to increase these facilities.

- (f) On and off-beach parking areas shall be paved with pervious surfaces (e.g. turf block, stone and etc.) which will allow infiltration.
- (g) The County will work with DEP Bureau of Protective Species in the design and construction of beach access and parking facilities to ensure that sea turtle habitats are adequately protected during and after the construction of these facilities.
- (h) The County shall continue researching and applying for grants and other available funding to acquire and construct parking and access at chosen points.

F.1.1.2 All new development except Single Family and Two Family Dwellings on existing platted or legally documented lots of record prior to this amendment, with frontage along the St. Johns River and Intracoastal Waterway shall provide at least one public access for every 750 feet of such frontage, suitable for the construction of a public boat ramp or dock with parking.

F.1.1.3. The County shall provide recreational opportunities, parking and accessibility to facilities for the handicapped and elderly.

F.1.1.4. The County shall not vacate existing easements, walkways, and other access points to beaches and waterways without equivalent or greater mitigation.

F.1.1.5. The County shall protect the accessibility of public beach access points and easements by:

- (a) Identifying public beach access with signage or other mechanisms which identifies dune walkovers as public access.. All constructed public dune walkovers shall be posted.
- (b) Continuing to develop dune walkovers where the County owns beach access at one (1) dune walkover per year.
- (c) Continuing to pursue additional beach access funding sources.
- (d) Encouraging new development to provide beach parking at a ratio of three (3) parking spaces for every 100 square feet of dune walkover .

F.1.1.6 The County shall protect its public beaches by pursuing additional funding sources to assist funding for future beach renourishment projects.

F.1.1.7 St. Johns County shall require the design of beach access and parking areas to be constructed so that it enhances and protects the waterways adjacent to lands within St. Johns County. Such parking areas shall be designed to include (but not be limited to) existing trees and use of pervious (e.g. turfblock, stone and etc.) parking wherever feasible.

Objective F.1.2.

Coordination of Public and Private Recreation and Open Space Facilities

Through the planning and development process, the County shall coordinate the provision of needed parks and recreation facilities through both public and private sources, which will at a minimum assure consistency with the LOS standards established in F.1.3.1.

Policies

- F.1.2.1. The County shall strive to maintain the existing interlocal agreement with St. Augustine, St. Augustine Beach and the Town of Hastings concerning the mutual use and support of recreational facilities.
- F.1.2.2. The County shall continue working with the School Board to provide recreational programs and facilities.
- F.1.2.3. The County shall continue to seek citizen advice for the development of recreational opportunities and facilities.
- F.1.2.4. The County shall continue to coordinate with the Tourist Development Council to provide tourist related recreational opportunities.
- F.1.2.5. The County shall continue to pursue Federal, State, regional, local and private funding sources for the acquisition and development of parks and open space areas.
- F.1.2.6. The County shall coordinate and support future park acquisitions with Federal, State, regional, local and private programs.
- F.1.2.7. The County will use its Greenway, Blueway & Trails Master Plan and coordinate future land acquisitions for greenways, blueways and trails with the State Office of Greenways and Trails.

**Objective F.1. 3.
Provision of Recreation and Open Space to meet County Growth**

The County shall provide for the park needs of the County population through the year 2025.

Policies

F.1.3.1. The County minimum level of service (LOS) standard for the provision of parks and open space follows:

| Facility/Park | Level of Service Standard | Typical Facilities and Service Area* |
|----------------------|----------------------------------|--|
| Neighborhood Park | 2 acres/1000 population | Playground equipment; open play fields; benches; walking paths; natural passive areas and landscaped areas; pool; generally no parking, lighting and restrooms; located interior of neighborhoods and generally intended to serve the walking population within ½ to 2 miles of the site; generally requires minimum 1-2 acres depending upon the facilities being provided |
| Community Park | 3 acres/1000 population | Open play fields; multi-purpose fields; playground equipment; walking paths; natural passive areas; pool; community building and restrooms; generally not lighted except in specific locations such as community building; limited parking facilities; generally located on collector roadways; may be located adjacent to schools; generally requires 3-15 acres depending upon facilities being provided |
| District Park | 3 acres/1000 population | Mixed use park with active and passive uses; walking paths; natural passive areas; open play fields; multi-purpose fields; playground equipment; pool; community building and restrooms; regulation soccer, football, baseball, fields, gymnasium; special event areas; generally lighted; |

| Facility/Park | Level of Service Standard | Typical Facilities and Service Area* |
|---------------|---------------------------|--|
| | | parking facilities; staff office building; generally located on collector and arterial roadways; generally requires 25-100 acres depending upon facilities being provided |
| Regional Park | 20 acres/1000 population | State parks; large open space areas; walking paths; natural passive areas; historical structures, commemorative structures; nature trails; picnic areas; camping, hiking and nature study; bicycle riding and equestrian trials; swimming; fishing; specific areas may be lighted; parking; community building; staff office building; located on local and collector roadways |

* Service areas are generalized allowing for greater flexibility in park location and allows for market and demographic changes; however, neighborhood parks should be accessible to walking residents within neighborhoods. Community parks should be designed to serve a cluster of neighborhoods and be located within walking distance when feasible. Facilities are typical; while each park requires at least one facility not all facilities are not required in each park.

F.1.3.2. In selecting future park sites for public acquisition the County shall consider serving the population in the high growth areas and Development Areas depicted on the Future Land Use Map.

F.1.3.3 In selecting park sites for site improvements, the County shall consider those Planning Districts which require immediate construction, maintenance or rehabilitation of existing facilities.

F.1.3.4 In selecting future park sites for public acquisition, the County shall consider acquisitions that support Federal, State, regional, local, private programs, and recommendations made by the Land Acquisition Management Program (LAMP) Board, North Florida Land Trust, citizen visioning groups, and Scenic Corridor Advocacy Groups (e.g. Scenic and Historic A1A and William Bartram Scenic and Historic Highway).

F.1.3.5 St. Johns County will utilize the Master Park and Recreation Plan to identify park and recreational facility deficiencies and correct these

deficiencies by establishing funding programs, development exactions, on-site dedication, fee-in-lieu preservation or other appropriate methods.

- F.1.3.6. The County shall identify existing and the future LOS needs based on the four designated Planning Districts and using the Master Park and Recreation Plan. Park and Recreation Master Plan,
- F.1.3.7. Recreational impact fees shall continue to be utilized as an additional funding source for new parks and recreation facilities.
- F.1.3.8. Developments of Regional Impact (DRIs), Planned Developments (PUDs, and PRDs) and other developments shall provide neighborhood-sized parks and playing fields within the development for their residents that meet the County LOS standard.
- F.1.3.9. DRIs, and PUDs which have met the required neighborhood park LOS requirements within their development, may dedicate other parks and open space requirements generated by the development through dedication to the County, private ownership, fee-in-lieu of payment for off site acquisitions consistent with the master plan according to the adopted level of service standard. The choice of development of facilities, dedication or impact fee payment shall be negotiated.
- F.1.3.10. The County shall develop existing parks based on the generated needs by Planning District , according to the level of service standards adopted and as recommended by Master Park and Recreation Plan.
- F.1.3.11. The County shall work with other public agencies for the development of compatible multi-use programs for the public lands within the County.
- F.1.3.12. The County shall continue to annually budget for land acquisition and for the construction of public recreation facilities.
- F.1.3.13. The County shall consider the use of bonds, local infrastructure taxes and other alternative funding sources as revenue for recreation and open space.
- F.1.3.14. The County shall provide recreational opportunities, parking and accessibility to facilities for the handicapped and elderly.
- F.1.3.15. The County shall consider the use of wetlands and conservation areas for passive recreational and open space areas, provided these sites have been determined to not endanger public health, safety, and welfare.
- F.1.3.16. Public recreational and park sites shall not be diverted to other uses except in cases of overriding public need and when other equivalent sites are supplied.

**Objective F.1.4.
Provision of Open Space**

Through the planning and development process, the County shall coordinate the provision of needed open space through both public and private sources, which will at a minimum assure consistency with the LOS standards established in F.1.3.1.

Policies

- F.1.4.1. The County shall provide incentives in the Land Development Code , to both encourage and require public and private developments to provide open space and protect natural resources.
- F.1.4.2. The Land Development Code shall incorporate open space definitions and standards for the provision of open space.
- F.1.4.3. The County shall continue to support the acquisition of environmentally sensitive lands which can be set aside as open space and passive recreation areas, through Federal, State, regional, local, and private programs
- F.1.4.4. The County shall continue to pursue Federal, State, regional, local, and private grant sources for the acquisition and development of recreational sites and open space.

Objective F.1.5
Correction and Improvement of Existing Recreation and Open Space

The County shall correct or improve existing deficiencies in parks and recreation facilities.

Policies

F.1.5.1. The County shall prioritize capital improvement expenditures in accordance with the following criteria:

- (a) completion of projects underway
- (b) correct existing deficiencies and rehabilitating facilities
- (c) address future needs

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 **PUBLIC HEARING NOTICE ACPA 2006-01 RECREATION POLICIES**
was published in said newspaper in the issues of
NOVEMBER 7, 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 **7TH** 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
Notary Public Commission DD27599#
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 THE TEXT OF THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES TO AMEND EXISTING OBJECTIVE F.1.1 AND RELATED POLICIES, AS PERTAINING TO PARK, BEACH, AND WATERWAY ACCESS; AMEND EXISTING OBJECTIVE F.1.2 AND RELATED POLICIES, AS PERTAINING TO COORDINATION OF PUBLIC AND PRIVATE RECREATION AND OPEN SPACE FACILITIES; AMEND EXISTING OBJECTIVE F.1.3 AND RELATED POLICIES, AS PERTAINING TO PROVISION OF RECREATION AND OPEN SPACE TO MEET COUNTY GROWTH; AMEND EXISTING OBJECTIVE F.1.4 AND RELATED POLICIES, AS PERTAINING TO PROVISION OF OPEN SPACE; AND AMEND EXISTING OBJECTIVE F.1.5 AND RELATED POLICIES, AS PERTAINING TO CORRECTION AND IMPROVEMENT OF EXISTING RECREATION AND OPEN SPACE; PROVIDING FOR FINDINGS OF FACT, FINDINGS OF CONSISTENCY, SEVERABILITY, AND AN EFFECTIVE DATE.

NOTICE IS HEREBY GIVEN that the St. Johns County and the 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 the text of the Comprehensive Plan Goals, Objectives and Policies to amend existing Objective F.1.1 and related policies, as pertaining to park, beach, and waterway access; amend existing Objective F.1.2 and related policies, as pertaining to coordination of public and private recreation and open space facilities; amend existing Objective F.1.3 and related policies, as pertaining to provision of recreation and open space to meet county growth; amend existing Objective F.1.4 and related policies, as pertaining to provision of open space; and amend existing Objective F.1.5 and related policies, as pertaining to correction and improvement of existing recreation and open space.

The proposed amendment is known as File Number ACPA 2006-01, 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 2006-01 Recreation Policies

ORDINANCE BOOK

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