

ORDINANCE NO. 2006 - 52

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE 2015 FUTURE LAND USE MAP DESIGNATION FROM RURAL COMMERCIAL (R/C) TO RESIDENTIAL DENSITY - D; FOR PROPERTY LOCATED ON THE NORTHEAST SIDE OF STATE ROAD 13 AT TROUT CREEK; 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 2015 Future Land Use Map Designation from Rural Commercial (RC) to Residential Density-D for the property located on the northeast side of State Road 13 at Trout Creek, 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.** 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 2nd DAY OF May 2006.**

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

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

ADOPTED DATE 05/05/06

**ATTEST: Cheryl Strickland, Clerk**

BY: Robert L. Place  
**Deputy Clerk**

EFFECTIVE DATE: 07/13/06

# EXHIBIT A

2015 Future Land Use  
from Rural Commercial  
to Residential D

RURAL  
SILVICULTURE

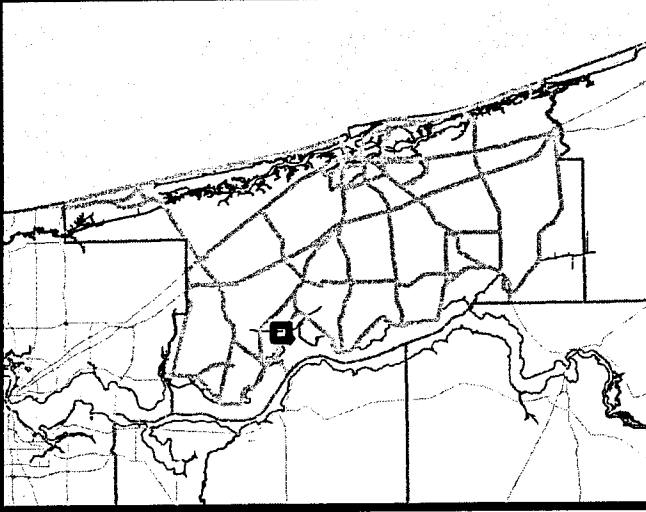
RURAL  
SILVICULTURE

RURAL  
SILVICULTURE

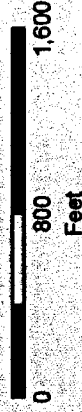
Subject Location

Collier Rd

State Road 13 N



## FUTURE LANDUSE MAP



Map Prepared: 3/23/2006

\*Depicts General Project Boundary

COMPAMD 2005-08

Pacetti's  
Marina

ORD # 2006- 52

File: COMPAMD 2005-08



St. Johns County  
Growth Mgmt. Svcs.  
Planning Division

EXHIBIT B

DESCRIPTION:

A PARCEL OF LAND IN GOMEZ GRANT, SECTION 45, TOWNSHIP 6 SOUTH, RANGE 27 EAST, AND IN SECTION 15, TOWNSHIP 6 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING ON THE WEST LINE OF SAID GOMEZ GRANT AT A POINT 482.1 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 13, AS ESTABLISHED BY M.G. TAYLOR, FLORIDA REGISTERED LAND SURVEYOR NO. 23, AND SHOWN ON HIS MAP DATED JUNE 8, 1946; THENCE SOUTH 67 DEGREES 23 MINUTES 13 SECONDS EAST, ON THE NORTHERLY LINE OF LOTS OR PARCELS INDICATED ON SAID MAP OF JUNE 8, 1946, A DISTANCE OF 4,598.3 FEET TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF LOT OR PARCEL 11, AS SHOWN ON SAID MAP OF JUNE 8, 1946; THENCE CONTINUING SOUTH 67 DEGREES 23 MINUTES 13 SECONDS EAST 1,613 FEET MORE OR LESS TO POINT "A" ON THE WEST EDGE OF TROUT CREEK; THENCE RETURNING NORTH 67 DEGREES 23 MINUTES 13 SECONDS WEST 1,613 FEET MORE OR LESS TO THE POINT OF BEGINNING; THENCE SOUTH 23 DEGREES 09 MINUTES 17 SECONDS WEST, ON THE WEST LINE OF SAID LOT OR PARCEL 11, A DISTANCE OF 574.05 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13; THENCE SOUTH 61 DEGREES 41 MINUTES 37 SECONDS EAST, ON SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 13, SAID RIGHT-OF-WAY AT THIS POINT BEING 100 FEET IN WIDTH, 597.89 FEET TO A POINT OF RIGHT-OF-WAY WIDENING; THENCE NORTH 28 DEGREES 13 MINUTES 43 SECONDS EAST, ON SAID RIGHT-OF-WAY LINE, 25.00 FEET; THENCE SOUTH 61 DEGREES 46 MINUTES 17 SECONDS EAST, ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 13, A DISTANCE OF 866 FEET MORE OR LESS TO SAID WEST EDGE OF TROUT CREEK; THENCE MEANDERING NORTHEASTERLY ON SAID EDGE OF TROUT CREEK 720 FEET MORE OR LESS TO SAID POINT A, THE POINT OF CLOSURE.

TOWNSHIP 6 SOUTH

RANGE 27 EAST

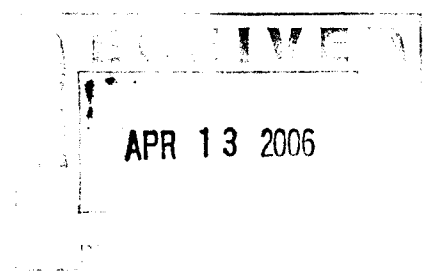
EXHIBIT B

DESCRIPTION:

A PARCEL OF LAND IN GOMEZ GRANT, SECTION 45, TOWNSHIP 6 SOUTH, RANGE 27 EAST, AND IN SECTION 15, TOWNSHIP 6 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS,

COMMENCING ON THE WEST LINE OF SAID GOMEZ GRANT AT A POINT 498.1 FEET NORTH OF THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 19, AS ESTABLISHED BY M.G. TAYLOR, FLORIDA REGISTERED LAND SURVEYOR NO. 23, AND SHOWN ON HIS MAP DATED JUNE 8, 1946, THENCE SOUTH 67 DEGREES 28 MINUTES 19 SECONDS EAST, ON THE NORTHERLY LINE OF LOTS OR PARCELS INDICATED ON SAID MAP OF JUNE 8, 1946, A DISTANCE OF 4,540.3 FEET TO THE POINT OF BEGINNING AT THE NORTHWEST CORNER OF LOT OR PARCEL 11, AS SHOWN ON SAID MAP OF JUNE 8, 1946, THENCE CONTINUING SOUTH 67 DEGREES 28 MINUTES 19 SECONDS EAST 1,613 FEET MORE OR LESS TO POINT 'A' ON THE WEST EDGE OF TROUT CREEK, THENCE RETURNING NORTH 67 DEGREES 28 MINUTES 19 SECONDS WEST 1,613 FEET MORE OR LESS TO THE POINT OF BEGINNING, THENCE SOUTH 28 DEGREES 09 MINUTES 17 SECONDS WEST, ON THE WEST LINE OF SAID LOT OR PARCEL 11, A DISTANCE OF 574.09 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 19, THENCE SOUTH 61 DEGREES 41 MINUTES 31 SECONDS EAST, ON SAID NORTHERLY RIGHT-OF-WAY LINE RIGHT-OF-WAY MIDDENING, THENCE NORTH 20 DEGREES 13 MINUTES 48 SECONDS EAST, ON SAID RIGHT-OF-WAY LINE, 25.00 FEET, THENCE SOUTH 61 DEGREES 46 MINUTES 17 SECONDS EAST, ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 19, A DISTANCE OF 866 FEET MORE OR LESS TO SAID WEST EDGE OF TROUT CREEK, THENCE MEANDERING NORTHEASTERLY ON SAID EDGE OF CREEK 720 FEET MORE OR LESS TO SAID POINT A, THE POINT OF CLOSURE.

- 016200-0000
- 016210-0000
- 016210-0010
- 016210-0020
- 016210-0030
- 016210-0040
- 016260-0000
- 016260-0010



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 **NOTICE OF CONTINUATION OF PUBLIC HEARING PACETTI'S MARINA**  
was published in said newspaper in the issues of  
**APRIL 11, 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 **11<sup>TH</sup>** day of **APRIL, 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)

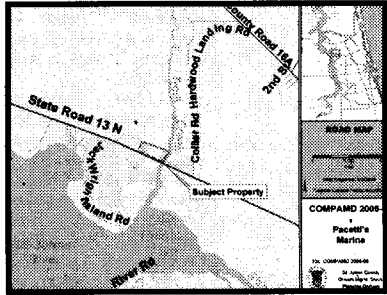


Patricia A. Bergquist  
My Commission DD275991  
Expires December 18, 2007

(Seal)

PATRICIA A. BERGQUIST

**NOTICE OF  
CONTINUATION  
OF PUBLIC HEARING TO CON-  
SIDER ADOPTION OF PROPOSED  
AMENDMENTS TO THE FUTURE  
LAND USE MAP OF THE ST.  
JOHNS COUNTY 2015 COMPRE-  
HENSIVE PLAN AS RELATED  
TO THE PROPOSED AMENDMENT  
FOR PACETTI'S MARINA**



NOTICE IS HEREBY GIVEN that the public hearing before the St. Johns County Board of County Commissioners on Tuesday, April 4, 2006 at 9:00 a.m., to consider adoption of proposed amendments to the St. Johns County Future Land Use Map and the Goals, Objectives and Policies document of the 2015 Comprehensive Plan, is hereby **CONTINUED to Tuesday, May 2, 2006 at 9:00 a.m.** Proposed

amendments include (1) changing the Future Land Use Map Designation from Rural Commercial to Residential-D; (2) changing the Capital Improvements Element to include proposed public improvements needed to support the Amendment; and (3) adding a policy to the Future Land Use Element to limit the number of dwelling units and intensity of development. 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 is 23.1 acres and is located at 6550 State Road 13 North. A complete description is available in the St. Johns County Planning Office. See map generally depicting the location, Exhibit A. This is a request to amend the Future Land Use Map designation from Rural Commercial to Residential-D.

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 the request.

The proposed amendment is known as File Number COMPAMD 2005-08 Pacetti's Marina, 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 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 special accommodations 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, for Telecommunications Device for the Deaf (TDD), 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.

**BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JAMES E. BRYANT, CHAIRMAN  
File Number: COMPAMD 2005-08 Pacetti's Marina**