

ORDINANCE NUMBER: 2006- 80

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 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 FOR PROPERTY LOCATED AT 3171 COASTAL HWY, WEST OF COASTAL HWY; MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING 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 163.3185, 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 C to Parks and Open Space, for property located at 3171 Coastal Hwy, west of Coastal Hwy, as shown on **EXHIBITS A & 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 Ordinance No. 2000-34, as amended; and St. Johns County Land Development Code as amended.

**SECTION 2.** The remaining portions of the St. Johns County Comprehensive Plan Ordinance No. 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 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 ordinance kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statues.

**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 11<sup>th</sup> DAY OF July 2006.**

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

BY: James E. Bryant  
James E. Bryant  
Chairman

ADOPTED DATE 07/13/06

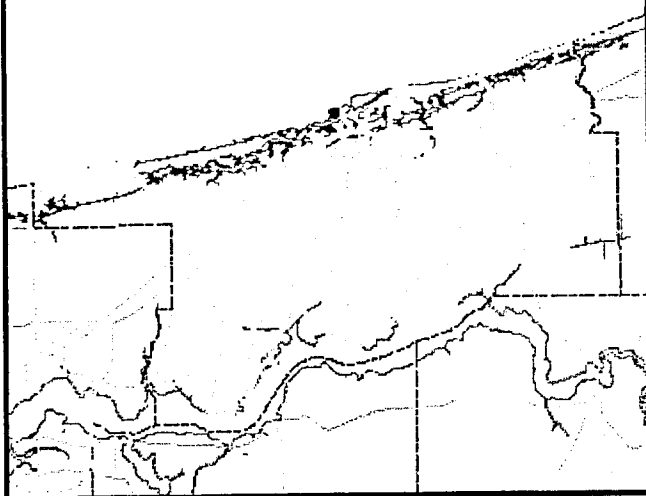
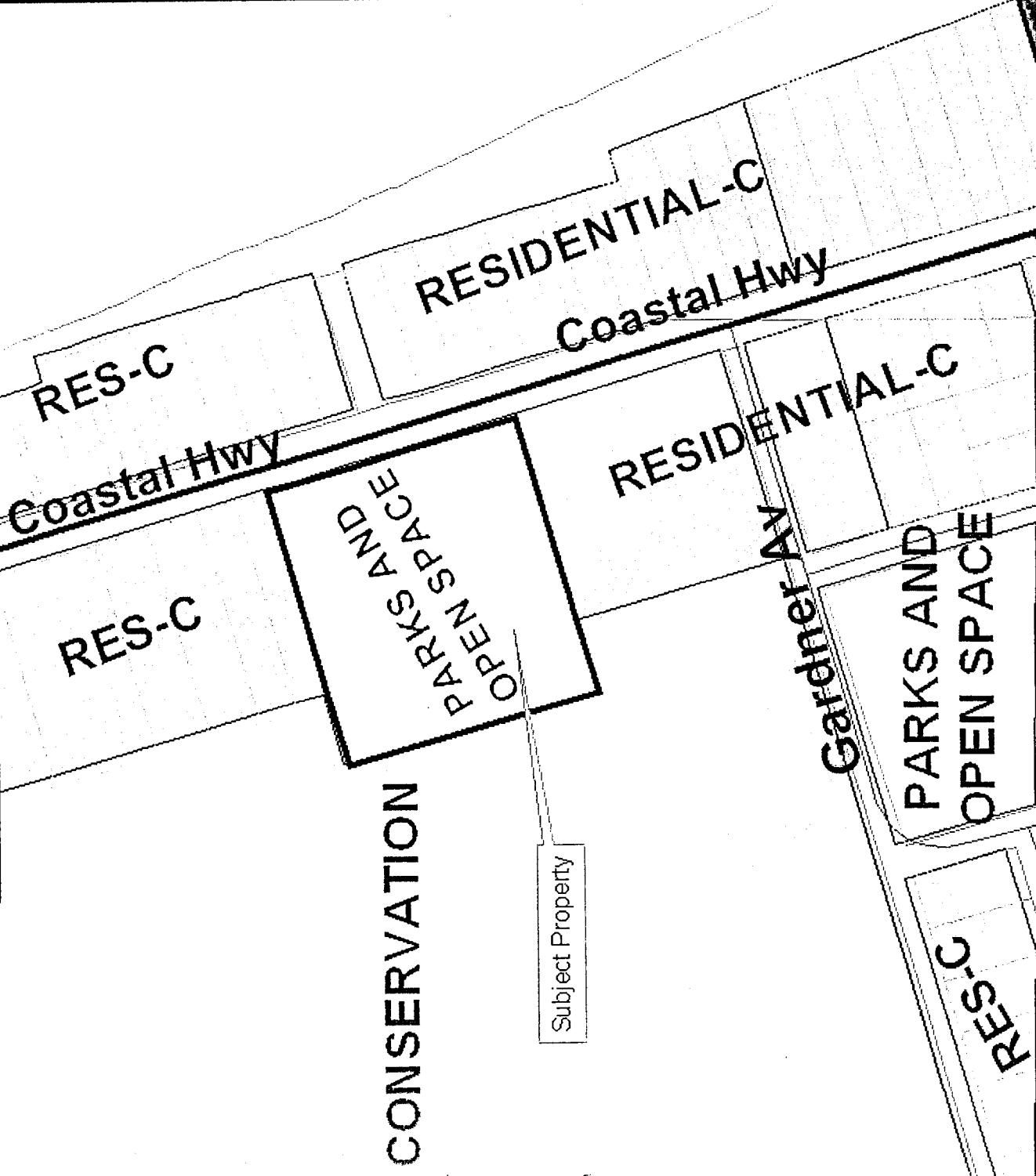
ATTEST: **CHERYL STRICKLAND, CLERK**

BY: Gwenne King  
Deputy Clerk

EFFECTIVE DATE: 08/21/06

# EXHIBIT A

2015 Future Landuse  
From RESIDENTIAL-C  
To PARKS & OPEN SPACE



## FUTURE LAND USE MAP



Map Prepared: 6/7/2006

\*Depicts General Project Boundary

CPA (SS) 2006-09

## Nease Beachfront Park

File: CPA (SS) 2006-09

ORD. NO. 2006-

St. Johns County  
Growth Mgmt. Svcs.  
Planning Division



EXHIBIT B

LEGAL DESCRIPTION

**PARCEL 1:** A TRACT OF LAND IN GOVERNMENT LOT 1, OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 30 EAST, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE RUN NORTH ALONG THE EAST LINE OF SAID LOT 1, 318 FEET TO ITS INTERSECTION WITH THE WEST LINE OF STATE ROAD A1A (COASTAL HIGHWAY) AS SHOWN ON MAP OF SURFSIDE RECORDED IN PLAT BOOK 4, PAGE 32, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE RUN NORTH ALONG THE WEST LINE OF SAID STATE ROAD PARALLEL TO AND 33 FEET FROM THE CENTER THEREOF 707.5 FEET FOR POINT OF BEGINNING; THENCE RUN SOUTHWESTERLY PERPENDICULAR TO SAID ROAD, 300 FEET; THENCE RUN NORTHWESTERLY PARALLEL TO SAID ROAD 50 FEET; THENCE RUN NORTHEASTERLY PARALLEL TO THE SOUTH LINE OF THIS DESCRIPTION 300 FEET TO THE WEST LINE OF SAID STATE ROAD; THENCE RUN SOUTHEASTERLY ALONG THE WEST LINE OF SAID ROAD 50 FEET TO THE POINT OF BEGINNING.

**PARCEL 2:** A PARCEL OF LAND LYING IN GOVERNMENT LOT 1, OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: START AT THE SOUTHEAST CORNER OF SAID LOT 1, THENCE RUN NORTH ALONG THE EAST LINE OF SAID LOT 1 - 318 FEET TO THE INTERSECTION WITH THE WEST R/W LINE OF STATE ROAD A-1-A (COASTAL HIGHWAY) AS SHOWN ON MAP OF SURFSIDE RECORDED IN MAP BOOK 4, PAGE 32, RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE RUN NORTH ALONG SAID WEST R/W LINE, PARALLEL TO AND 33 FEET FROM THE CENTERLINE OF SAID STATE ROAD, A DISTANCE OF 757.50 FEET; THENCE RUN SOUTHWESTERLY PERPENDICULAR TO SAID ROAD A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE TO RUN SOUTHWESTERLY PERPENDICULAR TO SAID ROAD A DISTANCE OF 100 FEET; THENCE RUN SOUTHEASTERLY PARALLEL TO SAID ROAD A DISTANCE OF 350 FEET; THENCE RUN NORTHEASTERLY PERPENDICULAR TO SAID ROAD A DISTANCE OF 100 FEET; THENCE RUN NORTHWESTERLY PARALLEL TO SAID ROAD A DISTANCE OF 350 FEET TO THE POINT OF BEGINNING.

**PARCEL 3:** A TRACT OF LAND IN GOVERNMENT LOT ONE (1) OF SECTION FIVE (5), TOWNSHIP SEVEN (7) SOUTH, RANGE THIRTY (30) EAST, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT ONE (1); THENCE RUN NORTH ALONG THE EAST LINE OF SAID LOT ONE (1), 318 FEET TO ITS INTERSECTION WITH THE WEST LINE OF COASTAL HIGHWAY AS SHOWN ON PLAT OF SURFSIDE RECORDED IN PLAT BOOK 4, PAGE 32 OF ST. JOHNS COUNTY PUBLIC RECORDS, NOW STATE ROAD NO. A-1-A; THENCE RUN NORTH ALONG THE WEST LINE OF SAID STATE ROAD PARALLEL AND 33 FEET FROM CENTERLINE THEREOF, 407.5 FEET FOR POINT OF BEGINNING; THENCE RUN SOUTHWESTERLY AT RIGHT ANGLES TO SAID STATE ROAD 300 FEET; THENCE RUN NORTHWESTERLY PARALLEL TO SAID STATE ROAD 150 FEET; THENCE RUN NORTHEASTERLY PARALLEL TO THE SOUTH LINE 300 FEET TO THE WEST LINE OF SAID ROAD; THENCE RUN SOUTHEASTERLY ALONG THE WEST LINE OF SAID ROAD 150 FEET TO THE POINT OF BEGINNING.

**PARCEL 4:** A TRACT OF LAND IN GOVERNMENT LOT 1, OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 30 EAST, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE RUN NORTH ALONG THE EAST LINE OF SAID LOT 1, 318 FEET TO ITS INTERSECTION WITH THE WEST LINE OF STATE ROAD A1A (COASTAL HIGHWAY) AS SHOWN ON MAP OF SURFSIDE RECORDED IN PLAT BOOK 4, PAGE 32, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE RUN NORTH ALONG THE WEST LINE OF SAID STATE ROAD PARALLEL TO AND 33 FEET FROM THE CENTER THEREOF 557.5 FEET FOR THE POINT OF BEGINNING; THENCE RUN SOUTHWESTERLY PERPENDICULAR TO SAID ROAD, 300 FEET; THENCE RUN NORTHWESTERLY PARALLEL

Page 1 of 2

TO SAID ROAD 75 FEET; THENCE RUN NORTHEASTERLY PARALLEL TO THE SOUTH LINE OF THIS DESCRIPTION 300 FEET TO THE WEST LINE OF SAID STATE ROAD; THENCE RUN SOUTHEASTERLY ALONG THE WEST LINE OF SAID ROAD 75 FEET TO THE POINT OF BEGINNING.

**PARCEL 5:** A TRACT OF LAND IN GOVERNMENT LOT 1, OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 30 EAST, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE RUN NORTH ALONG THE EAST LINE OF SAID LOT 1, 318 FEET TO ITS INTERSECTION WITH THE WEST LINE OF STATE ROAD A1A (COASTAL HIGHWAY) AS SHOWN ON MAP OF SURFSIDE RECORDED IN PLAT BOOK 4, PAGE 32, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE RUN NORTH ALONG THE WEST LINE OF SAID STATE ROAD PARALLEL TO AND 33 FEET FROM THE CENTER THEREOF 632.5 FEET FOR POINT OF BEGINNING; THENCE RUN SOUTHWESTERLY PERPENDICULAR TO SAID ROAD, 300 FEET; THENCE RUN NORTHWESTERLY PARALLEL TO SAID ROAD 75 FEET; THENCE RUN NORTHEASTERLY PARALLEL TO THE SOUTH LINE OF THIS DESCRIPTION 300 FEET TO THE WEST LINE OF SAID STATE ROAD; THENCE RUN SOUTHEASTERLY ALONG THE WEST LINE OF SAID ROAD 75 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN THE RIGHT OF WAY OF STATE ROAD NO. A-1-A (COASTAL HIGHWAY), AS PRESENTLY ESTABLISHED.

# 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 CPA (SS) 2006-05 NEASE BEACHFRONT PARK**  
was published in said newspaper in the issues of  
**JUNE 21, 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 **21ST** day of **JUNE, 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)



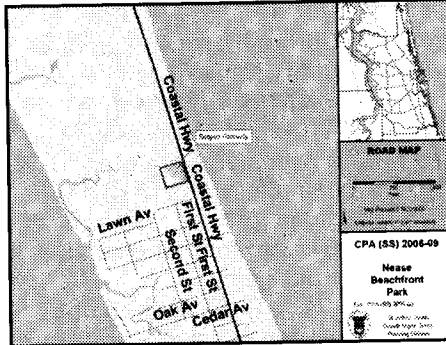
Patricia A. Bergquist  
My Commission DD27589  
Expires December 16, 2006

(Seal)

PATRICIA A. BERGQUIST

**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 County Commissioners on **Tuesday, July 11, 2006 at 9:00 a.m.** will hold a public hearing to consider adoption of a proposed amendment to the St. Johns County Future Land Use Map 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 amendment.



The subject property is 3.2 acres and is located 3171 Coastal Highway, within St. Johns County. 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-C to Parks and Open Space.

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 CPA(SS) 2006-09 Nease Beachfront Park, 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 a special accommodation to participate in the proceedings should contact the ADA Coordinator at (904)209-0650 at the County Administration Building, 4020 Lewis Speedway, St. Augustine, FL 32085. For hearing impaired individuals, 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: CPA(SS) 2006-09 Nease Beachfront Park