

ORDINANCE NO. 2007 - 67

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 COMPREHENSIVE PLAN TO ADD POLICY A.1.11.1 (H) (8) (E) PROVIDING A SITE SPECIFIC LIMITATION ON DENSITY/INTENSITY FOR THE PROPERTY LOCATED NORTH OF CR 208, APPROXIMATELY TWO MILES WEST OF SR 16, AND FOR PROPERTY LOCATED ON BOTH SIDES OF WHISPER RIDGE DRIVE NEAR OR AT THE INTERSECTION OF SR 16; 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 Comprehensive Plan to add Policy A.1.11.1 (h) (8) (e) providing a site specific limitation on density/intensity for the property located north of CR 208, approximately two miles west of SR 16, and for property located on both sides of Whisper Ridge Drive near or at the intersection with SR 16, 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 21st **DAY OF** August **2007.**

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

BY: Ben Rich
Ben Rich, Chairman

ADOPTED DATE 08/23/07

ATTEST: Cheryl Strickland, Clerk

BY: Guarnex King
Deputy Clerk

EFFECTIVE DATE: 11/29/07

EXHIBIT A

A.1.11.1 (h) (8) (e). The property known as Wildcat/Turnbull, containing approximately 436.69 acres as legally described in Ordinance No. 2007-060, is assigned a Residential-B Future Land Use Map designation and is limited to 813 dwelling units. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes, regarding large scale amendments to the Comprehensive Plan.

EXHIBIT B

PARCEL "A"

A PORTION OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THE SAME BEING THE NORTHEAST CORNER OF WHISPER RIDGE UNIT ONE, AS RECORDED IN MAP BOOK 49, PAGES 43, 44, 45, 46, 47, 48 AND 49 OF THE PUBLIC RECORDS OF SAID COUNTY, THENCE NORTH 01 DEGREES 00 MINUTES 18 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 548.76 FEET TO A POINT SITUATE ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (A 200 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 56 DEGREES 01 MINUTES 56 SECONDS WEST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 96.38 FEET TO THE SOUTHEASTERLY RIGHT OF WAY LINE OF WHISPER RIDGE DRIVE (A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON SAID PLAT OF WHISPER RIDGE UNIT ONE); THENCE SOUTH 33 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG THE SOUTHEASTERLY RIGHT OF WAY LINE OF SAID WHISPER RIDGE DRIVE AND ALONG THE SOUTHEASTERLY LINE OF TRACT "C", SAID LAST MENTIONED PLAN, 533.69 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 170.00 FEET; THENCE SOUTHERLY AROUND AND ALONG THE ARC OF SAID CURVE AND CONTINUING ALONG SAID SOUTHEASTERLY LINE OF TRACT "C", 99.80 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 17 DEGREES 08 MINUTES 57 SECONDS WEST, 98.38 FEET TO THE POINT OF TANGENCY OF SAID CURVE AND A POINT SITUATE ON THE EASTERLY RIGHT OF WAY LINE OF SAID WHISPER RIDGE DRIVE; THENCE SOUTH 00 DEGREES 19 MINUTES 50 SECONDS WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, 63.50 FEET TO THE NORTHERLY BOUNDARY OF SAID PLAT OF WHISPER RIDGE UNIT ONE AND THE SOUTHERLY LINE OF SAID SECTION 36; THENCE SOUTH 89 DEGREES 40 MINUTES 10 SECONDS EAST, ALONG SAID LAST MENTIONED LINE, 417.13 FEET TO THE POINT OF BEGINNING.

PARCEL "B"

A PORTION OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 36, THE SAME BEING THE NORTHEAST CORNER OF WHISPER RIDGE UNIT ONE, AS RECORDED IN MAP BOOK 49, PAGES 43, 44, 45, 46, 47, 48 AND 49 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 01 DEGREES 00 MINUTES 18 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION 36, A DISTANCE OF 548.76 FEET TO A POINT SITUATE ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD NO. 16 (A 200 FOOT RIGHT OF WAY AS NOW ESTABLISHED); THENCE NORTH 56 DEGREES 01 MINUTES 56 SECONDS WEST, ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE, 196.38 FEET TO ITS INTERSECTION WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF WHISPER RIDGE DRIVE (A VARIABLE WIDTH RIGHT OF WAY AS SHOWN ON SAID PLAT OF WHISPER RIDGE UNIT ONE); THENCE SOUTH 33 DEGREES 58 MINUTES 04 SECONDS WEST, ALONG SAID NORTHWESTERLY RIGHT OF WAY LINE AND ALONG THE NORTHWESTERLY LINE OF TRACT "B", SAID LAST MENTIONED PLAT, 372.95 FEET FOR A POINT OF BEGINNING; THENCE THE FOLLOWING FIVE (5) COURSES AND DISTANCES ALONG THE NORTHWESTERLY BOUNDARY OF A PROPOSED CONSERVATION EASEMENT/UPLAND BUFFER; COURSE NO. 1: NORTH 76 DEGREES 14 MINUTES 21 SECONDS WEST, 35.33 FEET; COURSE NO. 2: SOUTH 60 DEGREES 35 MINUTES 30 SECONDS WEST, 43.42 FEET; COURSE NO. 3: SOUTH 55 DEGREES 39 MINUTES 39 SECONDS WEST, 45.60 FEET; COURSE NO. 4: NORTH 57 DEGREES 01 MINUTES 50 SECONDS WEST, 14.28 FEET; COURSE NO. 5: SOUTH 43 DEGREES 34 MINUTES 11 SECONDS WEST, 16.63 FEET; THENCE THE FOLLOWING THREE (3) COURSES AND DISTANCES ALONG THE NORTHWESTERLY LINE OF THAT CERTAIN DRAINAGE EASEMENT (POND NO. 1) AS RECORDED IN OFFICIAL RECORDS BOOK 1809, PAGE 1046; COURSE NO. 1: NORTH 21 DEGREES 41 MINUTES 51 SECONDS WEST, 52.84 FEET; COURSE NO. 2: SOUTH 68 DEGREES 18 MINUTES 09 SECONDS WEST, 20.00 FEET; COURSE NO. 3: SOUTH 21 DEGREES 41 MINUTES 51 SECONDS EAST 62.24 FEET, TO ITS INTERSECTION WITH SAID PROPOSED NORTHWESTERLY BOUNDARY OF SAID CONSERVATION EASEMENT/UPLAND BUFFER; THENCE THE FOLLOWING 14 COURSES AND DISTANCES ALONG SAID LAST MENTIONED LINE: COURSE NO. 1: SOUTH 43 DEGREES 01 MINUTES 30 SECONDS WEST, 1.81 FEET; COURSE NO. 2: SOUTH 65 DEGREES 37 MINUTES 33 SECONDS WEST, 20.35 FEET; COURSE NO. 3: SOUTH 08 DEGREES 57 MINUTES 58 SECONDS WEST, 39.74 FEET; COURSE NO. 4: SOUTH 51 DEGREES 57 MINUTES 11 SECONDS WEST, 44.76 FEET; COURSE NO. 5: SOUTH 51 DEGREES 23 MINUTES 36 SECONDS WEST, 64.63 FEET; COURSE NO. 6: NORTH 52 DEGREES 45 MINUTES 24 SECONDS WEST, 49.46 FEET; COURSE NO. 7: SOUTH 63 DEGREES 55 MINUTES 40 SECONDS WEST, 14.19 FEET; COURSE NO. 8: SOUTH 70 DEGREES 55 MINUTES 25 SECONDS WEST, 34.97 FEET; COURSE NO. 9: SOUTH 58 DEGREES 57 MINUTES 50 SECONDS WEST, 25.39 FEET; COURSE NO. 10: SOUTH 27 DEGREES 49 MINUTES 08 SECONDS WEST, 34.04 FEET; COURSE NO. 11: SOUTH 05 DEGREES 19 MINUTES 56 SECONDS WEST, 28.34 FEET; COURSE NO. 12: SOUTH 61 DEGREES 14 MINUTES 34 SECONDS WEST, 70.40 FEET; COURSE NO. 13: SOUTH 41 DEGREES 31 MINUTES 54 SECONDS WEST, 49.15 FEET;

COURSE NO. 14: SOUTH 41 DEGREES 30 MINUTES 32 SECONDS WEST, 50.98 FEET TO A POINT SITUATE ON THE NORTHERLY LINE OF SAID PLAT OF WHISPER RIDGE UNIT ONE AND ON THE SOUTH LINE OF SAID SECTION 36; THENCE SOUTH 89 DEGREES 40 MINUTES 10 SECONDS EAST, ALONG LAST MENTIONED LINE AND ALONG THE NORTH LINE OF WHISPER RIDGE UNIT THREE, AS RECORDED IN MAP BOOK 50, PAGES 49, 50, 51, 52, 53, 54, 55, 56, 57 AND 58, A DISTANCE OF 417.37 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID WHISPER RIDGE DRIVE; THENCE NORTH 00 DEGREES 19 MINUTES 50 SECONDS WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, 135.72 FEET TO THE MOST SOUTHERLY CORNER OF SAID TRACT "B" AND THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 230.00 FEET; THENCE NORTHERLY AROUND AND ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTHWESTERLY LINE OF TRACT "B", A DISTANCE OF 135.03 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF NORTH 17 DEGREES 08 MINUTES 57 SECONDS EAST, 133.10 FEET TO THE POINT OF TANGENCY OF SAID CURVE, THENCE NORTH 33 DEGREES 58 MINUTES 04 SECONDS EAST, CONTINUING ALONG SAID NORTHWESTERLY LINE OF TRACT "B", A DISTANCE OF 100.61 FEET TO THE POINT OF BEGINNING.

PARCEL "C"

A PORTION OF SECTION 42, TOWNSHIP 7 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF TRACT "II", AS SHOWN ON THE PLAT OF WHISPER RIDGE UNIT SIX, AS RECORDED IN MAP BOOK 53, PAGES 84, 85, 86, 87 AND 88 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 51 DEGREES 08 MINUTES 37 SECONDS EAST, ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PLAT OF WHISPER RIDGE UNIT SIX, THE SAME BEING THE NORTHEASTERLY LINE OF SAID SECTION 42, A DISTANCE OF 1215.79 FEET TO THE MOST EASTERLY CORNER OF SAID SECTION 42; THENCE SOUTH 39 DEGREES 15 MINUTES 53 SECONDS WEST, ALONG THE NORTHWESTERLY BOUNDARY OF SAID WHISPER RIDGE UNIT SIX AND ALONG THE NORTHWESTERLY BOUNDARY OF WHISPER RIDGE UNIT SEVEN, AS RECORDED IN MAP BOOK 54, PAGES 43, 44, 45, 46, 47, 48 AND 49 OF SAID PUBLIC RECORDS, AND ALONG THE SOUTHWESTERLY LINE OF SAID SECTION 42, A DISTANCE OF 3411.22 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF COUNTY ROAD C-208 (A 66 FOOT RIGHT OF WAY); THENCE SOUTH 64 DEGREES 16 MINUTES 29 SECONDS WEST, ALONG SAID NORTHERLY RIGHT OF WAY LINE, 535.44 FEET; THENCE NORTH 01 DEGREES 01 MINUTES 59 SECONDS WEST, ALONG THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SECTION 36, TOWNSHIP 6 SOUTH, RANGE 28 EAST, SAID COUNTY, A DISTANCE OF 2370.39 FEET; THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG THE SOUTHERLY AND EASTERLY BOUNDARY OF THOSE LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 2223, PAGE 27 OF SAID PUBLIC RECORDS: COURSE NO. 1: NORTH 77 DEGREES 56 MINUTES 43 SECONDS EAST, 1204.80 FEET; COURSE NO. 2: NORTH 52 DEGREES 05 MINUTES 53 SECONDS EAST, 457.64 FEET; COURSE NO. 3: NORTH 01 DEGREES 01 MINUTES 59 SECONDS WEST, 734.82 FEET; COURSE NO. 4: SOUTH 89 DEGREES 40 MINUTES 10 SECONDS EAST, 211.24 FEET TO THE POINT OF BEGINNING.

The St. Augustine Record

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

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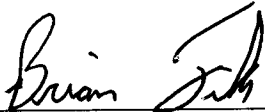
STATE OF FLORIDA,
COUNTY OF ST. JOHNS

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 a **DISPLAY ADVERTISEMENT**
in the matter **COMPAMD 2005-05 WILDCAT VENTURES**
was published in said newspaper in the issues of **JULY 3, 2007**.

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 **5TH** day of **SEPTEMBER, 2007**.

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



(Signature of Notary Public)

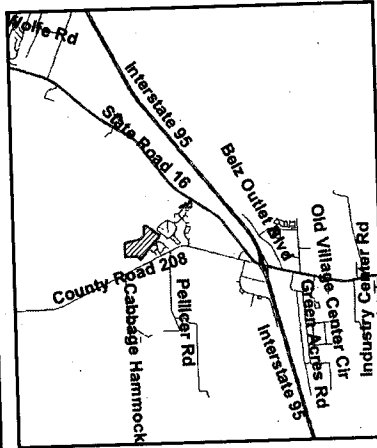


Brian Fike
My Commission DD327588
Expires June 09, 2008

(Seal)

BRIAN FIKE

**NOTICE OF PUBLIC HEARING
TO CONSIDER ADOPTION OF PROPOSED AMENDMENTS
TO THE FUTURE LAND USE MAP AND THE GOALS,
OBJECTIVES AND POLICIES OF THE ST. JOHNS
COUNTY 2015 COMPREHENSIVE PLAN AS RELATED
TO THE PROPOSED WILDCAT VENTURE, LLC**



NOTICE IS HEREBY GIVEN that the St. Johns County Planning and Zoning Agency on Thursday, July 19, 2007 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, August 21, 2007 at 9:00 a.m. will hold public hearings to consider adoption of proposed amendments to the St. Johns County Future Land Use Map and the Goals, Objectives and Policies of the 2015 Comprehensive Plan. Proposed amendments include (1) changing the Future Land Use Map from Rural

Silviculture to Residential-B; and (2) adding a Policy to the Future Land Use Element to limit site specific density and intensity. 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. Items not heard by 6pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property is 81 +/- acres at 3400 County Road 208, adjacent to the Whisper Ridge and Turnbull properties. A complete description is available in the St. Johns County Planning Office. See map generally depicting the location, Exhibit A. This includes a request to amend the Future Land Use Map designation from Rural Silviculture to Residential-B.

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 2005-05 Wildcat Ventures, LLC, 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.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
HENRY GREEN, CHAIRMAN

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
BEN RICH, CHAIRMAN