

ORDINANCE NO. 2008__53

AN ORDINANCE REPEALING ORDINANCE NOS. 2006-145, 2006-146 AND 2006-147, WHICH (A) AMENDED THE 2015 COMP PLAN ORD. 2000-34, AS AMENDED, BY ADDING LANGUAGE TO THE FUTURE LAND USE ELEMENT OF THE GOALS, OBJECTIVES & POLICIES TO INCLUDE THE WELLS FARM RURAL CENTER DISTRICT, (B) AMENDED THE 2015 COMP PLAN ORD. 2000-34, AS AMENDED, BY CHANGING THE FLUM DESIGNATION FROM A-I & R/S TO RCD FOR THE WELLS FARM RURAL CENTER DISTRICT, AND (C) ADOPTED AN AMENDMENT TO THE 5-YEAR CAPITAL IMPROVEMENT SCHEDULE, 2003-2008 OF THE COMP PLAN FOR THE WELLS FARM RURAL CENTER DISTRICT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

WHEREAS, on November 15, 2006, the St. Johns County Board of County Commissioners adopted Ordinance Nos. 2006-145, 2006-146 and 2006-147;

WHEREAS, Ordinance No. 2006-145 amended the 2015 Comprehensive Plan Ord. 2000-34, as amended, by adding text to the Future Land Use Element of the Goals, Objectives and Policies in connection with the Wells Farm Rural Center District;

WHEREAS, Ordinance No. 2006-146 also amended the 2015 Comprehensive Plan Ord. 200-34, as amended, by changing the Future Land Use Map designation from A-I & R/S to RCD for the Wells Farm Rural Center District;

WHEREAS, Ordinance No. 2006-147 adopted an amendment to the 5-Year Capital Improvement Schedule, 2003-2008, of the Comprehensive Plan in connection with the Wells Farm Rural Center District;

WHEREAS, the amendments to the Comprehensive Plan were found by the Department of Community Affairs ("DCA") to be "not in compliance" and filed an administrative proceeding (DOAH Case No. 07-0327 GM) challenging these amendments (the "Administrative Proceeding") and the Applicant, J. Daniel Collins, filed for and was granted "Intervener" Status by the ALJ;

WHEREAS, on May 8, 2008, the Applicant filed a Notice of Voluntary Dismissal of their participation as an Intervener in the DOAH case and indicated his intent to not move forward with the Wells Farm Rural Center District at this time;

WHEREAS, the County wishes to rescind the above mentioned Comprehensive Plan amendments, thereby mooted the Administrative Proceeding;

BE IT ENACTED BY ST. JOHNS COUNTY, FLORIDA, THAT:

SECTION ONE. The Future Land Use Element of the Goals, Objectives and Policies of the St. Johns County, Florida, Comprehensive Plan, as amended by Ordinance 2006-145, is hereby

amended, as is set forth in Appendix A attached hereto and incorporated herein by reference, to the extent of removing the language that was added in conjunction with the Wells Farm Rural Center District. The Future Land Use text amendment adopted in Ordinance No. 2006-145 is hereby repealed.

SECTION TWO. The Future Land Use Map of the St. Johns County, Florida, Comprehensive Plan, is hereby amended as is set forth in Appendix B attached hereto and incorporated herein by reference. The FLUM amendment adopted in Ordinance No. 2006-146 is hereby repealed.

SECTION THREE. The amendments adopted in Ordinance No. 2006-147 to St. Johns County's 5-Year Capital Improvement Schedule, 2003-2008, of the Comprehensive Plan in connection with the Wells Farm Rural Center District are hereby repealed.

SECTION FOUR. The Director of Growth Management Services is hereby authorized and directed to forward a copy of this ordinance which repeals the aforementioned Comprehensive Plan amendments to the Florida Department of Community Affairs, Bureau of Local Planning, and shall also transmit copies to the Northeast Florida Regional Planning Council, to the St. Johns Water Management District, to the Department of Environmental Protection, to the Department of Transportation, and to any other unit of local government or governmental agency in the state that has filed a written request with the County Commission for a copy of the Comprehensive Plan amendments.

SECTION FIVE. All Ordinances or parts of Ordinances in conflict herewith, including without limitation the conflicting provisions of Ordinance No. 2006-145, 2006-146 and 2006-147 are hereby repealed to the extent of such conflict.

SECTION SIX. This Ordinance shall take effect immediately upon its adoption.

DONE, ORDERED AND ADOPTED by the St. Johns County Board of County Commissioners, this 28th day of October, 2008.

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

BY: Cyndi Stevenson
Cyndi Stevenson, Chair

RENDITION DATE 10/31/08

ATTEST: CHERYL STRICKLAND, CLERK
By: Cheryl Strickland Deputy Clerk

Effective Date: 11/04/08

EXHIBIT A

ORDINANCE NO. 2006 - 145

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO AMEND THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE GOALS, OBJECTIVES AND POLICIES DOCUMENT TO ADD NEW OBJECTIVE A.1.21 AND NEW RELATED POLICIES A1.21.1 THROUGH A.1.21.31; ADD NEW POLICIES A.1.2.7, A.1.11.1(k), AND A.2.1.14; ALL AS PERTAINING TO THE CREATION OF A NEW FUTURE LAND USE MAP DESIGNATION KNOWN AS THE RURAL CENTER DISTRICT (RCD) FOR THE NORTHWEST SECTOR AREA AND OTHER AREAS OF ST. JOHNS COUNTY WHICH HAVE AN ADOPTED VISION PLAN OR SECTOR PLAN; 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 amend the text of the Future Land Use Element of the Goals, Objectives and Policies document to add new objective A.1.21 and new related policies A.1.21.1 through A.1.21.31; add new policies A.1.2.7, A.1.11.1(k), and A.2.1.14; all as pertaining to the creation of a new Future Land Use Map Designation known as the Rural Center District (RCD) for the Northwest Sector Area and other areas of St. Johns County which have an adopted vision plan or sector plan, as shown on **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 COMMISSIONERS OF
ST. JOHNS COUNTY, FLORIDA**

BY: James E. Bryant
James E. Bryant, Chair

RENDITION DATE 11/16/06

ATTEST: Cheryl Strickland, Clerk

BY: Yvonne King
Deputy Clerk

EFFECTIVE DATE: _____

Objective A.1.21

The Rural Center District (RCD) Future Land Use Map Designation is established to provide an organizing element for certain rural transition areas of St. Johns County, and thereby provide rural residents with the opportunity to access services, cultural and civic amenities and employment, and to provide a sustainable pattern of growth and development while maintaining the character, landscape, and sense of place of traditional rural villages. The RCD means a new mixed use rural center and community located within a rural area, and providing for a development pattern of compact rural villages which serve the economic, civic and other community needs of rural areas. RCDs are intended to retain the unique rural character of an area, through open space requirements, neighborhood clustering, buffering requirements, and the preservation of RCD Farms.

According to Randall Arendt's well respected and time tested book, *Rural by Design*, traditional rural communities have the following distinguishing features:

- Compactness and tighter form;
- Medium density (somewhere in between that of cities and sprawling postwar suburbs);
- "Downtown" centers with street-edge buildings, mixed uses, gathering places, public buildings, parks and other open spaces;
- Commercial premises meeting everyday needs (grocery, newsagent, drugstore, hardware, etc.)
- Residential neighborhoods close to the town center, sometimes with house lots abutting commercial premises;
- Civic open spaces within, and rural open spaces at edges;
- Pedestrian-friendly but also auto-accessible;
- Streets scaled for typical uses;
- Density concentrations highest in the center, and incrementally decreasing towards the edges of the community.

These key factors in traditional rural communities have been shown to lead to a real sense of place and attachment for its residents. These communities provide opportunities to establish socially important gathering places, the open space vital for people to connect with nature, and reduce dependency on the automobile. Traditional rural communities epitomize the "live, work and play" community which is sought as a preferred way of life. Often these communities form the "hub" of an area greater than the community itself.

The traditional rural community was designed in such way as to promote a sustainable pattern of development that minimizes impacts to the environment while creating a high quality of life for its residents through community amenities and its design. In order to have a sustainable and effective traditional rural community, attention must be focused on the design aspects, including the grid pattern of streets, pedestrian-oriented and scaled "neighborhood" commercial uses, progression of land uses and intensities, and open space.

The Rural Center District Land Use Designation is a new mixed use rural community designated on the Future Land Use Map and located within a rural area or at the rural urban fringe, providing for a development pattern of compact rural villages. The rural-urban fringe can be defined as the region between the expanding suburban residential and commercial development located within a Development Area as designated on the Future Land Use Map and traditionally designated rural lands. The intent of the Rural Center District is to serve as an organizing element to the residential growth occurring in rural areas of northwest St. Johns County. Through a range of housing choices and affordability, a commercial "main street" area, RCD Farms and open space, the RCD will serve as a place for rural residents to live, work, shop, recreate and gather in civic buildings and places. In addition, rural residents living outside of the RCD will be able to reduce trips and travel time to access services and amenities located outside of the rural area. The RCD creates a sense of place and community with a focus on rural land uses and character.

Rural Community Centers within a Rural Center District shall complement residential development with appropriately-scaled commercial development and shall integrate civic uses into community design. Rural Community Center Uses may include, but not be limited to, grocery stores, drugstores, banks, post offices, doctor's offices, dry cleaners, restaurants, community centers, churches, and libraries.

Rural Center Districts shall adhere to the following guiding principles:

- Preservation of rural character and conservation of open space
- Respect rural character of the area in the type of uses allowed, their allocation and design
- Support agricultural and equestrian activities
- Create a linked open space system consisting of ecological, conservation and recreational greenways.
- Promotion of a sustainable rural development pattern and livable communities
- Utilize a development pattern of compact rural villages as an alternative to the sprawl pattern of development that results from clusters of large lot subdivisions
- Design communities with a strong "sense of place"
- Encourage new development within mixed use centers and expand the range of housing choice and affordability
- Complement residential development with appropriately scaled non-residential development and integrate civic uses into community design
- Reduce trip lengths and increase accessibility for daily needs including shopping, work, recreation and public uses.
- Provision of adequate services and facilities
- Coordinate school needs with planning decisions
- Integrate schools, libraries and community centers as key components of community design, where needed
- Provide sites for fire protection, law enforcement, emergency response and medical services, where needed
- Provide park and recreation facilities to serve a broad range of interests
- Provide for connection to central water and sewer facilities.
- Minimization of traffic impacts
- Address transportation constraints by designing rural centers districts with a balance of residential and non-residential uses to reduce the vehicle miles traveled
- Require roads within the Rural Center Districts to allow connection to the existing road

system and adjacent property to encourage the establishment of the most efficient transportation network

- Provide a non vehicular pathway system within the Rural Center Districts to reduce reliance on the personal automobile and promote a pedestrian orientation especially in and around the commercial core
- Each Rural Center District Future Land Use Map Designation shall contain the following land use Categories as defined in subsequent policies: RCD Farms, Country Estate, Country Manor, Country Cottage, Rural Community Center, Civic Use - Park/Institutional, Greenbelt Reserve and Infrastructure (including Transportation and Parks to serve the area).

Policies:

A.1.21.1 Rural Center Districts shall be designed to complement and maintain the rural character of the surrounding area.

A.1.21.2 A Rural Center District Land Use Designation shall only be applied to rural transitional areas where there is a County-adopted Sector Plan enacted into the County Comprehensive Plan with the Rural Center District designated as an allowable Future Land Use Map Designation, and general locations of Rural Center Districts depicted in the Sector Plan. Each designated Rural Center District must meet the criteria set forth in the applicable Vision-Based Sector Plan and must be consistent with the goals, objectives and policies adopted in the County's Comprehensive Plan for the applicable Sector Plan. To demonstrate that a proposed RCD will be able to achieve these Policies, a conceptual Master Plan must be submitted concurrent with the application for Future Land Use Map amendment.

A.1.21.3 The Rural Center District (RCD) will serve as an organizing element to growth in the rural areas of the County which have been identified in a sector plan as needing a rural center and will tie together key civic, commercial and residential land uses in a manner that will preserve the rural character of the area while facilitating a sustainable development pattern.

A.1.21.4 Each Rural Center District shall be a minimum of 800 acres in size. 800 acres is established as the minimum land required in order to create a sustainable mix of land uses, including residential, commercial and open space components.

A.1.21.5 In order to maintain the rural character of the area, the overall minimum open space requirement for the Rural Center District shall be 40% (including RCD Farms). A visual buffer from neighboring land uses shall be created around the Rural Center District through placement of open space land uses (wetlands, recreational greenways, RCD Farms, etc.) around the external boundaries of the Rural Center District.

A.1.21.6 If ecologically significant lands are present on the site of a Rural Center District, the Rural Center District design shall protect the functions of those environmentally significant lands and shall incorporate those lands into the Rural Center District's open space. If the environmentally significant lands are naturally linked to off-site environmentally significant conservation lands and recreational greenways, then the Rural Center District design shall link the on-site environmentally significant lands with the off-site environmentally significant lands and recreational greenways.

A.1.21.7 Except for RCD Farms and when interrupted for access purposes, each Rural

Center District shall be designed with a minimum 200-foot well-defined greenbelt edge permanently protected from development. Primary uses will be the greenbelt and trail and equestrian trail uses where appropriate. Where Rural Center Districts abut each other, these greenbelt corridors shall be connected to allow for the creation of a continuous greenbelt system throughout the rural area. Rural greenbelts should be connected by pedestrian and non-motorized vehicular pathways to civic uses within the Rural Center District.

A.1.21.8 Where there is a connection to a County-designated blueway or greenway, the Rural Center District shall provide for a connection to the designated blueway or greenway.

A.1.21.9 Each neighborhood shall contain a mix of two or more of Country Estate, Country Manor and/or Country Cottage housing types, and generally limited to no more than 200 hundred Country Cottage Units per neighborhood.

A.1.21.10 The Master Plan for the Rural Center District land use shall include building design standards including massing, scale, pattern and a compatible architectural style reflective of the community character.

A.1.21.11 Each Rural Center District shall contain a variety of lot sizes.

A.1.21.12 The Rural Community Center Category shall meet the following requirements:

Minimum lot width:
15 feet (attached housing)
50 feet (detached housing)

Minimum lot depth:
110 feet

Buildings:
"Build-to" lines [a designated required extent of building dimensions on each lot] which place buildings close together
"Front" buildings on a sidewalk
Maximum allowable FAR is .60
Building height shall not exceed 45 feet

A.1.21.13 Except for development within the Rural Community Center Category, all development facing collector roads within the Rural Center District must be designated for RCD Farm, Country Estate or Country Manor. All primary residential structures facing collector roads shall face the street and maintain a minimum front setback of 95 feet from the right of way. Within the Rural Community Center Category a grid system using small block sizes and an urban cross section with high back curb and sidewalks shall be required.

A.1.21.14 In the Rural Community Center Category, the fronts of buildings in the same block shall have doors and windows reflecting similar architectural style. Doors and display windows shall be placed to maximize visual interest and accessibility to pedestrians.

A.1.21.15 The maximum residential density shall be a range of 1.1 - 1.3 dwelling units per net acre.

A.1.21.16 Central water and sewer for residential, non-agricultural and commercial uses shall be required. The RCD Farm shall be served by well water for irrigation purposes.

A.1.21.17 Each Rural Center District shall contain only one Rural Community Center Category. The Rural Community Center Category shall be a maximum of 50 acres, and shall contain a mix of commercial and residential uses. The Rural Community Center Category shall be located internal to the Rural Center District and be designed to have a main street orientation, and facilitate pedestrian travel.

A.1.21.18 No single tenant shall occupy more than 15,000 square feet of commercial space unless specifically authorized by the County as part of the zoning process.

A.1.21.19 RCD Farm Category shall meet the following requirements:

Minimum Lot Size: 20 acres.

Permitted Uses: Single Family Residential and associated accessory uses for the owner, caretaker, etc.; farming pertaining to agriculture and silviculture; ranching; horses, provided there is a barn on site. Prohibited Uses: Swine; poultry, aerial spraying.

The RCD Farm Category shall be separated from residential land use classifications by collector streets and/or buffers. RCD Farm activities will be limited to those which are compatible with surrounding areas, consistent with Policy A.1.3.12 of this Comprehensive Plan.

A.1.21.20 Country Estate Category shall meet the following requirements:

Minimum Lot Size: 7 acres

Minimum Lot Width: 200 feet

Permitted Uses: Single Family Residential and associated accessory uses and Agricultural Uses. Agricultural Uses shall be limited to those lands and buildings required to allow for the ownership and care of horses in accordance with Section 2.03.05 of the St. Johns County Land Development Code.

All residential structures within the Country Estate Category when fronting collector streets shall maintain a minimum front setback of 95 feet from the right-of-way.

A.1.21.21 Country Manor Category shall meet the following requirements:

Minimum Lot Size: 1 acre Minimum

Lot Width: 150 feet

Permitted Uses: Single Family Residential and associated accessory uses

All residential structures within the Country Manor Category when fronting collector streets shall maintain a minimum front setback of 95 feet from the right-of-way.

A.1.21.22 Country Cottage Category shall meet the following requirements:

Minimum Lot Width: 60 feet
Minimum Lot Depth: 110 feet
Permitted Use: Single Family Residential and associated residential uses

Each area designated for Country Cottage shall be planned in the form of a unified neighborhood with interconnected streets and no more than 200 dwelling units per neighborhood. The area designated for Country Cottages shall contain a central focal point in the form of a neighborhood park to reinforce neighborhood identity and provide the opportunity for passive recreational use. Minimum size for the neighborhood park shall be one (1) acre.

A.1.21.23 School/Park Category

Each Rural Center District shall provide an area of no less than 40 acres to accommodate a park site or a site for a joint neighborhood school/park. Parks may include active recreational uses (such as ball fields or equestrian centers) or passive recreational uses.

A.1.21.24 Within the RCDs, open space includes, but is not limited to wetlands and buffers, active recreation parks located to serve residents of the development, passive neighborhood parks, RCD Farms, recreation trails and greenbelts.

A.1.21.25 Civic and institutional uses must be integrated into the Rural Community Center. Civic buildings and public space should be oriented to terminate vistas and provide a focal point in the Rural Community Center.

A.1.21.26 Rural Community Center Category shall include a centrally-located plaza or green. The plaza/green shall include canopy trees and/or structures to provide shade.

A.1.21.27 A neighborhood park of a minimum of one acre in size shall provide the central focal point for each neighborhood. The neighborhood park shall be a passive park.

A.1.21.28 All vehicular circulation shall adhere to the following criteria:

- Collector roads shall allow for swale section design in the RCD Farm, Open Space, Country Estate and Country Manor Categories; all other Categories shall require curb and gutter design.
- On street parking and shared parking lots shall be encouraged
- Shaded or covered sidewalks shall be encouraged
- Lighting at a maximum 18 feet in height
- Parking in rear of building to the greatest extent possible

A.1.21.29 "Street trees" shall be planted along sidewalks at a minimum of one canopy tree for every 50 feet of street frontage.

A.1.21.30 Each Rural Center District shall include the following percentage distribution of land uses to ensure compliance with the land use mix requirement of the RCD:

Rural Center District (RCD) Category	Percentage of RCD*
RCD Farm	5% - no maximum
Country Estate	15% - no maximum
Country Manor	5% - 30%
Country Cottage	15% - 40%
Rural Community Center	5% - 9%
Civic	3% - no maximum
Open Space (including RCD Farms)	40% - no maximum

* A change of up to 10% of the percentage in each category may be authorized by the County as part of the zoning process.

A.1.21.31 The Wells Farm Rural Center District is established on the Future Land Use Map as a Rural Center District Future Land Use Map Designation. Activities consistent with maintaining agriculture and Silviculture on the Wells Farm Rural Center District lands may be continued on any portion of the property that is not subject to a plat. The proposed land use designation of RCD will allow the Wells Farm Rural Center District to serve as a mixed use, organizing element in the Northwest Sector of the St. Johns County, by creating a rural village with focal points, including a mixture of neighborhood commercial, civic spaces and open space in addition to a variety of housing types. The maximum commercial use for Wells Farm Rural Community Center is 60,000 square feet. The maximum number of residential units for Wells Farm Rural Center District is 890.

Policy A.2.1.14 The Rural Center District (RCD) Future Land Use Map Designation is established in accordance with Comprehensive Plan Objectives A.1.21 and supporting policies.

Policy A.1.2.7 Residential development within the Rural Center District (RCD) Future Land Use Map Designation shall follow guidelines and standards of Objective A1.21 and supporting policies as a means of avoiding a sprawl pattern of development.

Policy A.1.11.1(k) Rural Center District (RCD) shall mean those lands designated on the Future Land Use Map (FLUM) to allow for residential, limited commercial, civic and institutional, and farm related uses as provided in Objective A.1.21 and supporting policies.

42-11743

NAME AND ADDRESS OF PERSON TO RECEIVE ALL CORRESPONDENCE REGARDING THIS APPLICATION

Name: Marcia Parker Tjoflat, Esq.

Mailing Address: 245 Riverside Avenue, Suite 400, Jacksonville, FL 32202

Phone: 904-353-1980 Fax: 904-791-9356

E-mail: mpt@papmet.com

{00138587 RTF 8}

Revisions to 7

Changes made with SJC 10/30/06

8

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EXHIBIT B

ORDINANCE NO. 2006 - 146

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM AGRICULTURAL-INTENSIVE (A-I) AND RURAL SILVICULTURE (R/S) TO RURAL CENTER DISTRICT (RCD), FOR PROPERTY KNOWN AS WELLS FARM, LOCATED COUNTY ROAD 13, JOE ASHTON ROAD, AND COUNTY ROAD 208; 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 Future Land Use Map Designation from Agricultural-Intensive (A-I) and Rural Silviculture (R/S) to Rural Center District (RCD), for property known as Wells Farm, located on County Road 13, Joe Ashton Road, and County Road 208, as shown on **EXHIBITS A and B**; based on the following Findings of Fact:

- (d) The amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
- (e) The amendment is consistent with the State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- (f) 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, Chair

RENDITION DATE 11/16/06

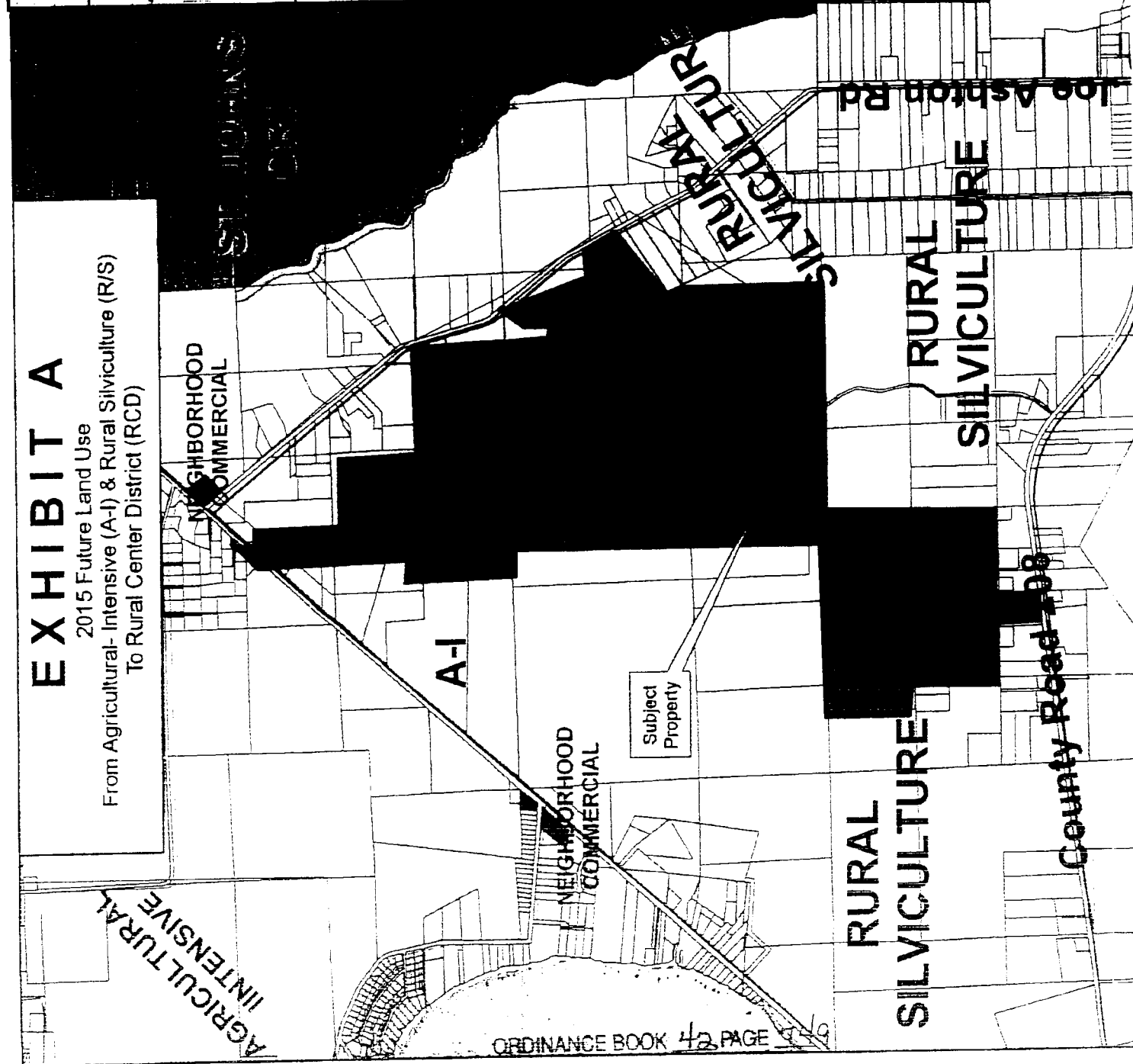
ATTEST: Cheryl Strickland, Clerk

BY: Cheryl Strickland
Deputy Clerk

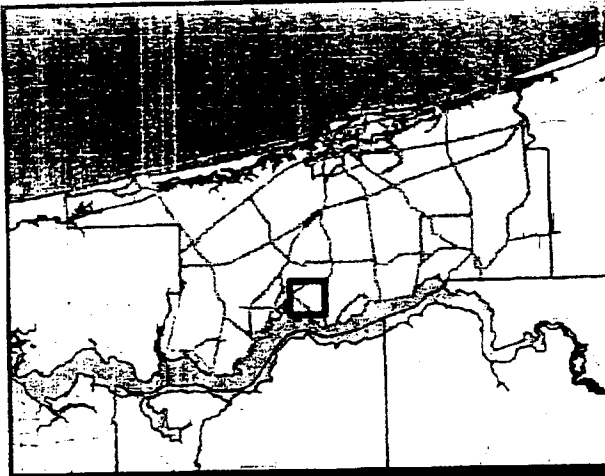
EFFECTIVE DATE: _____

EXHIBIT A

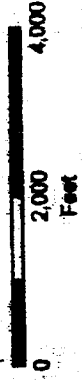
2015 Future Land Use
From Agricultural- Intensive (A-I) & Rural Silviculture (R/S)
To Rural Center District (RCD)



ORDINANCE BOOK 42 PAGE 386



FUTURE LAND USE MAP



Map Prepared: 4/7/2006

*Depicts General Project Boundary

COMPAMD 2006-01

Wells Farm
Rural
Center
ORD # 2006-146

File: COMPAMD 2006-01

St. Johns County
Growth Mgmt. Svcs.
Planning Division



Exhibit "B"

Legal Description for Wells Farm property:

A PORTION OF SECTIONS 25, 28, 35 AND 36, TOWNSHIP 6 SOUTH, AND A PORTION OF SECTIONS 1 AND 2 TOWNSHIP 7 SOUTH, ALL OF RANGE 27 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 1/2 (ONE HALF) OF THE SOUTHWEST 1/4 (ONE QUARTER) OF SAID SECTION 25, LYING SOUTHWESTERLY OF THE JOE ASHTON ROAD, (AS NOW ESTABLISHED), SAID SECTION 25.

TOGETHER WITH:
THE EAST 1/2 (ONE HALF) OF THE SOUTHWEST 1/4 (ONE QUARTER), AND THE EAST 10 (TEN) ACRES OF THE SOUTHWEST 1/4 (ONE QUARTER) OF THE SOUTHWEST 1/4 (ONE QUARTER), ALSO THE WEST 1/2 (ONE HALF) OF THE EAST 1/2 (ONE HALF) OF THE NORTHEAST 1/4 (ONE QUARTER) LYING WEST OF THE LANDS DESCRIBED IN DEED BOOK 33, PAGE 49 AND SOUTHEASTERLY OF COUNTY ROAD 13, ALL LYING IN SAID SECTION 25.

TOGETHER WITH:
THE NORTH 1/2 (ONE HALF) OF THE NORTHWEST 1/4 (ONE QUARTER) LYING SOUTHWEST OF JOE ASHTON ROAD, (AS NOW ESTABLISHED) AND THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 902, PAGE 851, OF THE PUBLIC RECORDS, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 36, THENCE NORTH 01°28'41" WEST, 2118.88 FEET; THENCE SOUTH 89°52'15" EAST, 2310.76 FEET; THENCE SOUTH 27°28'51" EAST, 1452.23 FEET; THENCE NORTH 58°30'00" EAST, 3.25 FEET; THENCE SOUTH 28°25'43" EAST, 165.14 FEET; THENCE SOUTH 82°22'14" WEST, 388.55 FEET; THENCE SOUTH 00°28'43" WEST, 437.47 FEET; THENCE SOUTH 89°58'28" WEST, 2888.84 FEET TO THE POINT OF BEGINNING, ALSO THE SOUTH 1/2 (ONE HALF) OF THE NORTH 1/2 (ONE HALF), LYING SOUTHWESTERLY OF JOE ASHTON ROAD, BEING BOUNDED ON THE SOUTHEAST BY THOSE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 1653, PAGE 708, ALL LYING IN SAID SECTION 36.

TOGETHER WITH:
THE EAST 1/2 OF THE NORTHEAST 1/4 (ONE QUARTER), AND ALL OF GOVERNMENT LOT 1, ALL LYING IN SAID SECTION 35.

TOGETHER WITH:
THE NORTH 1/2 (ONE HALF) OF THE NORTHWEST 1/4 (ONE QUARTER), OF SAID SECTION 1.

TOGETHER WITH:
THE WEST 1/4 (ONE QUARTER) OF THE SOUTHWEST 1/4 (ONE QUARTER) OF THE NORTHEAST 1/4 (ONE QUARTER), AND THE SOUTHWEST 1/4 (ONE QUARTER) OF THE NORTHWEST 1/4 (ONE QUARTER), AND THE SOUTHWEST 1/4 (ONE QUARTER) OF THE NORTHEAST 1/4 (ONE QUARTER), AND THE NORTHEAST 1/4 (ONE QUARTER) OF THE SOUTHWEST 1/4 (ONE QUARTER) LYING NORTH OF COUNTY ROAD 208 AND EAST OF THE LANDS DESCRIBED AND RECORDED IN DEED BOOK 231, PAGE 98 OF THE PUBLIC RECORDS, ST. JOHNS COUNTY, FLORIDA, AND THE NORTHEAST 1/4 (ONE QUARTER) OF THE NORTHEAST 1/4 (ONE QUARTER), AND THE NORTHWEST 1/4 (ONE QUARTER) OF THE NORTHEAST 1/4 (ONE QUARTER), ALSO THE NORTH 1/2 (ONE HALF) OF THE NORTHWEST 1/4 (ONE QUARTER), LESS AND EXCEPT THE WEST 3/4 (THREE QUARTERS), OF THE NORTHWEST 1/4 (ONE QUARTER) OF THE NORTHWEST 1/4 (ONE QUARTER), ALL LYING IN SAID SECTION 2.

LESS AND EXCEPT, THOSE LANDS SHOWN AS "OUT" HEREON.

CONTAINING A NET ACREAGE OF 890 ACRES MORE OR LESS.

FOR: THE COLLINS GROUP

The St. Augustine Record

COPY OF ADVERTISEMENT

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **SARAH SELFRIDGE**

who on oath says that she is an Employee 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 **NOTICE OF HEARING**

In/the matter **RECOMMENDING TO REPEAL ORDINANCE NOS. 2006-145
2006-146, 2006-147 (WELLS FARMS AMENDMENTS)**

was published in said newspaper **OCTOBER 9, 2008.**

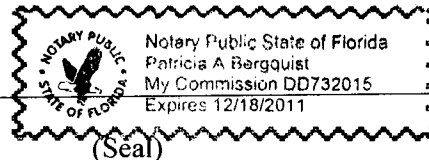
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 she 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 **23RD day of OCT 2008.**

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

Patricia A Bergquist

(Signature of Notary Public)
PATRICIA A BERGQUIST



NOTICE

OF PUBLIC HEARING TO CONSIDER ENACTING AN ORDINANCE REPEALING ORDINANCE NOS. 2006-145, 2006-146 AND 2006-147, WHICH (A) AMENDED THE 2015 COMPREHENSIVE PLAN ORD. 2000-34, AS AMENDED, BY ADDING LANGUAGE TO THE FUTURE LAND USE ELEMENT OF THE GOALS, OBJECTIVES & POLICIES TO INCLUDE THE WELLS FARM RURAL CENTER DISTRICT, (B) AMENDED THE 2015 COMPREHENSIVE PLAN ORD. 2000-34, AS AMENDED, BY CHANGING THE FLUM DESIGNATION FROM A-I & R/S TO RCD FOR THE WELLS FARM RURAL CENTER DISTRICT, AND (C) ADOPTED AN AMENDMENT TO THE 5-YEAR CAPITAL IMPROVEMENT SCHEDULE, 2003-2008 OF THE COMPREHENSIVE PLAN FOR THE WELLS FARM RURAL CENTER DISTRICT; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND SETTING FORTH AN EFFECTIVE DATE.

NOTICE IS HEREBY GIVEN that a public hearing will be held on **Tuesday, October 28, 2008, at 10:00 AM** by the Board of County Commissioners in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to consider a recommendation to repeal Ordinance Nos. 2006-145, 2006-146, and 2006-147 as related to the Wells Farm amendments.

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 ADA Coordinator at (904) 209-0650 at the County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunications Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the hearing.

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.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
THOMAS G. MANUEL, CHAIRMAN**



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

November 7, 2008

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

FILED
08 NOV 17 AM 9:14
CLERK OF CIRCUIT COURT
ST. JOHNS COUNTY FL

Attention: Ms. Yvonne King, Minutes & Record Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated November 3, 2008 and certified copies of St. Johns County Ordinance Nos. 2008-53 through 2008-56, which were filed in this office on November 4, 2008.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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