

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE II – ZONING DISTRICTS AND SPECIAL USES; ARTICLE III – SPECIAL DISTRICT; ARTICLE IV – NATURAL RESOURCES; ARTICLE VI – DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS; ARTICLE VII – SIGNS; AND ARTICLE XII – DEFINITIONS; OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES SPECIFICALLY PART 2.03.00 SPECIAL USES; AMENDING ARTICLE III SPECIAL DISTRICTS SPECIFICALLY PART 3.10.00 NORTH COASTAL CORRIDOR OVERLAY DISTRICT: VILANO TOWN CENTER OVERLAY; AMENDING ARTICLE IV NATURAL RESOURCES, SPECIFICALLY PART 4.01.00 NATURAL RESOURCES; AMENDING ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS SPECIFICALLY PART 6.06.00 LANDSCAPING AND BUFFERING REQUIREMENTS; AMENDING AND CONSOLIDATING ARTICLE VII SIGNS SPECIFICALLY PART 7.01.00 BILLBOARD SIGN PROVISIONS; AND AMENDING ARTICLE XII DEFINITIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA, that:

Section 1. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by adding Section 2.03.43:

Sec. 2.03.43 Recreation:

Commercial recreation, gymnasiums, fitness centers, paint ball facilities, aerobics studios and similar Uses that require large open warehouse buildings, may be permitted as a Special Use within districts as defined in Section 2.03.01, subject to the following conditions and limitations:

- A. There shall be a site plan submitted with the Special Use Permit that is in compliance with all requirements of the Land Development Code and such site plan shall indicate adequate parking consistent with Section 6.05.00 of this Code and detail existing and allowable Uses.

B. Restrictions on Location

- a. Commercial recreation Uses within the IW zoning district shall only be allowed where a clear separation of incompatible uses exists. The applicant shall identify adjacent uses as part of the of the Special Use Application.
- b. Where commercial recreation Uses have been allowed by Special Use, the addition of any allowable Use in IW shall not be cause for discontinuance of the business nor shall such business be considered nonconforming as define in Part 10.03.00 of this Code.

C. Restrictions on Hours of Operation

- a. In order to ensure compatibility between allowable Uses of IW zoning district and commercial recreation Uses, the operation of the primary recreation activity Use shall be limited to hours of operation opposite of existing Light Industrial Uses (office hours not included).
 - i. Hours of operation for the proposed recreation use and the existing Uses shall be provided as part of the Special Use Application.
 - ii. The Site Plan shall include the location of existing businesses and a description of operation activities.

Section 2. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended deleting Section 4.01.04 Soil and Water in its entirety and substituting the following in its stead:

Sec. 4.01.04 Soil and Water

Pursuant to the objectives and policies of the Coastal/Conservation Element of the St. Johns County Comprehensive Plan, the following measures shall be taken to protect and conserve Soils and Water within the County:

A. Minimization of Impact

1. Proposed Improvements shall be designed and located to minimize Land Alteration activities which would unnecessarily Remove the existing vegetation or alter the topography of the natural land surface.
2. Adequate protection measures, such as hay bales, baffles, sodding and sandbagging, shall be provided as necessary to minimize erosion and downstream sedimentation caused by surface water runoff on exposed land surfaces.

B. Surface Water Discharges

1. The turbidity of surface water discharged off-site or into any Wetland or Natural Water Body on-site shall not violate the water quality standard for turbidity as stated in Chapter 62-302, F.A.C. Turbid water in violation of this standard shall be treated prior to discharge off-site or into any Wetland or Natural Water Body on-site by using sediment control measures such as settling basins, berms, interceptor ditches, silt screens and other sediment traps. Whenever sediment control measures are necessary, they shall be installed prior to initial clearing and grading operations and maintained throughout the Land Alteration activity as a condition of granting the Permit.
2. Surface water runoff shall be discharged only within the drainage area that normally receives this runoff, unless otherwise approved by the St. Johns River Water Management District or other state or federal agency having jurisdiction.

C. Excavation

1. Applicants must ensure that any proposed Excavating activities meet the standards of the Florida Department of Environmental Protection and St. Johns River Water Management District.
2. Excavating activities shall not adversely impact water levels of either surface water or groundwater on surrounding property. The County shall ensure compliance with Florida Department of Environmental Protection and St. Johns River Water Management District permitting requirements for maintenance of water levels for surface water and groundwater.

D. Exposed Soils

Exposed soils shall be vegetated immediately upon completion of Land Alteration activities. Areas may be sodded, plugged, sprigged, seeded or covered with other vegetation as desired. In areas where erosion is likely, such as slopes greater than five to one (5:1) or areas of erosion prone soils, the County Administrator may determine that sodding is required. Where erosion is found to be occurring, sodding shall be required. In areas where grass seed is used, nurse grass seed (e.g. rye, millet) shall also be sown for immediate effect.

E. Placement of Fill

Fill shall not be placed in Wetlands, Natural Water Bodies, natural water courses, or related floodplains up to and including the 100-year floodplain, manmade/artificial channels, or any natural or manmade stormwater storage

area, without prior approval of all applicable state and federal permitting agencies having jurisdiction.

F. Water Conservation

Water efficient landscaping and irrigation systems shall be used in order to maximize the conservation of water. Water efficient landscaping is Florida Friendly or Xeriscape landscaping that utilizes plants that are adaptable to local conditions, employs proper landscape planning of placing the right plant in the right place and utilizes plants which are drought tolerant. Water efficient irrigation uses irrigation systems and techniques that minimize loss of water through proper design and equipment installation that prevents overspray, overwatering and evaporation.

Section 3. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Section 6.06.02 General Standards and Guidelines in its entirety and substituting the following in its stead:

Sec. 6.06.02 General Standards and Guidelines

A. Plant Species

1. These standards and guidelines shall be in accordance with Section 4.01.05 Trees and Other Vegetation. Section 4.01.05 contains regulations on the minimum number of Trees, Tree Inches, Historic and Specimen Trees, exemptions, Protected Trees, Land Clearing, Tree replacement requirements, Tree Permits, Permit application procedures, along with other regulations about Trees and vegetation in unincorporated St. Johns County. Plant species shall be appropriate for their designated use and environment.
2. The use of Xeriscape or Florida Friendly landscaping techniques and the use of native plants as part of the overall landscaping plan shall be required, as specified in these regulations.
3. A minimum of fifty (50) percent of the required plant materials shall be native species, or hybrids or cultivars of native species. Species listed by the Florida Exotic Pest Plant Council or on the Exempt Tree list (except slash or longleaf pines) shall not be used to meet this standard. The fifty (50) percent requirement for plant materials shall be met individually for trees and shrubs.
4. Vegetation that exceeds twenty-five (25) feet in height at maturity should not be planted closer than fifteen (15) feet of the vertical plane of an existing power line, excluding service wires.

5. Non-living ground cover, such as rocks, gravel, and mulch, may be used in combination with living plant material. The use of artificial plants shall not be permitted to meet any of the landscaping requirements.
6. All plantings shall be selected based on the principles of Florida Friendly landscaping including planting the right plant in the right place and providing for efficient watering. Exempt from this requirement are golf courses, sports fields, Agriculture and Silviculture.

B. Minimum Number of Trees

There shall be a requirement of at least eighty (80) Tree Inches per acre, unless technically infeasible as determined by the County Administrator. Additional regulations are required in Section 4.01.05.

- C. Tree Inch requirements and scoring procedures are in Section 4.01.05.E, represented in whole inch increments.

D. Landscaping Material

The following plant material standards shall be considered the minimum requirements for complying with the Landscaping Regulations, unless specified differently elsewhere in these regulations.

1. Quality

Plant material shall conform to the standards for Grade #1 or better as given in the latest "Grades and Standards for Nursery Plants, Parts I and II," Florida Department of Agriculture and Consumer Services or to the standards as given in the latest "American Standard for Nursery Stock," American National Standards Institute. They shall be appropriate for St. Johns County annual weather and temperature patterns.

2. Installation

All landscaping shall be installed according to sound nursery practices. Plants grown in containers prior to installation shall be removed from their containers before they are planted in the ground. Balled and burlapped strapping wire shall be cut back away from the trunk, and any synthetic material shall be removed at time of final inspection.

- a. Mulch shall be provided a minimum of two (2) to three (3) inches in depth around all newly planted landscaping.

- b. A mulch ring for all newly planted Trees shall be provided at least five (5) feet in diameter and spaced at least six (6) inches away from the tree trunk.

3. Trees

At the time of planting, a Tree shall have a minimum height of eight (8) to ten (10) feet and two (2) inch of caliper. The use of exempted Tree species to meet the requirements of the landscaping regulations shall be prohibited with the exception of slash or longleaf pines.

4. Palms

Where palms are used, only palms up to thirty percent (30%) of total required Trees will receive Tree Inches, unless otherwise reasonably determined by the County Administrator based upon Site conditions.

5. Shrubs

When used for screening purposes, shrubs shall be cold tolerant and nondeciduous and have a minimum height of twenty-four (24) inches at the time of planting and shall be spaced a maximum of three (3) feet on center.

6. Ground Cover Plants

Ground cover plants shall be spaced so as to present a finished appearance and have reasonably complete coverage within one (1) year after planting. The use of any non-living ground cover such as mulch, gravel, rocks, etc. shall be in conjunction with living plants so as to cover exposed soil.

- E. Maintenance and Protection of Landscaping

1. The property Owner shall be responsible for the establishment and maintenance of all landscaped areas which shall be maintained in good condition so as to present a healthy, neat and orderly appearance, free of refuse, debris and weeds.
2. All required plant material that is newly-planted shall be watered by temporary or permanent irrigation systems consistent with 3a below until such time as they are established. Required plant material that fails establishment shall be replaced within thirty (30) days of written notification, or as reasonable determined by the County Administrator.
3. Irrigation in Site Development Projects

- a. High Volume irrigation shall be limited to no more than fifty percent (50%) of the total irrigated landscape area. All plantings shall be grouped according to similar water needs for efficient irrigation zones. Exempt from this requirement are golf courses, sports fields, Agriculture, Silviculture or systems using Reclaimed water.
 - b. Irrigation systems may consist of an automatic or manual underground systems, drip systems, quick coupling valves, hose bibs located within fifty (50) feet of all landscaping plant material or other systems as approved by the County Administrator.
 - c. A Low Volume irrigation systems shall be used wherever possible to minimize evaporation including in landscape and shrubbery beds.
 - d. The irrigation system shall use the lowest quality water available.
 - e. The irrigation system shall be designed to minimize adverse impacts to existing Trees and other vegetation to be preserved on the site. No irrigation shall be required within areas where existing vegetation is preserved.
 - f. Where Xeriscape or Florida Friendly landscaping is used to meet all the landscaping requirements, the County Administrator may waive the requirement for a permanent irrigation system as long as establishment of the planted materials is provided.
 - g. Irrigation systems shall be designed as to prevent spraying of water onto paved areas.
 - h. A functioning rain shutoff devise or soil moisture sensor shall be utilized in automatic irrigation systems.
4. Where necessary to prevent encroachment by parked or moving Vehicles into landscaped areas, wheel stops or curbs shall be used and shall measure a minimum of six (6) inches in height and six (6) inches in width.
 5. Paving, treating or covering a required landscaped area in a way that renders it impervious is prohibited.

F. Road Right-of-Way

1. Public and private road Right-of-Way may only contain Trees and other landscaping material after approved by the County Administrator in accordance with Part 6.04.00 Roadway, Drainage, & Utilities Standards. Provided their location does not present a traffic hazard, impede drainage, or adversely interfere with the use of the Right-of-Way by Utilities.
2. Written approval from the Florida Department of Transportation shall be required for all landscaping materials proposed for placement on State Highway System Rights-of-Way.

G. Scenic Highways and Scenic Roadways

1. Notwithstanding the provisions of the landscaping regulations of this Code, other landscaping standards shall apply to any Scenic Highway or Scenic Road designated in Appendix B of this Code to protect its special visual character.
2. Upon designation of any Scenic Highway or Scenic Roadway, all new Development, Permits, Improvements, including maintenance thereon, excluding individual single-family Lots created before September 15, 1999, shall be in accordance with the following standards and any other Roadway-specific, Board of County Commission approved plan for the designated Scenic Highway or Scenic Roadway.
 - a. Rural Scenic Highways or Roadways

Outside the Development Area Boundaries on the Future Land Use Map, a forty (40) foot minimum undisturbed scenic buffer shall be provided adjoining the Right-of-Way which shall be left in a natural state, unless actively used for agricultural purposes. Land in Agricultural Use may continue in Agricultural Use.

b. Residential Scenic Highways or Roadways

Within the Development Area Boundaries on the Future Land Use Map, a thirty (30) foot scenic buffer shall be provided with four (4) Canopy Trees and four (4) understory Trees per one hundred (100) linear feet. If street Trees do not exist in the undeveloped existing Right-of-Way the Developer shall provide one (1) street Tree for every fifty (50) linear feet. Where the existing vegetation meets or exceeds the buffer requirements stated above, in the Right-of-Way or thirty (30) foot scenic buffer, the existing vegetation shall remain undisturbed.

3. If the property has sufficient area for the scenic buffer, no Building Permits shall be issued that would result in encroachment of the buffer area. If the property does not have sufficient area for the scenic buffer, any Use permitted in the zoning district shall be allowed to encroach into this area the minimum amount necessary to meet other setback requirements subject to approval of a Non-Zoning Variance in accordance with the provisions of Section 10.04.03 of this Code.

Section 4. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Section 4.01.05.F Permit Application Procedures sub-section 1.a paragraph (4) is hereby deleted in its entirety and substituting the following in its stead:

- (4) A tally of Tree Inches of all Protected Trees to be Removed under the final approved Site Plan shall be submitted with landscape plans illustrating the maximum Tree Inches to be reasonable earned by replacement planted Trees. A twenty-five dollar (\$25) per lost Tree inch deficiency charge for any unavoidable loss shall be paid into the St. Johns County (SJC) Tree Bank Fund or replacement with new plantings equal to the number of Tree Inches lost before final Development Review approval of the development site. In the event that the development site is not adequately Treed, a minimum of eighty (80) Tree Inches per gross acre (or prorated portion thereon) shall exist after completion of Construction.

Construction of commercial projects shall be exempt from payment in the Tree Bank Fund for lost tree includes provided:

- (a) The project meets or exceeds the minimum eighty (80) Tree Inches per gross acre, and
- (b) All efforts have been reasonable made to replant within the development area, and
- (c) Any increase in paving above minimum standards must be approved by the Environmental Department.

Construction of Regional Parks shall be exempt from payment into the Tree Bank Fund for lost tree inches upon demonstration that all reasonable efforts have been made to replant within the development area. This exemption does not alleviate the requirement to meet the minimum eighty (80) Tree Inches per gross acre requirement as noted above.

Section 5. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Section 4.01.05.F Permit Application Procedures sub-section 1.d paragraph (4) is hereby deleted in its entirety and substituting the following in its stead:

- (4) A minimum of forty (40) Tree Inches per acre shall exist after completion of construction.

Construction for Arterial and Collector roadways shall be exempt from payment into the Tree Bank Fund for lost tree inches upon demonstration that all reasonable efforts have been made to replant within the development area. This exemption does not alleviate the requirement to meet the minimum forty (40) Tree Inch requirement as noted above.

Section 6. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Sub-Section 3.10.05.H Signage Standards paragraph 1 General Standards paragraph k in its entirety and substituting the following in its stead:

- k. Signage other than the types provided for in this section shall not be allowed within the Vilano Beach Town Center Overlay District. However, signage shall be allowed in accordance with Article VII Part 7.03.00 Special Use Signs, Part 7.04.00 Political Campaign Signs and Part 7.05.00 Special Event Signs.

Section 7. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Sub-Section 3.10.08.A.5 Administrative Requirements in its entirety and substituting the following in its stead:

5. Review Fees shall be assessed to applicants of development proposals within the Vilano Beach Town Center to offset cost of review of development plans. Any modification to this fee shall be by the Resolution amending The Schedule of Fees for certain County Departments. The fees will support expenses associated with the review of development and architectural plans by a licensed architect hired by St. Johns County to support and provide recommendations to the Design Review Board on Consistency with this section of the Code. The review fees will not be used to compensate member of the Design Review Board.

Section 8. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Article VII Signs in its entirety and by adding and substituting the following ARTICLE VII, attached hereto as Exhibit 1, and incorporated herein by reference in its stead.

Section 9. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting the definition of Xeriscape in Part 12.01.00 Definitions, in its entirety and substituting the following in its stead:

Xeriscape or Florida Friendly: Water conserving landscaping utilizing native or drought tolerant vegetation and water efficient irrigation systems.

Section 10. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by adding the definition of Florida Friendly, High Volume Irrigation, Low Volume Irrigation and Reclaimed water to Part 12.01.00 Definitions as follows:

Florida Friendly: See Xeriscape.

High Volume Irrigation: An irrigation system that does not limit the delivery of water to the root zone and typically has a minimum flow rate per emitter of more than 30 gph or higher.

Low Volume Irrigation: An irrigation system designed to limit the delivery of water within the root zone. Examples include drip, micro, trickle and soaker systems.

Reclaimed water: Treated wastewater.

Section 11. Severance Clause. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 12. Effective Date. This Ordinance shall take effect on June 16, 2009 or upon its being filed with the Department of State of Florida, which ever is later.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 16th day of June, 2009.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson
Cyndi Stevenson, Chairman

ATTEST: Cheryl Strickland, Clerk of Court

By: Yvonne King
Deputy Clerk

Effective Date: 06-24-09

RENDITION DATE 06-22-09



Exhibit 1 to Ordinance
Article VII – Signs
affected pages only

- C. A Billboard Structure with three (3) Faces forming a triangle "Δ" shape when viewed from above, with the Faces each within three (3) feet of the adjacent Face at the corners.

Sec. 7.01.03 General Requirements

- A. Height

Billboards shall not exceed thirty-five (35) feet in height; except those on Interstate 95 may rise to forty (40) foot maximum height. The height of a Billboard shall be measured from the crown of the road immediately adjacent to the structure; or from the existing natural grade immediately adjacent to the structure, whichever is higher.

- B. Size

A Billboard Facing area shall not exceed three hundred seventy-eight (378) square feet, exclusive of Embellishments; except those on Interstate 95 may be five hundred sixty (560) square feet, maximum area, excluding Embellishments.

- C. Materials

Billboards may be constructed upon wood poles, steel I-Beams or monopoles.

- D. Sign Structure

No portion of the Sign Structure shall be visible above any Advertising Display Area, excluding Embellishments; and no Billboard or supporting structure shall be above a building. No new building shall be hereafter permitted when any portion would be beneath any part of an existing Billboard.

- E. Movement

No Billboard shall be Erected, or any existing Billboard modified or operated, that incorporates Flashing, Scintillating, Beacon or Running Lights, Animated Copy, or any Automatic Changeable Message Device.

- F. Embellishments

Embellishments may be added to Billboard Facings, provided, however, such Embellishments shall not exceed ten percent (10%) of the total Advertising Display Area.

- G. Owner Identification

All Billboards Erected, operated and maintained within the County shall carry, and have displayed upon them, the Owner's name information displayed in such a manner as to provide clear readable visibility from the abutting road right-of-way during daylight hours.

- H. Multi-Message Faces

Nothing herein shall prohibit a Billboard Face displaying no more than two (2) horizontal side-by-side Advertising Messages of the same size and shape, excluding Embellishments,

facing the same direction.

I. Building Standards

Billboards shall be subject to the requirements of the Occupational Safety and Health Administration (OSHA) and the SFBC.

J. Lighting

Billboards may be lighted in accordance with Section 7.00.04 of this Article.

K. Non-conforming Billboards

Any Billboard Face or structure failing to meet all requirements of this Article on the effective date of this Code shall become Non-conforming.

Sec. 7.01.04 Established Setbacks and Spacing (See Appendix GD for Illustration)

A. Right-of-ways

No part of a Billboard or supporting structure shall be Erected within fifteen (15) feet of the right-of-way of an interstate highway, federal-aid primary highway, or other right-of-way.

B. Separation from Residential Property

No part of a Billboard or supporting structure shall be Erected within one hundred (100) feet of any property zoned to allow residential Use as a principal Use.

C. Public Facilities

No part of a Billboard or supporting structure shall be located within one hundred (100) feet of the nearest property lines of any public park, municipal, county, state or federal building, religious institution or any public or private school.

D. Corner Lots

On any corner lot, no Billboard shall be Erected or project within the triangular area formed by the street right-of-way lines and a line connecting them at points fifty (50) feet from the corner formed by the intersection of the street right-of-way lines.

E. Spacing

No part of a Billboard or an On-Premise Sign exceeding three hundred (300) square feet, or their supporting structures shall be permitted or Erected unless all the required distances to the nearest existing Billboard and/or to the nearest existing On-Premise Sign that exceeds three hundred square feet is assured as provided herein. For the purposes of the following subsections to this subsection E, the word Billboard shall be deemed to mean and shall include Billboards and On-Premise Signs that exceed three hundred (300) square feet.

1. Along Interstates

7.01.05 E. above shall be adjusted based upon use of the one most severe applicable compliance factors below:

1. Proposed Faces fully compliant with this Code shall have Classification Points equal to the Raw Point total.
2. Existing Faces:
 - a. Still fully compliant with this Code shall have Classification Points equal to the Raw Point total.
 - b. Now noncompliant by virtue of excess height or size only, shall have the Raw Point total reduced by a 0.75 multiplier to determine Classification Points.
 - c. Now noncompliant by virtue of existence in land Use (zoning) category not allowing Billboards in this Code, shall have the Raw Point total reduced by a 0.62 multiplier to determine Classification Points.

G. Application Methodology:

1. After nominations of registered Billboards by Owners seeking a new Billboard permit or Billboard removal permit, the Classification Point information on Registered Swapdown Billboards shall be provided to the Owners or applicant or designee in accordance with Section 7.01.05 E and F. Joint onsite visits to nominated Swapdown Billboards shall be made or scheduled within three (3) working days of the Owner's request to the County Administrator to resolve questioned Classification decisions. The final Classification Points shall be those utilized in Swapdowns for new permitted Billboard Faces. Appeals on Classification Points shall be heard by the Adjustment and Appeals Board under the SFBC for technical matters within fourteen (14) days of the applicant's written request to the County Administrator. No Classification Points shall be allowed on unregistered Billboards.
2. Owners of existing Billboards may apply for County building permits to voluntarily remove Billboards before submitting an application for a new conforming Billboard. Classification Points for such early removals shall be credited to the Billboard Owner for future Swapdown use. Said building permit numbers shall be the tracking numbers used by the County Administrator and by Owners to determine and monitor Classification Points credited and banked for future use by the Owner. Such banked points shall expire two (2) years after the date of the permit authorizing Billboard removal for removals completed after the date of the permit authorizing Billboard removal thereafter, if not used in Swapdown on a new Billboard permit.
3. No Classification Points shall be earned or assigned to any Billboard lost by abandonment, removal pursuant to development approval, or adversely affected by any means so that fifty percent (50%) or more of uprights supporting advertising Faces are not longer serviceable. Furthermore, no Classification Points shall be given for removals required when a Billboard land lease is not renewed by the land Owner.
4. Nothing herein shall prohibit one Owner assigning or conveying by any notarized written means its unused credited Classification Points to another Billboard Owner

for Swapdown use by the subsequent Owner.

5. Via certified mail to the Owner, the County Administrator shall document, for the Owner's credit, any excess points from Swapdown Billboard removal, should the new proposed Billboard require fewer Classification Points than those removed.

H. Examples of Billboards rated by Raw Points, Classification Points, and Swapdown use are detailed in Appendix ~~F~~G.

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 **ULINDA E VERSTRAATE**

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 **DISPLAY AD**

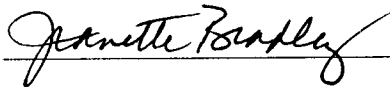
In/the matter of **NOTICE OF PUBLIC HEARINGS**

was published in said newspaper **APRIL 20, 2009**

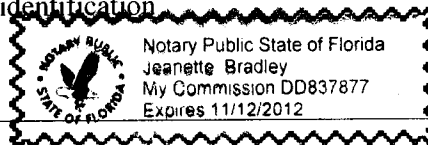
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 21st day of **APRIL 2009**

by Ulinda E Verstraate who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification



(Signature of Notary Public)
JEANETTE BRADLEY



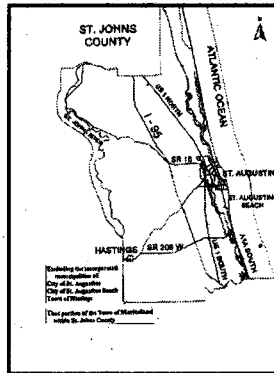
(Seal)

NOTICE
OF PUBLIC HEARINGS OF
THE ST. JOHNS COUNTY BOARD OF COUNTY
COMMISSIONERS ON ESTABLISHMENT OF
ORDINANCE/REGULATIONS AFFECTING THE
USE OF LAND

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at a regular meeting on Tuesday, May 5, 2009 at 5:30 p.m. and Tuesday, June 16, 2009 at 9:00 a.m. in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida will hold public hearings to consider adoption of the following proposed ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE II – ZONING DISTRICTS AND SPECIAL USES; ARTICLE III – SPECIAL DISTRICT; ARTICLE IV – NATURAL RESOURCES; ARTICLE V – DEVELOPMENT OPTIONS; ARTICLE VI – DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS; ARTICLE VII – SIGNS; ARTICLE X – INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT; ARTICLE XII – DEFINITIONS; OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES SPECIFICALLY PART 2.03.00 SPECIAL USES; AMENDING ARTICLE III SPECIAL DISTRICTS SPECIFICALLY PART 3.10.00 NORTH COASTAL CORRIDOR OVERLAY DISTRICT; VILANO TOWN CENTER OVERLAY, AMENDING ARTICLE IV NATURAL RESOURCES, SPECIFICALLY PART 4.01.00 NATURAL RESOURCES, AMENDING ARTICLE V DEVELOPMENT OPTIONS SPECIFICALLY PART 5.03.00 PLANNED UNIT DEVELOPMENT (PUD) DISTRICTS, AND PART 5.04.00 PLANNED RURAL DEVELOPMENT (PRD) DISTRICTS, AMENDING ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS SPECIFICALLY PART 6.06.00 LANDSCAPING AND BUFFERING REQUIREMENTS; AMENDING AND CONSOLIDATING ARTICLE VII SIGNS SPECIFICALLY PART 7.01.00 BILLBOARD SIGN PROVISIONS; AMENDING ARTICLE X INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT SPECIFICALLY PART 10.04.00 VARIANCES; AND AMENDING ARTICLE XII DEFINITIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, and may be examined by parties interested prior to the said public hearings. Please take note that the proposed ordinance is subject to revision prior to the hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearings.



If a person decides to appeal any decision made with respect to any matter considered at the hearings, such person will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the 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 ADA Coordinator, at (904) 209-0650 at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the meeting.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Patricia DeGrande, Deputy Clerk

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 **ULINDA E VERSTRAATE**

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 **DISPLAY AD**

In/the matter of **NOTICE OF PUBLIC HEARINGS**

was published in said newspaper **APRIL 20 & JUNE 2, 2009**

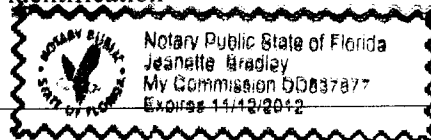
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 2ND day of **JUNE 2009**

by Ulinda E Verstraate who is personally known to me
or who has produced **PERSONALLY KNOWN** as identification

Jeanette Bradley

(Signature of Notary Public)
JEANETTE BRADLEY



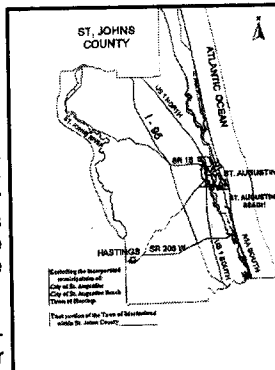
(Seal)

NOTICE
OF PUBLIC HEARINGS OF
THE ST. JOHNS COUNTY BOARD OF COUNTY
COMMISSIONERS ON ESTABLISHMENT OF
ORDINANCE/REGULATIONS AFFECTING THE
USE OF LAND

NOTICE IS HEREBY GIVEN that the Board of County Commissioners of St. Johns County, Florida, at a regular meeting on Tuesday, May 5, 2009 at 5:30 p.m. and Tuesday, June 16, 2009 at 9:00 a.m. in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida will hold public hearings to consider adoption of the following proposed ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE II – ZONING DISTRICTS AND SPECIAL USES; ARTICLE III – SPECIAL DISTRICT; ARTICLE IV – NATURAL RESOURCES; ARTICLE V – DEVELOPMENT OPTIONS; ARTICLE VI – DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS; ARTICLE VII – SIGNS; ARTICLE X – INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT; ARTICLE XII – DEFINITIONS; OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS PREVIOUSLY AMENDED; **THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES SPECIFICALLY PART 2.03.00 SPECIAL USES; AMENDING ARTICLE III SPECIAL DISTRICTS SPECIFICALLY PART 3.10.00 NORTH COASTAL CORRIDOR OVERLAY DISTRICT; VILANO TOWN CENTER OVERLAY, AMENDING ARTICLE IV NATURAL RESOURCES, SPECIFICALLY PART 4.01.00 NATURAL RESOURCES, AMENDING ARTICLE V DEVELOPMENT OPTIONS SPECIFICALLY PART 5.03.00 PLANNED UNIT DEVELOPMENT (PUD) DISTRICTS, AND PART 5.04.00 PLANNED RURAL DEVELOPMENT (PRD) DISTRICTS, AMENDING ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS SPECIFICALLY PART 6.06.00 LANDSCAPING AND BUFFERING REQUIREMENTS; AMENDING AND CONSOLIDATING ARTICLE VII SIGNS SPECIFICALLY PART 7.01.00 BILLBOARD SIGN PROVISIONS; AMENDING ARTICLE X INTERPRETATIONS, EQUITABLE RELIEF, AND ENFORCEMENT SPECIFICALLY PART 10.04.00 VARIANCES; AND AMENDING ARTICLE XII DEFINITIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.**

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, and may be examined by parties interested prior to the said public hearings. Please take note that the proposed ordinance is subject to revision prior to the hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearings.



If a person decides to appeal any decision made with respect to any matter considered at the hearings, such person will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the 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 ADA Coordinator, at (904) 209-0650 at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084. For hearing impaired individuals: Telecommunication Device for the Deaf (TDD): Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the meeting.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
 By: Patricia DeGrande, Deputy Clerk



FLORIDA DEPARTMENT OF STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

July 16, 2009

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

2009 JUL 21 PM 12:12
CHERYL STRICKLAND
CLERK COUNTY COMMISSION
ST. JOHNS COUNTY FL

FILED

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 July 14, 2009 and certified copies of St. Johns County Ordinance Nos. 2009-28 and 2009-30 through 2009-32, which were filed in this office on July 15, 2009.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

DIRECTOR'S OFFICE

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

LEGISLATIVE LIBRARY SERVICE
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282