

ORDINANCE NO. 2010- 36

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 2015 FUTURE LAND USE MAP FROM INDUSTRIAL (I) TO RESIDENTIAL C (RES C) AND INTENSIVE COMMERCIAL (IC), TO ADD NEW POLICY A.1.11.1(H)(8)(E) AND TO AMEND THE COUNTY FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS TO ADD THE PHASE I SR 313 IMPROVEMENTS FOR A PARCEL TOTALING APPROXIMATELY 382 ACRES, FOR LANDS LOCATED WEST OF US 1 NORTH BETWEEN BIG OAK ROAD & INTERNATIONAL GOLF PARKWAY; PROVIDING FOR FINDINGS OF FACT, 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, Sections 163.3184, 163.3187, and 163.3189, Florida Statutes, provide the process for the adoption of Comprehensive Plan amendments; and

WHEREAS, this amendment to the comprehensive plan is made in conjunction with the adoption of a Development of Regional Impact Development Order for a development known as Cordova Palms; 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 Ordinance is hereby amended as follows:

- 1) Change the 2015 Future Land Use Map designation from Industrial (I) to Residential C (Res C) and Intensive Commercial (IC) for property located west of US 1 North between Big Oak Road and International Golf Parkway, as shown on **EXHIBITS A and B**.
- 2) Add new Comprehensive Plan Future Land Use Element Policy A.1.11.1(h)(8)(e), as set forth on **EXHIBIT C**.
- 3) Amend the St. Johns County Five-Year Capital Improvement Schedule to add the Phase I SR 313 Improvements as set forth on **EXHIBIT D**.

SECTION 2. The 2015 Comprehensive Plan amendments described in Section 1 are based on the following Findings of Fact:

- a. The amendments were fully considered after public hearing pursuant to legal notice duly published as required by law.

- b. The amendments are consistent with State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan, and Rule 9J-5, Florida Administrative Code.
- c. The amendments are consistent with the applicable sections of the St. Johns County Comprehensive Plan and the St. Johns County Land Development Code.

SECTION 3. The remaining portions of the St. Johns County Comprehensive Plan, Ordinance 2000-34, the 2015 Future Land Use Map, and the Five-Year Capital Improvement Schedule, all as amended, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 4. Should any section, subsection, sentence, clause, phrase or portion of this Ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

SECTION 5. The amendments 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 amendments 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 Administrative Commission issues a final order determining the adopted amendments to be in compliance in accordance with Section 163.3184(10), Florida Statutes.

SECTION 6. 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 17th DAY OF August 2010.

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

BY: *Ron Sanchez*
Ron Sanchez, Chair

Rendition Date: August 19, 2010

ATTEST: Cheryl Strickland, Clerk

BY: *Cheryl Strickland*
Deputy Clerk



Effective Date: October 29, 2010

EXHIBIT A
Legal Description



Robert M. Angas Associates, Inc.
Land Surveyors, Planners and Civil Engineers
Since 1924

14775 Old St. Augustine Road
Jacksonville, FL 32258
Tel: (904) 642-8550
Fax: (904) 642-4165

December 10, 2009
Lemberg North

W.O. 09-175.00
File No. 120H-07A

Cordova Palms DRI

All of fractional Section 10, all of Government Lots 1, 2 and 3, and a portion of Government Lots 5 and 7, Section 15, together with a portion of the Pablo Sabate Grant, Section 50, all lying in Township 6 South, Range 29 East, St. Johns County, Florida, also being a portion of those lands described and recorded in Official Records Book 3012, page 1645 of the Public Records of said county, being more particularly described as follows:

For a Point of Beginning, commence at the Southwest corner of said Section 10, thence North $01^{\circ}59'46''$ West, along the Westerly line of said Section 10, said line being the Easterly line of those lands described and recorded in Official Records Book 1549, page 996 and Official Records Book 769, page 379 of said Public Records, a distance of 2509.17 feet; thence North $41^{\circ}53'21''$ East, departing said Westerly line, 538.62 feet to a point lying on the Southwesterly right of way line of the Florida East Coast Railroad, a 100 foot right of way as presently established; thence South $37^{\circ}52'52''$ East, along said Southwesterly right of way line, 7066.83 feet; thence South $71^{\circ}29'36''$ West, departing said Southwesterly right of way line, 1312.47 feet; thence South $04^{\circ}55'38''$ East, 457.41 feet; thence South $59^{\circ}08'21''$ West, 494.22 feet; thence South $58^{\circ}21'45''$ West, 904.03 feet; thence South $89^{\circ}51'18''$ West, 805.99 feet to a point lying on the Easterly line of those lands described and recorded in Official Record Book 1905, page 268 of said Public Records; thence North $00^{\circ}53'35''$ West, along said Easterly line, 1630.18 feet to the Northeasterly corner of said Official Record Book 1905, page 268; thence South $89^{\circ}13'09''$ West, along the Northerly line of said Official Record Book 1905, page 268, a distance of 1339.65 feet to a point lying on the Easterly line of Section 16, said Township and Range; thence North $00^{\circ}53'21''$ West, along said Easterly line of Section 16, continuing along said Northerly line of Official Record Book 1905, page 268, and said Easterly line of Official Records Book 1549, Page 996, a distance of 2659.81 feet to the Point of Beginning.

Containing 381.76 acres, more or less.

EXHIBIT B
Amended Future Land Use Map

(INSERT)

EXHIBIT B
Amended Future Land Use Map

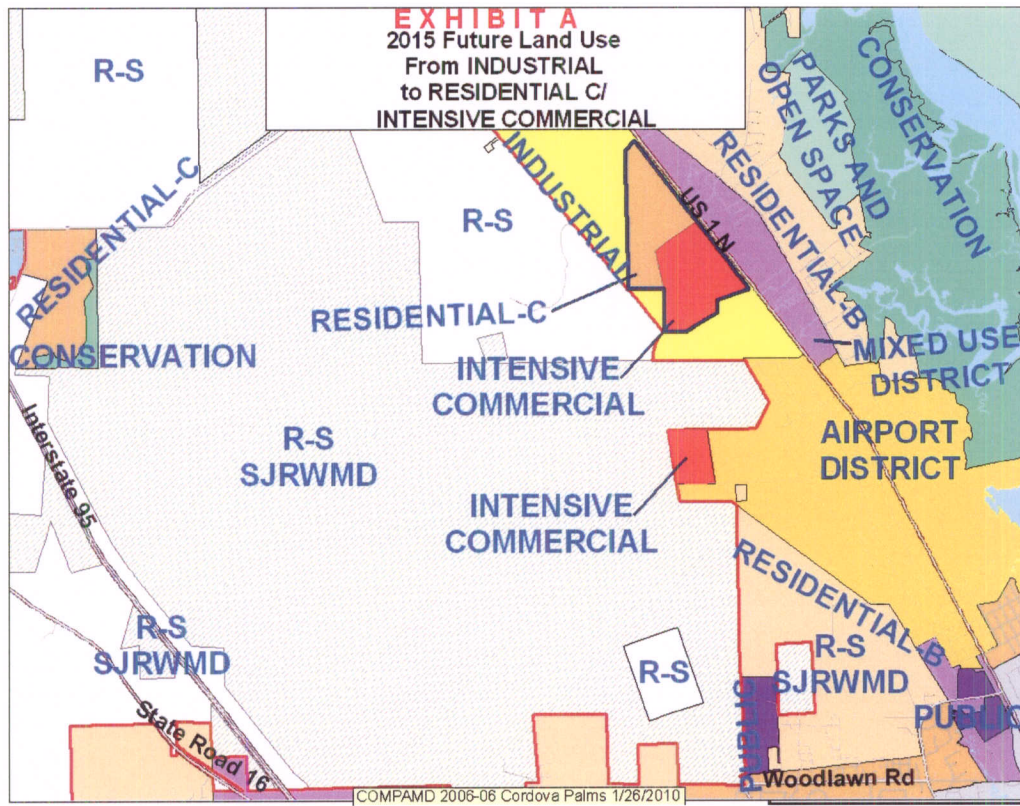


EXHIBIT C
Future Land Use Element Policy A.1.11.1(b)(8)(e)

The Cordova Palms DRI property legally described in Ordinance 2010-36 is assigned the future land use designations of Residential C and Intensive Commercial as shown on the Future Land Use Map. Residential use on the Cordova Palms DRI property shall be limited to a maximum of 750 multi-family residential units, or some combination of single family and/or multi-family residential units that will have the same or less net impact as 750 multi-family residential units on those public facilities and services with an adopted level of service. The maximum floor area of development within the Intensive Commercial future land use designation shall be 0.75. Proposed changes to increase the allowed development density is subject to the provisions of Chapter 163, Florida Statutes, regarding large-scale amendments to the Comprehensive Plan.

EXHIBIT D
Amended St. Johns County Five-Year Capital Improvements Schedule

EXHIBIT "A" – ORDINANCE NO. 2010 - 36
ST. JOHNS COUNTY FIVE YEAR CAPITAL IMPROVEMENT SCHEDULE
SUPPORTING LEVEL OF SERVICE STANDARDS

SR A1A/Mickler Rd Intersection Imp-Add turn lanes and signalization-FDOT	0	2,921,938	0	0	0	0	2,921,938	FDOT
US 1 at IGP Intersection Imp-construct add/drop lanes NB and SB on US 1, second left turn lane NB and EB, right turn lane EB, and merge lane WB incl. R/R crossing upgrade-HE Wolfe/Saint Johns DRI	0	0	0	455,056	1,866,944	0	2,322,000	PRI
US 1 at Lewis Point Rd Intersection Imp-add SB aux through lane-SR207 ClG	0	0	0	727,276	0	0	727,276	PRI
US 1 at Wildwood Rd Intersection Imp-add SB through aux lane-SR 207 ClG	0	0	0	1,552,601	0	0	1,552,601	PRI
Wildwood Dr at Plantation Dr and Osceola Trl Intersection Imp-add left turn lanes-SR 207 ClG	0	0	0	1,049,085	0	0	1,049,085	PRI
SR 313-Construct new 4 lanes from US 1 to Cordova Palms entrance (N-S Spine Road)				3,362,412			3,362,412	PRI
SR 313-Construct new 2 lanes from Cordova Palms Entrance to Big Oak Rd				8,240,738			8,240,738	PRI
Subtotal								
Total								
Funding Source Key:								
WS-Water and Sewer Enterprise Fund				CIP-County Capital Improvement Program				
GCR – Golf Course Revenue Fund				FIND-Florida Inland Navigation District				
DON-Donation				FRDAP-Florida Recreational Development Assistant Program				
GRA-Federal/State Grant				L&WCF-Land and Water Conservation Fund				
GH-General Fund				OGT-RTP-Office of Greenways & Trails-Recreational Trail Program				
TDC-Tourist Development Council				FDEP-Florida Department of Environmental Protection				
IF-Impact Fees				NSB-National Scenic Byway Grant				
TIF-Transportation Improvement Fund				FDOT-Florida Department of Transportation				
FBIP-Florida Boating Improvement Program				BOND-Countywide 6 cent Local Option Gas Tax Bond				
PRl-Private/Development Funded								

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 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 HEARING –COMPAMD 2006-06**

CORDOVA PALMS was published in said newspaper **JULY 21, 2010**

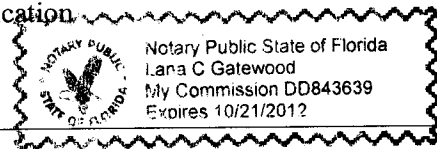
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post 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 13th day of **AUGUST, 2010**

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

Lana C. Gatewood

(Signature of Notary Public)



(Seal)

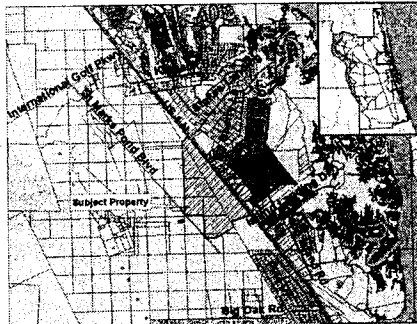
NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF PROPOSED AMENDMENTS TO THE ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on **Thursday, August 5, 2010 at 1:30 pm.**, and the Board of County Commissioners on **August 17, 2010 at 9:00 a.m.**, will hold public hearings to consider an adoption of proposed amendments to the St. Johns County 2015 Comprehensive Plan with the following styled ordinance:

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 2015 FUTURE LAND USE MAP FROM INDUSTRIAL (I) TO RESIDENTIAL C (RES C) INTENSIVE COMMERCIAL (IC) TO ADD NEW POLICY A.1.11.1 (H) (8) (E) AND TO AMEND THE COUNTY FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS TO ADD THE PHASE I SR 313 IMPROVEMENTS FOR A PARCEL TOTALING APPROXIMATELY 382 ACRES, FOR LANDS LOCATED WEST OF US 1 NORTH BETWEEN BIG OAK ROAD & INTERNATIONAL GOLF PARKWAY; PROVIDING FOR FINDINGS OF FACT, SEVERABILITY AND AN EFFECTIVE DATE.

The proposed request is to amend the 2015 Future Land Use Map from Industrial to Residential C and Intensive Commercial with an accompanying text amendment. The proposed amendment includes changes to the Goals, Objectives and Policies to limit the maximum development on the subject property. Said hearings will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding the proposed amendment. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The property that is the subject of the above noticed public hearing includes **382 acres** and the requested change affects property located west of US 1 North between Big Oak Road & International Golf Parkway. A complete description is available in the St. Johns County Planning Office. See map generally depicting the location, Exhibit A.



The proposed amendment and ordinance is known as File Number **COMPAMD 2006-06**, and is available for review at the local County Planning Office and may be examined by interested parties prior to said public hearings.

Interested parties may appear at the meeting and be heard with respect to the proposed amendment and ordinance.

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 or an interpreter to participate in this proceeding should contact the County's ADA Coordinator at (904) 209-0650 or at the County Administration Building, 500 Sebastian View, St. Augustine, Florida, 32084. Hearing impaired persons, call Florida Relay Service (1 800 955 8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
BRAD NELSON, CHAIR
COMPAMD 2006-06 Cordova Palms

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
RON SANCHEZ, CHAIR



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

DAWN K. ROBERTS
Interim Secretary of State

August 23, 2010

Ms. Cheryl Strickland
Secretary
St. Johns County Board of County Commissioners
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk, Minutes and Record Division

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated August 20, 2010 and certified copies of St. Johns County Ordinance Nos. 2010-31 through 2010-38, which were filed in this office on August 23, 2010.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

FILED
2010 AUG 26 PM 3:14
CLERK OF COUNTY COMMISSION
ST. JOHNS COUNTY FL

DIRECTOR'S OFFICE

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