

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING PARTS OF ARTICLE II – ZONING DISTRICTS AND SPECIAL USES, ARTICLE VI - DESIGN STANDARDS AND IMPROVEMENTS REQUIREMENTS, 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, PART 2.03.00 SPECIAL USES, SPECIFICALLY SECTION 2.03.15 OFF-SITE PARKING AND UNPAVED PARKING LOTS, AMENDING ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS, PART 6.01.00 DISTRICT PERFORMANCE AND DIMENSIONAL STANDARDS, SPECIFICALLY SECTION 6.01.03.H PERMITTED PROJECTIONS INTO REQUIRED YARDS; PART 6.04.00 ROADWAYS, DRAINAGE & UTILITIES STANDARDS, SPECIFICALLY SECTION 6.04.05.C DRIVEWAY DESIGN AND SECTION 6.04.06.F.7 ACCESS AND MAINTENANCE EASEMENTS; PART 6.05.00 PARKING AND LOADING, SPECIFICALLY SECTION 6.05.02.H.1 AND 6.05.02.H.2 PARKING AREA DESIGN STANDARDS; AND PART 6.08.00 SUPPLEMENTAL DESIGN STANDARDS FOR SPECIFIED USES, SPECIFICALLY SECTION 6.08.42 USE OF UNPAVED PARKING, AMENDING ARTICLE VII SIGNS SPECIFICALLY PART 7.09.00 NON-CONFORMING SIGNS; AND AMENDING ARTICLE XII; SPECIFICALLY PART 12.01.00 DEFINITIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, local land development regulations require evaluation and revision to address public health, safety and welfare issues that may occur during the implementation of land development regulations such as the promotion of Low Impact Development and Green standards; and

**WHEREAS**, the clarification of Design Standards and Improvements are found necessary for a properly balanced environment to address impacts on business development; and in order to establish a method to evaluate equivalent improvements, standards, and alternative materials for the use of unpaved parking; and

**WHEREAS**, the County believes that Articles VI and XII of the County’s current Land Development Code can be further improved by modifications herein; and

**WHEREAS**, it is found that the hereinafter Ordinance provisions are consistent with and restore and implement provisions of the 2025 Comprehensive Plan Amendment of St. Johns County as adopted and enacted on August 17, 2010;

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 the following to subsection 2.03.15:

- E. Applications for unpaved parking may be approved by the County Administrator or designee in accordance with all requirements of Sections 6.05.02.H.1 and 6.08.42 of the Land Development Code.

Section 2. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended deleting in its entirety and substituting the following subsection 6.01.03.H.3:

#### H. Permitted Projections Into Required Yards

##### 3. Covered Patios and Covered Pools:

###### Rear Yard(s)

Covered Patios, Covered Pools and similar Structures, as defined in Article XII, may project into the required Rear Yard but shall not be located within ten (10) feet of any Lot for any Zoning District requiring a Rear Yard setback twenty (20) feet or greater and shall not be located within five (5) feet of any Lot for any Zoning District requiring a Rear Yard setback less than twenty (20) feet.

###### Side Yard(s)

Covered Patios, Covered Pools, and similar Structures, as defined in Article XII, may project into the required Side Yard but shall not be located within five (5) feet of any Lot.

###### Through Lots

Covered Patios, Covered Pools, and similar Structures, as defined in Article XII, may project into the required Front Yard which functions as a Rear Yard and has no access to a Street but shall not be located within ten (10) of any Lot.

Section 3. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by adding the following to subsection 6.04.05.C:

#### C. Driveway Design

- 5. Positive drainage shall be maintained at all times regardless of distance from the property line.

Section 4. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by adding the following to subsection 6.04.06.F.7.b:

#### F. Minimum Design Standards

7. Access and Maintenance Easements

b. Building and Accessory Structures such as, but not limited to, decks, concrete pads, must be a minimum of three (3) feet from side and rear property lines except as provided in Section 2.02.04.B. Positive drainage shall be maintained at all times regardless of distance from the property line.

Section 5. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by adding the following to subsections 6.05.02.H.1 and 2:

H. Parking Area Design Standards

1. Except for Single Family and Two Family Dwellings, non-commercial boat docks and piers, Agricultural and Related Uses, and those Uses listed under Section 6.08.42, every off-street Parking Area and Vehicular Use Area shall be surfaced with asphaltic or Portland cement binder pavement or an equivalent Improvement, so as to provide a durable and dustless surface with adequate drainage and Stormwater management provisions as required by Section 6.04.06, unless a Special Use Permit has been approved, pursuant to Section 2.03.15 of this Code. In making a determination as to the suitability of an equivalent Improvement, the County Administrator or designee shall find that such Improvement:
2. Parking for seasonal Uses or Special Events may be exempted from the paving requirements above if approved pursuant to a Temporary Use Permit as provided in Section 2.02.05. Such Uses shall provide for a safe surface and an adequate number of parking spaces suitable to accommodate traffic.

Section 6. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by adding the following in its stead:

Sec. 6.08.42 Unpaved Parking

A. Intent and Purpose

1. It is the intent of this Section to promote the health, safety, and general welfare of the citizens of St. Johns County by regulating the Use of unpaved parking and Vehicular Use Areas to accomplish the following purposes:
  - a. To provide uniform standards for the use of unpaved parking with the County; and
  - b. To protect the natural environment and aesthetic character of the County by regulating the design of unpaved parking and Vehicular Use Areas, providing special attention to Churches, Parks/recreational facilities, Primitive Campgrounds, maintenance/utility facilities, equestrian facilities, environmentally sensitive Projects, and other substantially similar Uses which do not have considerations related to size, use, safety, compatibility, or intensity of Use that would more appropriately require a Special Use Permit (SUP).

B. Applicability

All new unpaved parking and Vehicular Use Areas shall be subject to these regulations and all other applicable Building and Construction codes. In the event of any conflict, the provisions of this Section shall supersede such other regulations unless otherwise specifically set forth herein.

#### C. Minimum Application Requirements

A site plan showing areas to be unpaved, and all other proposed Improvements must be submitted meeting requirements established by the St. Johns County Development Plan Review and Approval Procedures and the following minimum requirements:

1. The Parking and Vehicular Uses Areas shall be stabilized with materials such as coquina, crushed stone, or gravel in a manner acceptable to the County Administrator or designee;
2. The access apron leading from unpaved areas into a County or State maintained Roadway shall be paved so as to not damage the Roadway. Access aprons leading from unpaved areas into Private maintained Roadways are encouraged to be paved;
3. In all cases, parking and accessibility requirements in compliance with the Americans with Disabilities Act (ADA) shall be satisfied;
4. Unpaved Parking and Vehicular Use Areas are considered Impervious Surfaces for stormwater management purposes, and
5. All surfaces subject to use by Fire Service and EMS must have the ability to support an 80,000 pound Vehicle.

Section 7. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Section 7.09.01.D in its entirety and substituting the following in its stead:

#### D. Future Compliance

All Non-conforming Signs shall be removed or brought into compliance with this Code within fifteen (15) years of the adoption of this Code, except for those protected by Section 479.15(2), F.S. In the event a Non-conforming Sign is located on a property that is proposing to repair, replace or increase a main Use Structure on the site by more than fifteen percent (15%) of the current just value of the structure, all non-conforming signs shall be brought into compliance with this Code. The provisions of this section shall not preclude regular Maintenance and upkeep, including but not limited to repainting, for the operation and life of the Sign.

Section 8. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by adding the following definitions to Article XII:

**Impervious Surface Area (ISA):** the sum of all Impervious Surfaces within a portion or portions of a proposed Development site or Project.

**Impervious Surface Ratio (ISR):** the ISR shall be calculated by dividing the total Impervious Surface Area, exclusive of the surface area of any wet retention/detention areas, by the total area of the proposed Development site or Project.

Section 9. 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 10. Effective Date. This Ordinance shall take effect on Oct 4, 2011 or upon its being filed with the Department of State of Florida, whichever is later.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 4<sup>th</sup> day of October, 2011.

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: J. Ken Bryan  
J. Ken Bryan, Chair

ATTEST: Cheryl Strickland, Clerk of Court

By: Ulenne King  
Deputy Clerk

Effective Date: 10/13/11

RENDITION DATE 10/10/11



SJC MINUTES & RECORDS C/O CLERK  
ATTN MS.P DEGRANDE  
500 SAN SEBASTIAN VIEW  
SAINT AUGUSTINE FL 32084

Ref.#: L2429-11  
P.O.#: L2429-11

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 **SHAWNE' H ORDONEZ**

who on oath says that he/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 of **LDC ARTII VI VII XII - HEARING OCTOBER 4, 2011**

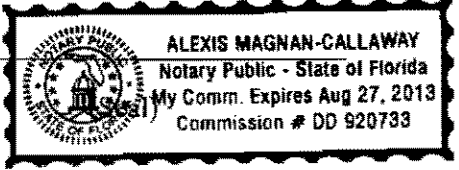
was published in said newspaper on **09/21/2011**

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 has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he/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 23<sup>rd</sup> day of September 2011

by Shawne' H. Ordonez who is personally known to me or who has produced as identification

Alexis Magnan-Callaway  
(Signature of Notary Public)



**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 proceeding should contact ADA Coordinator, at (904) 289-0650 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: 1-800-955-8778, 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: Yvonne King, Deputy Clerk  
L2429-11 Sep 21, 2011

**NOTICE OF PUBLIC HEARING 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, October 4, 2011 at 8:01 p.m. in the County Auditorium of the County Administration Building, 500 San Sebastian View, St. Augustine, Florida will hold a public hearing 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 PARTS OF ARTICLE II ZONING DISTRICTS AND SPECIAL USES, ARTICLE VI-DESIGN STANDARDS AND IMPROVEMENTS 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, PART 2.03.00 SPECIAL USES, SPECIFICALLY SECTION 2.03.15; AMENDING ARTICLE VI DESIGN STANDARDS AND IMPROVEMENTS REQUIREMENTS, PART 6.01.00 DISTRICT PERFORMANCE AND DIMENSIONAL STANDARDS, SPECIFICALLY SECTION 6.01.03.H PERMITTED PROJECTIONS INTO REQUIRED YARDS; PART 6.04.00 ROADWAYS, DRAINAGE AND UTILITIES STANDARDS, SPECIFICALLY SECTION 6.04.00.C DRIVEWAY DESIGN AND SECTION 6.04.00.F.7 ACCESS AND MAINTENANCE EASEMENTS;**

**PART 6.05.00 PARKING AND LOADING, SPECIFICALLY SECTION 6.05.02.H.1 AND 6.05.02.H.2 PARKING AREA DESIGN STANDARDS; PART 6.06.00 SUPPLEMENTAL DESIGN STANDARDS FOR SPECIFIED USES, SPECIFICALLY SECTION 6.06.02 UNPAVED PARKING; AMENDING ARTICLE VII SIGNS, SPECIFICALLY PART 7.09.00 NON-CONFORMING SIGNS, AND AMENDING ARTICLE XII; SPECIFICALLY PART 12.01.00 DEFINITIONS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR 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 hearing. 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 hearing.

If a person decides to appeal any decision made with respect to any matter considered at the hearing, such person will need a record of the proceedings, and for such purpose 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.



**FLORIDA DEPARTMENT of STATE**

**RICK SCOTT**  
Governor

**DIVISION OF LIBRARY AND INFORMATION SERVICES**

**KURT S. BROWNING**  
Secretary of State

October 14, 2011

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

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

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated October 11, 2011 and certified copies of Ordinance Nos. 2011-34, 2011-35, 2011-36, 2011-37 and 2011-38, which were filed in this office on October 13, 2011.

Sincerely,

*Liz Cloud* (ak)  
Liz Cloud  
Program Administrator

LC/jw

2011 OCT 19 PM 2:45  
DIVISION OF LIBRARY AND INFORMATION SERVICES  
STATE OF FLORIDA

