

ORDINANCE NO. 2016 - 48

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM COMMUNITY COMMERCIAL (CC) TO MIXED USE (MD) FOR APPROXIMATELY 9.9 ACRES OF LAND LOCATED SOUTH OF STATE ROAD 16; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 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;

WHEREAS, Section 163.3184 and 163.3187 Florida Statutes provide 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 Comprehensive Plan is amended to change the Future Land Map designation from **Community Commercial (CC)** to **Mixed Use (Md)** on approximately 9.9 acres of land located south of State Road 16 and immediately east of the County Road 2209 Right of Way, as described and shown on the attached **EXHIBIT A, and B.**

SECTION 2. The 2025 Comprehensive Plan amendment described in Section 1 is based upon 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 Northeast Florida Strategic Regional Policy Plan.
- (c) The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.

SECTION 3. The remaining portions of the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended and the 2025 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 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 portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

SECTION 5. These amendments to the St. Johns County Comprehensive Plan shall be effective 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely, challenged, within 30 days after adoption, the amendment does not become effective

until the state land planning agency or Administration Commission enters a final order determining the adopted amendment to be in compliance.

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 20th DAY OF September 2016.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: [Signature]
Chair

REVISION DATE Sept. 22, 2016

ATTEST: HUNTER S CONRAD, Clerk

BY: [Signature]
Deputy Clerk

Effective Date: October 21, 2016

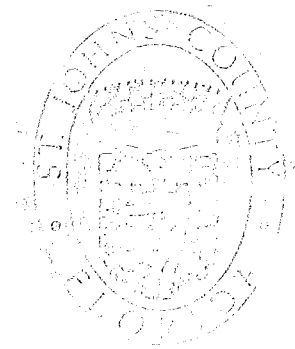


EXHIBIT A

2025 Future Land Use
From Community Commercial
to Mixed-Use District

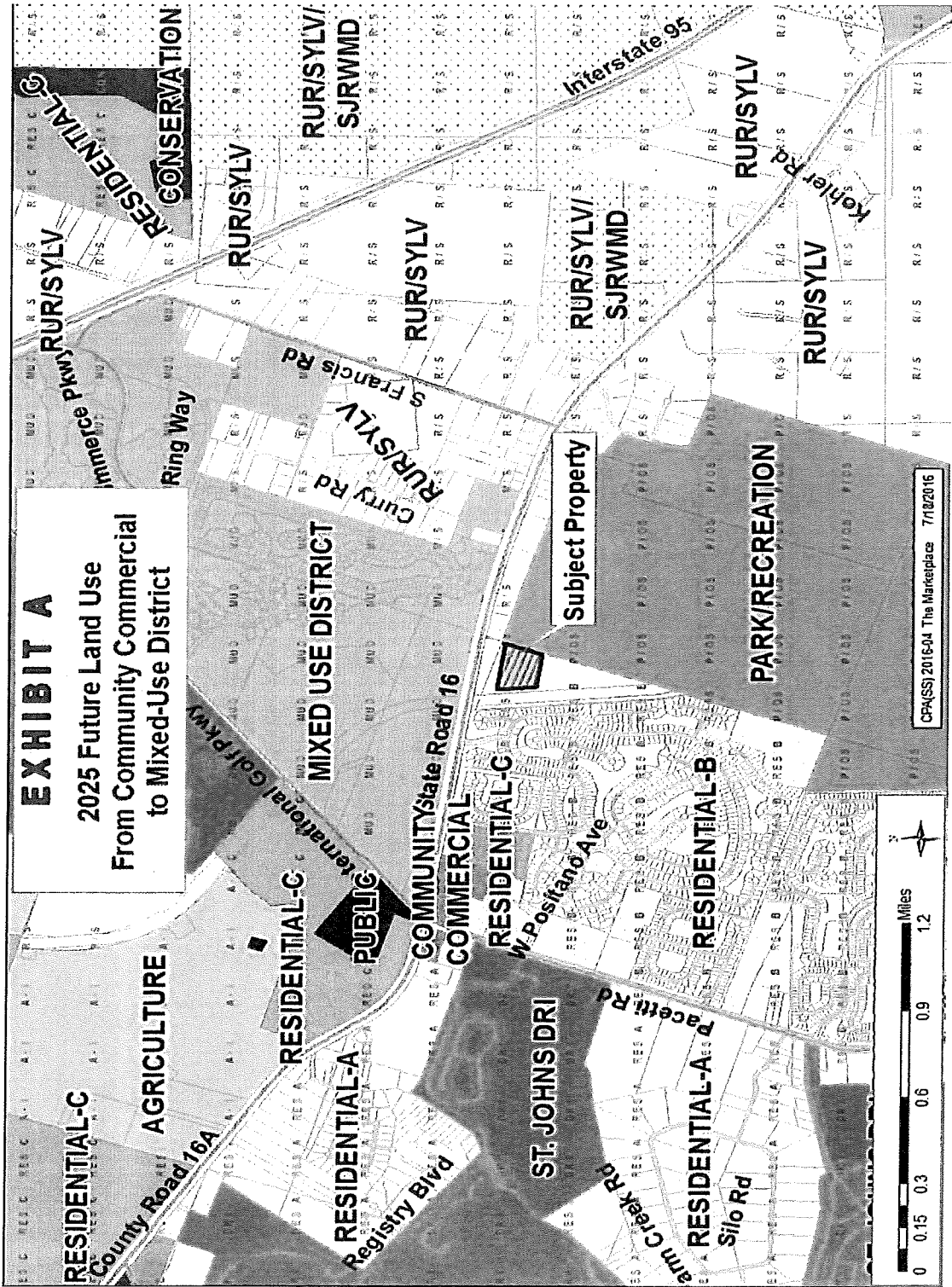


EXHIBIT B
Legal Description

A portion of Subsection 10, lying within Section 38 of the Antonio Huertas Grant, Township 6 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows: COMMENCING at the Northeasterly corner of Mirabella Unit Three as recorded in Map Book 57, Pages 94 through 109, inclusive, of the Public Records of said County, said point being situate on the Southerly right of way line of State Road No. 16 (a 200 foot right of way as shown on Florida Department of Transportation Right of Way Map, Section 78060-2522, dated November 16, 1998); thence South 81°10'44" East, along said Southerly right of way line, 359.69 feet; thence South 04°31'22" East, 342.10 feet for a POINT OF BEGINNING; thence South 81°10'44" East, 841.88 feet; thence South 18°36'15" West, parallel to and 35 feet Westerly of when measured at right angles to the Easterly line of said Subsection 10, a distance of 608.65 feet; thence North 81°10'44" West, 596.19 feet; thence North 04°31'22" West, parallel to and 75 feet Easterly of when measured at right angles to those certain lands recorded in Official Records Book 3044, Page 1943 (Exhibit A, Parcel 108), a distance of 616.44 feet to the POINT OF BEGINNING.

Containing 9.900 acres, more or less.

THE ST. AUGUSTINE RECORD

MCCLURE BLOODWORTH PL
81 KING STREET STE A
SAINT AUGUSTINE FL 32084

Ref.#: 16843217D
P.O.#:

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 **NICOLE COR**
who on oath says that he/she is an Employee of the St. Augustine Rec
a daily newspaper published at St. Augustine in St. Johns County, Flo
that the attached copy of advertisement being a **NOTICE OF HEAR**
In the matter of **CPA THE MARKETPLACE - CPA THE MARK**
was published in said newspaper on **07/18/2016**

Affiant further says that the St. Augustine Record is a newspaper publ
at St. Augustine, in said St. Johns County, Florida, and that the said ne
heretofore has been continuously published in said St. Johns County,
each day and has been entered as second class mail matter at the post
City of St. Augustine, in said St. Johns County, for a period of one ye
the first publication of the copy of advertisement; and affiant further s
he/she has neither paid nor promised any person, firm or corporation a
rebate, commission or refund for the purpose of securing the advertise
publication in the said newspaper.

Sworn to and subscribed before me this _____ day of AUG 08 2016
by Nicole Cor who is personally known to me
or who has produced as identification

Barbara S. Kelley

(Signature of Notary Public)

(Seal)

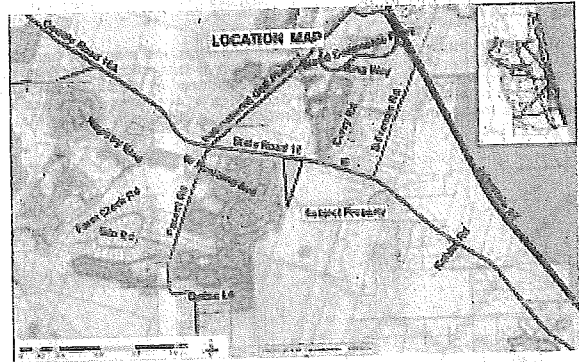
NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on
Thursday, 8/4/2016 at 1:30 p.m., and the St. Johns County Board of County
Commissioners on Tuesday, 9/20/2016 at 9:00 a.m., will each hold public hear-
ings, as follows: The Planning and Zoning Agency to consider and issue a
recommendation on the approval of a proposed Small Scale Comprehensive
Plan amendment to the St. Johns County Future Land Use Map of the 2025
Comprehensive Plan and the Board of County Commissioners will consider
whether or not to approve the same proposed Small Scale Comprehensive
Plan amendment to the St. Johns County Future Land Use Map of the 2025
Comprehensive Plan, with the following styled ordinance:

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA,
AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO.
2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP
DESIGNATION FROM COMMUNITY COMMERCIAL (CC) TO MIXED
USE (MD) FOR APPROXIMATELY 9.9 ACRES OF LAND LOCATED
SOUTH OF STATE ROAD 16; PROVIDING FOR FINDINGS OF FACT;
FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE
DATE.**

Said hearings will be held in the County Auditorium, County Administration
Building, 500 San Sebastian View, St. Augustine, Florida. All interested par-
ties may appear at the public hearings to be heard regarding any or all of
the proposed amendment. Board of County Commissioner items not heard
by 6 pm shall automatically be continued until 9 am the following day,
unless otherwise directed by the Board.

The subject property includes 9.9 acres and is located on Southeast Quadrant
of the corner at State Road 16 and future County Road 2209, within St. Johns
County, Florida. See attached map generally depicting the location (Exhibit
A). A complete description is available in the St. Johns County Planning and
Zoning Office.



The proposed change is known as File Number CPA(SS)-2016000004, and is
available for review in the Planning and Zoning Division of the Growth
Management Department, at the Permit Center, 4040 Lewis Speedway, St.
Augustine, Florida and may be examined by interested parties prior to said
public hearings.

Interested parties may appear at the public hearings to be heard regarding
the proposed amendment.

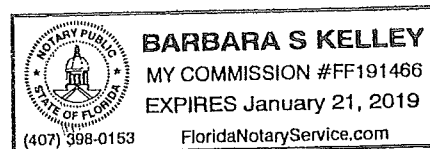
If a person decides to appeal any decision made with respect to any matter
considered at the meetings or hearings, he/she will need a record of the pro-
ceedings and for such purpose may need to ensure that verbatim records of
the proceedings are made, which records include the testimony and evi-
dence 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 inter-
preter 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
meetings.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
JEFF MARTIN, CHAIR

File Number: CPA(SS)-2016000004, The Marketplace
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEB S. SMITH, CHAIR

16843217A July 20, 2016





FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

September 23, 2016

Honorable Hunter S. Conrad
Clerk of Court
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

FILED *Sept. 23 2016*
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK

Attention: Ms. Yvonne King

Dear Mr. Conrad:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2016-48, which was filed in this office on September 23, 2016.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb