

ORDINANCE NUMBER: 2019- 38

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) AND RESIDENTIAL-B (RES-B) TO MIXED USE DISTRICT (MD) FOR APPROXIMATELY 9.98 ACRES OF LAND LOCATED AT 230 STATE ROAD 206 WEST WITH A TEXT AMENDMENT FOR THE EAST PARCEL LIMITING USES TO COMMUNITY COMMERCIAL USES BUT ALLOWING FOR LIMITED HIGH INTENSITY COMMERCIAL USES; 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) and Residential-B (Res-B) to Mixed Use District (MD)**, on approximately 9.98 acres of land located along State Road 206 West with a text amendment on the East Parcel limiting uses to Community Commercial uses but allowing for limited high intensity commercial uses, as described on the attached **EXHIBITS A, B and C**.

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.
- (d) The amendment is consistent with the Goals, Objectives, and Policies of the St. Johns County comprehensive Plan, including Policies A.1.2.5, A.1.2.7, A.1.3.11, A.1.15.2, and with other provisions provided during the public hearing.

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 4th DAY OF June 2019.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Paul M. Waldron
Paul M. Waldron, Chair

RECEIVED DATE JUN 06 2019

ATTEST: Hunter S. Conrad, Clerk

BY: Juanne Gray
Deputy Clerk

Effective Date: JUL 05 2019

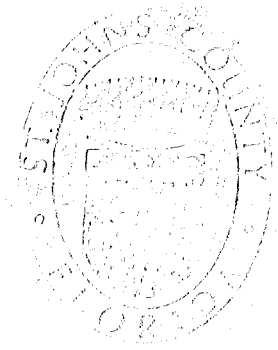


Exhibit A:

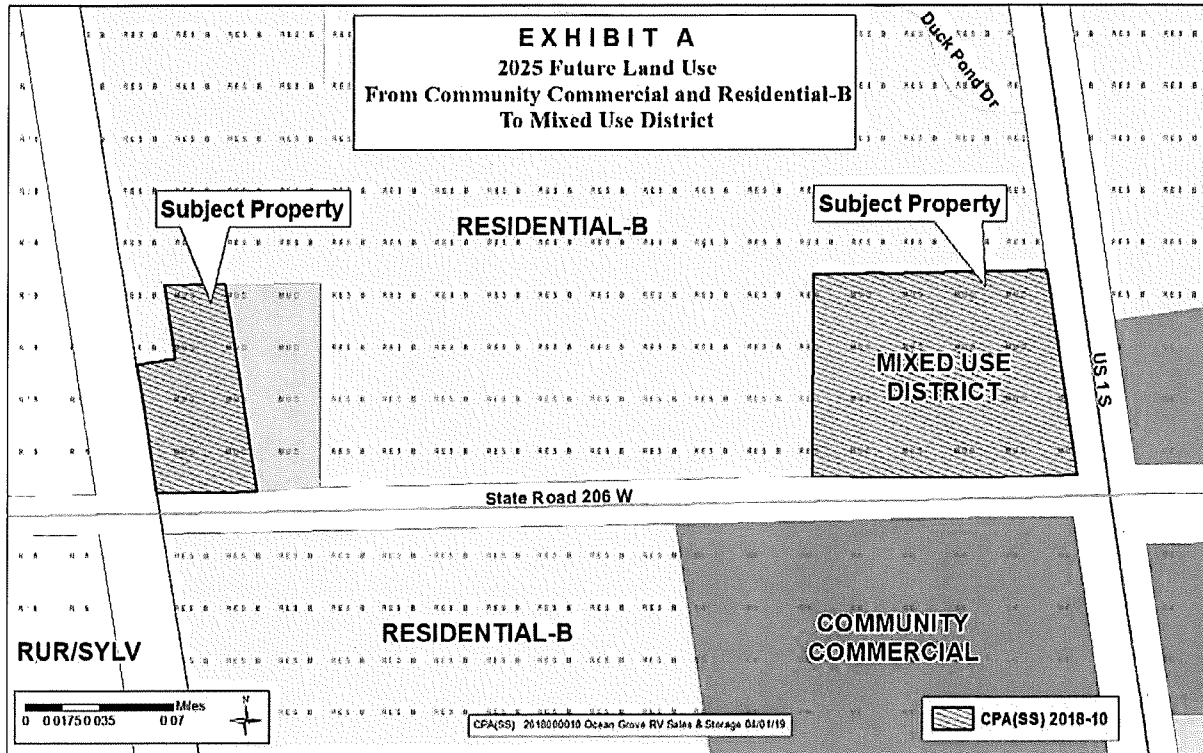


Exhibit B:

EAST PARCEL

A PARCEL OF LAND SITUATED IN GOVERNMENT LOTS 7 AND 8, SECTION 31, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY No. 1 AND THE NORTH RIGHT OF WAY LINE OF STATE ROAD No. 206, AS THEY CURRENTLY EXIST; THENCE S 88°57'59" W, ALONG SAID NORTH RIGHT OF WAY LINE OF STATE ROAD No. 206, A DISTANCE OF 662.82 FEET; THENCE N 00°08'42" E, A DISTANCE OF 516.76 FEET TO THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1451, PAGE 37 OF SAID PUBLIC RECORDS; THENCE N 89°05'17" E, ALONG SAID SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1451, PAGE 37, A DISTANCE OF 586.87 FEET TO SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY No. 1; THENCE S 08°15'34" E, ALONG SAID WESTERLY RIGHT OF WAY LINE OF U.S. HIGHWAY No. 1, A DISTANCE OF 519.53 FEET TO THE POINT OF BEGINNING.

THE AFOREDESCRIBED PARCEL CONTAINS 7.402 ACRES MORE OR LESS.

THE AFOREDESCRIBED PARCEL ALSO BEING A PART THOSE SAME LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4396, PAGES 1847 THROUGH 1849 AND OFFICIAL RECORDS BOOK 3272, PAGES 1910 AND 1911.

WEST PARCEL

A PARCEL OF LAND SITUATED IN GOVERNMENT LOT 6, SECTION 31, TOWNSHIP 8 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA, ALSO BEING A PART OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1002, PAGE 1329, OF THE PUBLIC RECORDS OF SAID COUNTY AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF STATE ROAD NO. 206 WEST AS IT CURRENTLY EXISTS WITH THE EAST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY, AS IT CURRENTLY EXISTS; THENCE N 09°17'30" W, ALONG SAID EAST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILWAY, A DISTANCE OF 315.69 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3868, PAGE 394 OF SAID PUBLIC RECORDS; THENCE N 80°42'30" E, ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3868, PAGE 394, A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3868, PAGE 394; THENCE N 09°17'30" W, ALONG THE EAST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3868, PAGE 394, A DISTANCE OF 195.19 FEET TO THE SOUTH LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1451, PAGE 37, OF SAID PUBLIC RECORDS; THENCE N 88°48'43" E, ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1451, PAGE 37, A DISTANCE OF 151.20 FEET TO THE NORTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4005, PAGE 1393 OF SAID PUBLIC RECORDS;

THENCE S 09°03'58" E, ALONG THE WEST LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4005, PAGE 1393, A DISTANCE OF 524.69 FEET TO SAID NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 206; THENCE S 88°47'00" W, ALONG SAID NORTH RIGHT OF WAY LINE OF STATE ROAD NO. 206, A DISTANCE OF 250.10 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL.

THE AFOREDESCRIBED PARCEL CONTAINS 110,325 SQUARE FEET, OR 2.533 ACRES MORE OR LESS.

Exhibit C:

ATTACHMENT
Textual Amendment
Ocean Grove RV Sales & Storage Small
Scale CPA

The property known as the Ocean Grove RV Sales and Service East Property legally described in Ordinance 2019-38 is assigned a Mixed Use future land use designation on the Future Land Use Map, however, development will be limited to Community Commercial Uses, but allow for limited high intensity commercial uses, limited to the retail sales, rental, service, repair and storage of vehicles including new or used automobiles, recreational vehicles, boats and related watercraft, motorcycles and residentially scaled farm and garden equipment .

THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003160160-01
PO#

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

STATE OF FLORIDA
COUNTY OF ST. JOHNS

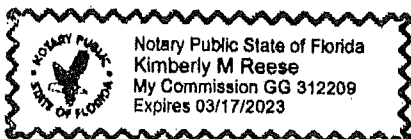
Before the undersigned authority personally appeared JAMIE WILLIAMS who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a SA Legal Retail in the matter of CPA(SS)-2018000010 was published in said newspaper on 04/03/2019.

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in 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, Florida for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says the he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission, or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this _____ day of APR 03 2019

by Jamie Williams who is personally known to me
or who has produced as identification

Kimberly M Reese
(Signature of Notary Public)



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, 4/18/2019 at 1:30 p.m.**, and the St. Johns County Board of County Commissioners on **Tuesday, 4/23/2019 at 9:00 a.m.**, will each hold public hearings, 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) AND RESIDENTIAL-B (RES-B) TO MIXED USE DISTRICT (MD) FOR APPROXIMATELY 9.98 ACRES OF LAND LOCATED AT 230 STATE ROAD 206 WEST WITH A TEXT AMENDMENT FOR THE EAST PARCEL LIMITING USES TO COMMUNITY COMMERCIAL USES BUT ALLOWING FOR LIMITED HIGH INTENSITY COMMERCIAL USES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

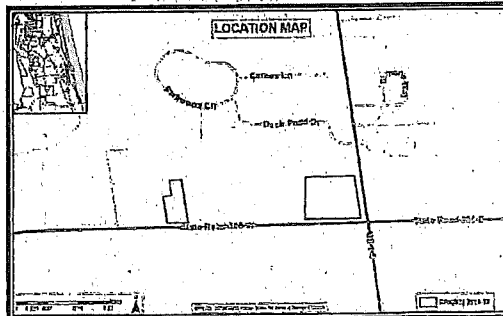
Said hearings will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding any or all of the proposed amendment. Board of County Commissioner Items not heard by 6 pm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

The subject property includes approximately 9.98 acres and is located at 230 State Road 206 W, 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)-2018000010, 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 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	BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA	ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFFER, CHAIR	PAUL M. WALDRON, CHAIR
File Number: CPA(SS)-2018000010, Ocean Grove RV Sales & Storage	
0003160160 April 3, 2019	



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 7, 2019

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

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. 2019-38, which was filed in this office on June 7, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED JUN 07 2019
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK