

ORDINANCE NO. 2019 - 42

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 RURAL/SILVICULTURE (R/S) AND RESIDENTIAL-A (RES-A) TO MIXED USE DISTRICT (MD) AND CONSERVATION (C), WITH A TEXT AMENDMENT TO LIMIT DEVELOPMENT TO A MAXIMUM OF 250,000 SQUARE FEET OF COMMERCIAL AND OFFICE SPACE AND 400 MULTIFAMILY UNITS FOR APPROXIMATELY 71 ACRES OF LAND LOCATED WITHIN THE SOUTHWEST QUADRANT OF RACE TRACK ROAD AND ST. JOHNS PARKWAY; 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 **Rural/Silviculture (R/S) and Residential-A (Res-A)** to **Mixed Use District (MD) and Conservation (C)** with a text amendment to limit the allowable uses to 400 multi-family units and 250,000 square feet of Neighborhood Business and Commercial Uses, General Business and Commercial Uses, and Office and Professional Services as those terms are defined in Section 2.02.01 of the St. Johns County Land Development Code, as described and shown on the attached **EXHIBIT A, and 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 18th DAY OF June 2019.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

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

APPROVED DATE JUN 20 2019

ATTEST: Hunter S. Conrad, Clerk

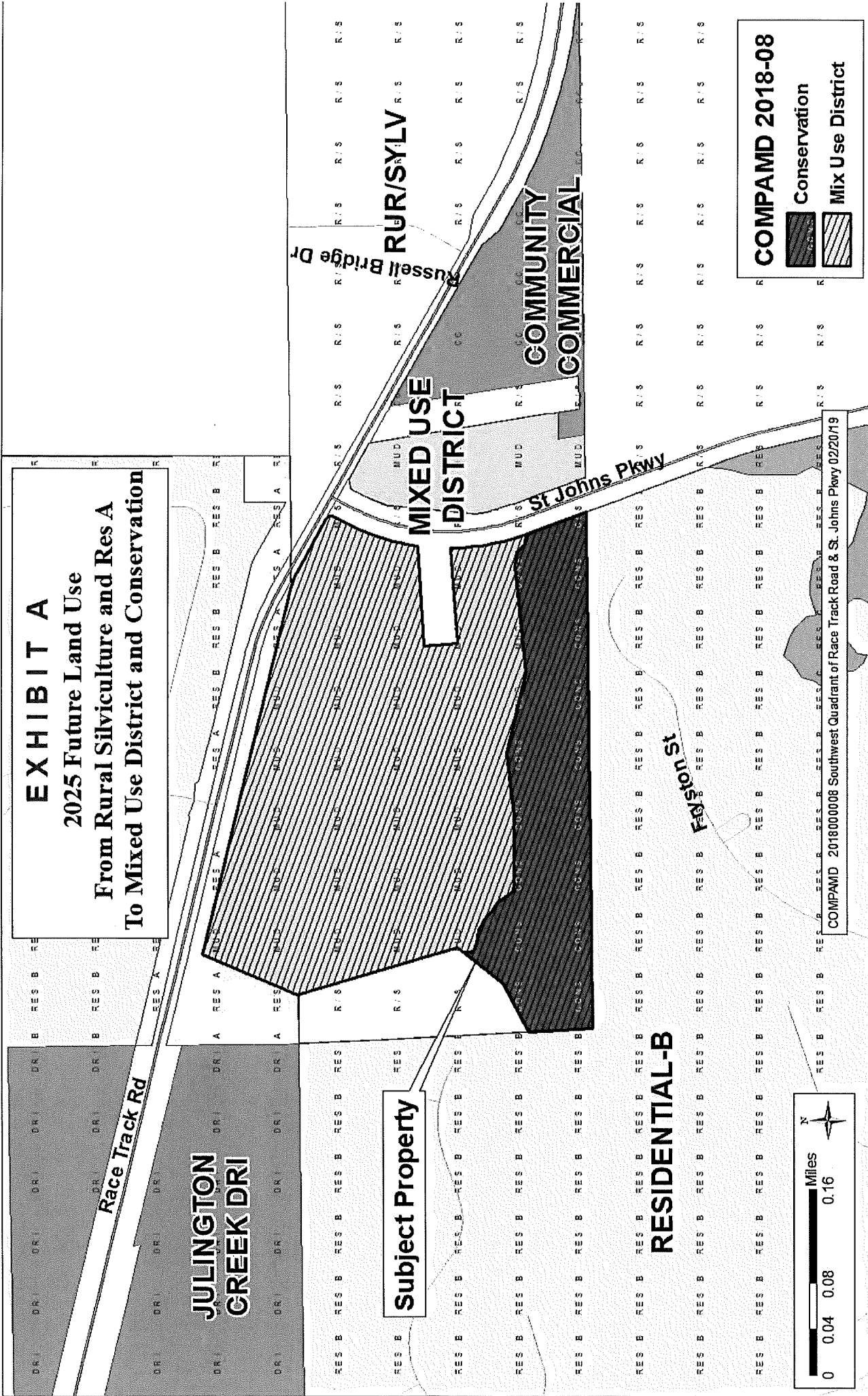
BY: Juanne King
Deputy Clerk

Effective Date: AUG 03 2019



EXHIBIT A

2025 Future Land Use
From Rural Silviculture and Res A
To Mixed Use District and Conservation



Subject Property

RESIDENTIAL-B



COMPAMD 2018-08

- Conservation
- Mix Use District

COMPAMD 2018000008 Southwest Quadrant of Race Track Road & St. Johns Pkwy 02/20/19

EXHIBIT "B"

LEGAL DESCRIPTION

SOUTHEAST QUARTER (SE 1/4) OF SECTION THIRTY-SIX (36), TOWNSHIP FOUR (4) SOUTH, RANGE TWENTY-SEVEN (27) EAST, LYING SOUTH OF RACE TRACK ROAD EXCEPTING THEREFROM, THE PART CONVEYED IN OFFICIAL RECORDS BOOK 1344, PAGE 1407 AND THAT PART CONVEYED IN OFFICIAL RECORDS BOOK 2593, PAGE 86 AND OFFICIAL RECORDS BOOK 3888, PAGE 1194 (PARCEL 100B)
AND

NORTH HALF (N 1/2) OF NORTHEAST QUARTER (NE 1/4), SECTION ONE (1), TOWNSHIP FIVE (5) SOUTH, RANGE TWENTY-SEVEN (27) EAST, EXCEPTING THEREFROM THE PART THEREOF CONVEYED TO JOSEPH ROTHENBERG AND MARTHA ROTHENBERG, HIS WIFE, BY WARRANTY DEED DATED FEBRUARY 28, 1975, AND RECORDED IN OFFICIAL RECORDS BOOK 272 AT PAGES 128 AND 129 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, AND THE PART CONVEYED IN OFFICIAL RECORDS BOOK 1344, PAGE 1407 ALSO EXCEPTING THEREFROM, THE PART OF THE ABOVE DESCRIBED LANDS LYING WITHIN THE RIGHT-OF-WAY OF RACE TRACK ROAD (A 66 FOOT WIDE RIGHT-OF-WAY) AND WITHIN THE RIGHT-OF-WAY OF RUSSELL SAMPSON ROAD (A 60 FOOT WIDE RIGHT-OF-WAY) AND THAT PART CONVEYED IN OFFICIAL RECORDS BOOK 2593, PAGE 86 AND OFFICIAL RECORDS BOOK 3888, PAGE 1194 (PARCEL 100B)

SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 1, TOWNSHIP 5 SOUTH, RANGE 27 EAST AND A PORTION OF SECTION 36, TOWNSHIP 4 SOUTH, RANGE 27 EAST, ST JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 1; THENCE RUN SOUTH 02°41'07" EAST, ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 1, A DISTANCE OF 1347.70 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE NORTH LINE OF DURBIN CROSSING NORTH PHASE 1-UNIT 4, AS RECORDED IN MAP BOOK 59, PAGES 101-112, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA; THENCE RUN SOUTH 89°15'00" WEST, ALONG SAID EASTERLY EXTENSION, A DISTANCE OF 314.17 FEET AND THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°15'00" WEST, ALONG SAID EASTERLY EXTENSION AND THE NORTH LINE THEREOF, A DISTANCE OF 2346.99 FEET TO THE SOUTHEAST CORNER OF DURBIN CROSSING NORTH PHASE 1-UNIT 2 AS RECORDED IN MAP BOOK 58, PAGES 70 THROUGH 81, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA; THENCE DEPARTING SAID NORTH LINE, RUN NORTH 03°00'52" WEST, ALONG THE EAST LINE OF SAID LANDS, A DISTANCE OF 296.32 FEET TO THE SOUTHWEST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1344, PAGE 1407, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE, RUN ALONG THE SOUTHERLY AND EASTERLY LINE OF SAID LANDS THE FOLLOWING FOUR (4) COURSES AND DISTANCES: 1) THENCE RUN NORTH 63°00'45" EAST, A DISTANCE OF 246.35 FEET; 2) THENCE RUN NORTH 38°09'40" EAST, A DISTANCE OF 265.75 FEET; 3) THENCE RUN NORTH 16°18'37" WEST, A DISTANCE OF 762.27 FEET; 4) THENCE RUN NORTH 22°56'05" EAST, A DISTANCE OF 465.24 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RACE TRACK ROAD AS PER OFFICIAL RECORDS BOOK 3888, PAGE 1194 (PARCEL 100B), OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA; THENCE DEPARTING SAID EAST LINE, RUN ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES AND DISTANCES: 1) THENCE RUN SOUTH 76°24'29" EAST, A DISTANCE OF 1761.29 FEET; 2) THENCE RUN SOUTH 61°14'28" EAST, A DISTANCE OF 305.50 FEET TO A POINT ON THE WEST LINE OF COUNTY ROAD 2209-RUSSELL SAMPSON ROAD SEGMENT, AS RECORDED IN MAP BOOK 59, PAGES 22 THROUGH 28, OF THE PUBLIC RECORDS OF ST JOHNS COUNTY, FLORIDA, SAID POINT BEING A POINT OF CURVATURE OF A 25.00 FOOT RADIUS CURVE CONCAVE TO THE WEST; THENCE ALONG THE WEST LINE OF SAID LANDS THE FOLLOWING EIGHT (8) COURSES AND DISTANCES: 1) THENCE RUN SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°44'54" AN ARC DISTANCE OF 39.60 FEET TO A POINT OF TANGENCY; 2) THENCE RUN SOUTH 29°30'26" WEST, A DISTANCE OF 19.71 FEET TO A POINT OF CURVATURE OF A 1025.00 FOOT RADIUS CURVE CONCAVE TO THE EAST; 3) THENCE RUN SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 21°46'18" AN ARC DISTANCE OF 389.49 FEET TO A POINT OF NON-TANGENCY; 4) THENCE RUN SOUTH 86°03'14" WEST, A DISTANCE OF 453.19 FEET; 5) THENCE RUN SOUTH 03°56'46" EAST, A DISTANCE OF 150.00 FEET; 6) THENCE RUN NORTH 86°03'14" EAST, A DISTANCE OF 433.58 FEET TO A POINT ON A 1025.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE EAST WHOSE RADIUS POINT BEARS NORTH 89°16'18" EAST; 7) THENCE RUN SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19°32'26" AN ARC DISTANCE OF 349.57 FEET TO A POINT OF TANGENCY; 8) THENCE RUN SOUTH 20°16'08" EAST, A DISTANCE OF 291.84 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 70.56 ACRES, MORE OR LESS.

EXHIBIT 'C'

Southwest Quadrant of Race Track Road and St. Johns Parkway

Comprehensive Plan Text Amendment

Objective A.1.11.1(m)(8)__ - Development of the Property shall be limited to a maximum of 250,000 square feet of commercial and office space and a maximum of 400 multi-family units. Development will occur only within the portion of the Property with a Mixed Use District Future Land Use Map designation (the "Mixed Use Land"). Land uses permitted within the Mixed Use Land shall be limited to Residential, Neighborhood Business and Commercial Uses, General Business and Commercial Uses, and Office and Professional Services, as those terms are defined in Section 2.02.01 of the St. Johns County Land Development Code, as may be amended. Floor area and impervious surface ratios within the Mixed Use Land shall be as permitted in the Mixed Use Future Land Use category. The Conservation Future Land Use Map designation area shall be a minimum of 19 acres, with the boundary determined based on wetland delineations approved by the St. Johns River Water Management District and U.S. Army Corps of Engineers.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

ROGERS, TOWERS
ATTN: TINA
1301 RIVERPLACE BLVD, STE 1500
JACKSONVILLE, FL 32207

ACCT: 15669
AD# 0003165188-01

PO#

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

STATE OF FLORIDA
COUNTY OF ST. JOHNS

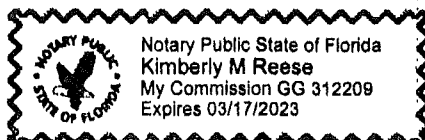
Before the undersigned authority personally appeared MELISSA RHINEHART who on oath says he/she is an Employee of the St. Augustine Record, a daily newspaper published at St. Augustine in St. Johns County, Florida; that the attached copy of advertisement being a **SA Legal Retail** in the matter of **COMPAMD-2018000008**, was published in said newspaper on **04/17/2019**.

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 **APR 17 2019**

by *Melissa Rhinehart* 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 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, 5/2/2019 at 1:30 p.m.**, and the St. Johns County Board of County Commissioners on **Tuesday, 6/10/2019 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 adoption of a proposed 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 adopt the same proposed 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 RURAL/SILVICULTURE (RS) AND RESIDENTIAL-A (RES-A) TO MIXED USE DISTRICT (MD) AND CONSERVATION (C), WITH A TEXT AMENDMENT TO LIMIT DEVELOPMENT TO A MAXIMUM OF 250,000 SQUARE FEET OF COMMERCIAL AND OFFICE SPACE AND 400 MULTIFAMILY UNITS FOR APPROXIMATELY 71 ACRES OF LAND LOCATED WITHIN THE SOUTHWEST QUADRANT OF RACE TRACK ROAD AND ST. JOHNS PARKWAY; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

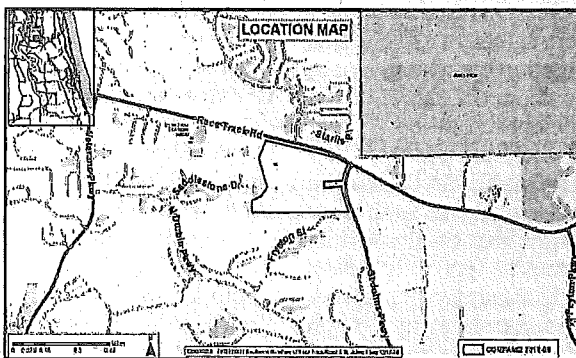
Said hearings will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearings to be heard regarding any or all of the proposed amendment. Board of County Commissioner items not heard by 6 pm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

The subject property includes approximately 71 acres and is located on South of Race Track Road, east of Veteran's Parkway and west of St. Johns Pkwy, 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 COMPAMD-2018000008, 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
ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFFER, CHAIR

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
PAUL M. WALDRON, CHAIR

File Number: COMPAMD-2018000008, Southwest Quadrant of Race Track Road & St. Johns Pkwy

0003165188 April 17, 2019



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 24, 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. 2019-42, which was filed in this office on June 24, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED JUN 24 2019
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK