

ORDINANCE NUMBER: 2020 - 26

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

Public Records of St. Johns County, FL
Clerk number: 2020048856
BK: 4970 PG: 624
6/22/2020 3:40 PM
Recording \$27.00

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated January 27, 2020 in addition to supporting documents and statements from the applicant **which are a part of Zoning File REZ 2020-02 Enterprise Rental Fleet Parking Rezoning**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning to **Commercial Intensive (CI)** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to conforming adjacent land uses. (Objective A.1.3.11)
 - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
3. The rezoning to **Commercial Intensive (CI)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Commercial Intensive (CI)** is consistent with the land uses allowed in the land use designation of Mixed Use District as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2020-02** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Commercial Intensive (CI)

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

SECTION 4. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 5. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 6. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS 2nd DAY OF June 2020.

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

BY: [Signature]

Jeb S. Smith, Chair

RENDITION DATE: JUN 04 2020

ATTEST: **BRANDON PATTY, CLERK**

BY: [Signature]
Deputy Clerk

EFFECTIVE DATE: JUN 05 2020



Exhibit A

Legal Description

A PARCEL OF LAND IN SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA; BEGIN A PART OF PARCEL NO. 2, OF THAT LAND DESCRIBED IN DEED RECORDED IN DEED BOOK 220, PAGE 313, PUBLIC RECORDS OF SAID COUNTY, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT NO. 21, OF ST. AUGUSTINE SOUTH, UNIT NO. 1, AS RECORDED IN MAP BOOK 8, PAGE 33, PUBLIC RECORD OF SAID COUNTY; THENCE SOUTH 00°08' WEST, ON THE WEST LINE OF LOTS 21, 22, 23, 24 AND 25, OF SAID ST. AUGUSTINE SOUTH, UNIT NO. 1, A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING AT THE NORTHEAST CORNER OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUING SOUTH 00°08' WEST, ON THE WEST LINE OF LOTS 25 AND 26, OF SAID ST. AUGUSTINE SOUTH, UNIT NO. 1, A DISTANCE OF 67.99 FEET; THENCE SOUTH 19°56' EAST, ON THE WEST LINE OF LOT 27, IN ST. AUGUSTINE SOUTH, UNIT NO. 1, A DISTANCE OF 34.07 FEET; THENCE NORTH 89°52' WEST, 111.53 FEET TO THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTH 00°08' EAST, ON SAID RIGHT - OF-WAY LINE, 100 FEET; THENCE SOUTH 89°52' EAST, 99.85 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR LATERAL SUPPORT OVER THE MOST WESTERLY 15 FEET OF LOTS 26 AND 27, ST. AUGUSTINE SOUTH, UNIT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN MAP BOOK 8, PAGE 33, PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, SAID EASEMENT BEING MORE PARTICULARLY SET FORTH IN INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 677, PAGE 169, OF SAID PUBLIC RECORDS.

I HEREBY CERTIFY THAT THIS DOCUMENT
IS A TRUE AND CORRECT COPY AS IT APPEARS
ON RECORD IN ST. JOHNS COUNTY, FLORIDA
WITNESS MY HAND AND OFFICIAL SEAL
THIS 22nd DAY OF July 20 20
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

BY: Wanice King D.C.



THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003268671-01

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 **NOTICE OF HEARING** in the matter of **REZ-2020000002** was published in said newspaper on **03/20/2020**.

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 (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this day of **MAR 25 2020**

by *[Signature]* who is personally known to me or who has produced as identification

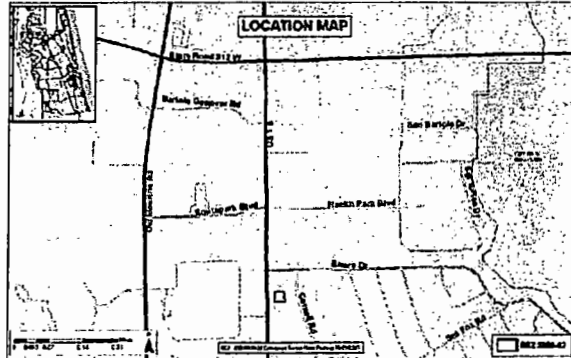
[Signature]
(Signature of Notary Public)

NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on **4/16/2020** at **1:00 pm** before the Planning and Zoning Agency in the St. Johns County Auditorium located at **500 San Sebastian View, St. Augustine, Florida** and on **6/2/2020** at **9:00 am** before the Board of County Commissioners in the St. Johns County Auditorium located at **500 San Sebastian View, St. Augustine, Florida** to consider a request to rezone approximately **2.4** acres of land from **Commercial General (CG)** to **Commercial Intensive (CI)** to accommodate additional rental fleet parking for the existing vehicle rental business.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL GENERAL (CG) TO COMMERCIAL INTENSIVE (CI); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is **2120 US Hwy 1 S**. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, **4040 Lewis Speedway, St. Augustine, Florida 32084** and may be inspected by interested parties prior to said public hearing. Items not heard by **6 pm** shall automatically be continued until **9 am** the following day, unless otherwise directed by the Board.



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

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

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, **4040 Lewis Speedway, St. Augustine, Florida, 32084**.

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 JEB S. SMITH, CHAIR
FILE NUMBER: **REZ-2020000002**
PROJECT NAME: **Enterprise Rental Fleet Parking**

0003268671 March 20, 2020

SCA



THE ST. AUGUSTINE RECORD
Affidavit of Publication

NOTICE OF A PUBLIC HEARING

SJC GROWTH MANAGEMENT
4040 LEWIS SPEEDWAY

SAINT AUGUSTINE, FL 32084

ACCT: 15628
AD# 0003277224-01

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 NOTICE OF HEARING in the matter of BCC 06/02/20 - CMT notification was published in said newspaper on 05/08/2020.

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.

NOTICE IS HEREBY GIVEN that a public hearing will be held on Tuesday, June 2, 2020 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to review the following agenda items:

- AGENDA ITEMS - Public Hearings to consider requests:**
- **REZ 2020-03 Enterprise Rental Fleet Parking** - Request to rezone approximately 24 acres of land from Commercial General (CG) to Commercial Intensive (CI) to accommodate additional rental fleet parking for the existing vehicle rental business.
 - **MAJMOD 2019-09 World Commerce Center PUD** - Request for a Major Modification to the World Commerce Center PUD (Ordinance 2003-108, as amended) to include a waiver to Land Development Code, Section 2.03.02 regarding distance requirements for establishments serving alcoholic beverages, to allow outdoor cafe/seating areas associated with restaurants, add industrial use to Parcel T, include an updated MDP Map for the property to show all approved development to date, and update the phasing schedule based on gubernatorial emergency declarations.
- Please be advised you may attend the meeting indicated in the notice and state your opinions, or you may reply by mail to: St. Johns County Planning & Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida 32084 or by e-mail to: plandep@sjcl.us. Your response will be acknowledged at said Public Hearing.
- In accordance with Executive Order 20-69, and St. Johns County emergency proclamation 2020-03, this meeting may be conducted remotely, under communication media technology (CMT) without a physical quorum of the members present. CMT means the electronic transmission of printed matter, audio, full motion video, free-frame video, compressed video, and digital video by any method available. CMT being used to conduct the meeting includes Government TV (GTV), phone, and wireless microphone. Should a person wish to submit printed material, it must be submitted a minimum 5 days in advance of this meeting. Such printed documentation will be presented at the meeting.
- A person may attend this CMT meeting by calling the telephone number at 904.209.1265 and viewing the meeting on [GTV or <http://www.sjcl.us/GTV/watch?v=93p1>]. Written or physical documentation may be submitted to the St. Johns County Growth Management Department at 4040 Lewis Speedway, St. Augustine, FL 32084, or e-mail address: plandep@sjcl.us. A designated access point to this CMT meeting is located at 500 San Sebastian View.

Additional information may be obtained at:
Mailing address: 4040 Lewis Speedway, St. Augustine, FL 32084
Email address: plandep@sjcl.us
Phone number: 904.209.0675

If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or 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. Any evidence, testimony, and argument which is offered utilizing CMT shall be afforded equal consideration as if were offered in person and shall be subject to the same objections.

This file is maintained in the Planning and Zoning Section of the Growth Management Department, at the County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, and may be examined by interested parties prior to said public hearing. Interested parties may appear at the meeting and be heard with respect to the proposed items.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-125, in properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEB S. SMITH, CHAIR

0003277224 May 8, 2020

Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this _____ day of MAY 08 2020

by *Melissa Rhinehart* who is personally known to me or who has produced as identification

Tiffany M. Lowe
(Signature of Notary Public)





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 5, 2020

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Mr. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2020-26, which was filed in this office on June 5, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **JUN 05 2020**
ST. JOHNS COUNTY
CLERK OF COURT

BY: Yvonne King
DEPUTY CLERK