

ORDINANCE NO. 2020-35

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, ORDINANCE 99-51, AS AMENDED, PROVIDING FOR FLEXIBILITY IN ROADWAY DESIGN; PROVIDING FOR AN ALTERNATIVE ROADWAY DESIGN IN LIEU OF STANDARDS SET FORTH WITHIN THE LAND DEVELOPMENT CODE; SPECIFICALLY AMENDING ARTICLE VI, PART 6.04.00 "ROADWAYS, DRAINAGE, AND UTILITIES STANDARDS", SECTION 6.04.07.F.1.E 'PAVEMENT DESIGN'; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR MODIFICATION DURING PUBLIC HEARING; PROVIDING FOR INCLUSION AND CODIFICATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR CORRECTION OF SCRIVENERS ERRORS; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND 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; and

WHEREAS, St. Johns County desires to amend certain provisions of the Land Development Code (the "Code") to provide definitions and amend certain provisions of the Code to provide for additional clarity and ease of use; and

WHEREAS, St. Johns County has determined that alternative options for roadway improvements are available and should be implemented within the Code; and

WHEREAS, the Florida Department of Transportation design methodology is a scientifically based approach to flexible pavement design supported by years of research and proven applications; and

WHEREAS, St. Johns County has determined that providing an alternative roadway design standard provided by the Florida Department of Transportation would allow for design flexibility to diverge from St. Johns County design standards in unique project conditions; 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.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY:

SECTION 1. Legislative Findings of Fact: The above Recitals and Whereas clauses are hereby adopted as legislative findings by the St. Johns County Board of County Commissioners and incorporated and made a part of this Ordinance.

SECTION 2. Zoning Districts and Special Uses. Article VI of the Land Development Code, Ordinance No. 99-51, as previously amended, is hereby amended by amending Parts 6.04.00, specifically Section 6.04.07 "Roadway Design", amended to read as follows in the attached **Exhibit A**, incorporated herein and made part of this Ordinance.

SECTION 3. The remaining portions of the St. Johns County Land Development Code, Ordinance 99-1, as amended, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 4. Modification. It is the intent of the Board of County Commissioners that the Provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the Ordinance adopted by the Board and filed with the Clerk to the Board.

SECTION 5. Inclusion and Codification into the Land Development Code. It is the intent of the St. Johns County Board of County Commissioners that the provisions of this Ordinance shall be codified and made part of the St. Johns County Land Development Code, Ordinance No. 99-51, as previously amended, and that the sections and attachments of this Ordinance may be renumbered, reorganized, relettered, and appropriately incorporated into the Land Development Code in order to accomplish such intentions.

SECTION 6. 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 7. Effective Date. This Ordinance shall take effect upon its being filed with the Department of State of Florida.

SECTION 8. 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 21st day of July, 2020.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: [Signature]
Jeb S. Smith, Chair

ATTEST: Brandon Patty, Clerk of Court
By: [Signature]
Deputy Clerk

Rendition Date: JUL 23 2020

Effective Date: JUL 24 2020



Exhibit A
Article VI "Roadway Design Standards"

Section 6.04.07 Roadway Design

1. Stabilized Subgrade

- a. All Roadway and driveway subgrades shall have a minimum width as shown in the Roadway Typical Sections. Minimum depth and bearing values shall be as follows:

TABLE 6.08

ROADWAY CLASSIFICATION	STABILIZED DEPTH	LIMEROCK BEARING RATIO (L.B.R.)
LOCAL ROADS	12 inches	40
MINOR COLLECTORS	12 inches	40
MAJOR COLLECTORS	12 inches	40

- b. Where the existing soils to be used in the Roadway subgrade have the required bearing value, no additional stabilizing material will be required. The stabilizing material, if required, shall be high-bearing value soil, sand-clay, limerock, shell or other materials which meet the standards established in the FDOT Specifications.
- c. The Construction of the stabilized roadbed shall meet the criteria as set forth in the FDOT Specifications. Minimum density shall be ninety-eight percent (98%) (Modified Proctor Method).
- d. Tests for the subgrade bearing capacity shall be located no more than five hundred (500) feet apart or every soil change, and tests for compaction shall be located no more than three hundred (300) feet apart. Tests shall be staggered to the left, right, and on the centerline of the Roadway with no less than two (2) tests conducted per Roadway section. When conditions warrant, in the judgment of the County Administrator, additional tests may be required to assure compliance with FDOT Specifications. The Contractor/Project Engineer will be advised in writing that additional tests will be required and the extent of such additional tests. Special attention shall be given to the need for any compaction retests in subgrade areas disturbed by underground utilities or other Construction, especially under curb areas.
- e. The bottom of the stabilized subgrade shall be a minimum of one (1) foot above the Seasonal High Groundwater Level (SHGL) as identified by an Engineer or other Registered Professional. Alternatively, the local roadways

with less than 2,000 Average Annual Daily Trips (AADT) could be designed by a Registered Professional in accordance with Section 5.2.2 of the Florida Department of Transportation's (FDOT) January 2020 published FDOT Flexible Pavement Design Manual.

2. Base Course

- a. Base course materials shall be limerock or material with an equivalent structural value. The minimum thickness and density for limerock shall be as follows:

THE ST. AUGUSTINE RECORD
Affidavit of Publication

MINUTES AND RECORDS
500 SAN SEBASTIAN VIEW

SAINT AUGUSTINE, FL 32084

ACCT: 15634
AD# 0003286853-01
PO# 0003286853

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 070220 PZA 072120 BCC LDC was published in said newspaper on 06/18/2020, 07/07/2020.

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.

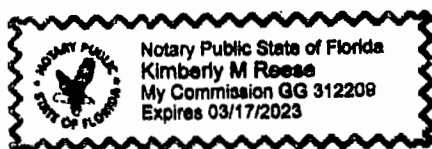
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this ____ day of JUL 07 2020

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 HEARINGS
OF THE ST. JOHNS COUNTY
BOARD OF COUNTY
COMMISSIONERS AND
PLANNING & ZONING AGENCY
ON ESTABLISHMENT OF ORDINANCE/REGULATIONS
AFFECTING THE USE OF LAND**

NOTICE IS HEREBY GIVEN that public hearings will be held to consider adoption of the following proposed ordinance at regular meetings, as follows:

Planning & Zoning Agency
Thursday, July 2, 2020, at 1:30 p.m.

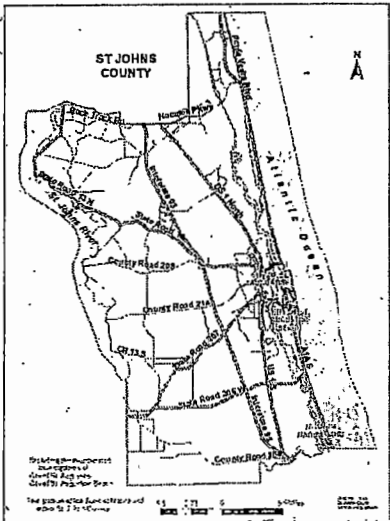
Board of County Commissioners
Tuesday, July 21, 2020, at 9:00 a.m.

Both public hearings will be held in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida:

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, amending the Land development code, ordinance 99-51, as amended, providing for flexibility in roadway design; PROVIDING for an alternative roadway design in lieu of standards set forth within the land development code; specifically amending Article VI, part 6.04.00 "roadways, drainage, and utilities standards", Section 6.04.07.f.1.e "pavement design"; providing a savings clause; providing for modification during public hearing; providing for inclusion and codification into the land development code; providing for correction of scrivener's errors; providing for findings of fact; findings of consistency; severability; and an 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 said public hearings. Please take note that the proposed ordinance is subject to revision prior to hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearings.

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



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 proceedings should contact the ADA Coordinator at (904) 209-0650 at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32084. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the meeting.

**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA
BRANDON PATTY, ITS CLERK
By: Yvonne King, Deputy Clerk**



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

July 24, 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. 2020-35, which was filed in this office on July 24, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **JUL 24 2020**
ST. JOHNS COUNTY
CLERK OF COURT

BY: *Yvonne King*
DEPUTY CLERK