

ORDINANCE NO. 2020 - 55

**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) WITH A TEXT LIMITATION OF 90,000 SQUARE FEET TO COMMUNITY COMMERCIAL (CC) WITH A TEXT LIMITATION OF 170,000 SQUARE FEET, FOR APPROXIMATELY 14.3 ACRES OF LAND LOCATED AT 4560 RACE TRACK ROAD; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, Chapters 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**, Sections 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 Use Map designation from Community Commercial (CC) with a text limitation of 90,000 square feet to Community Commercial (CC) with a text limitation of 170,000 square feet, for approximately 14.3 acres of land located at 4560 Race Track Road, as described and shown 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 proposed Comprehensive Plan Amendment was fully considered after public hearing pursuant to legal notice duly published as required by law.
- (b) The proposed Comprehensive Plan Amendment is consistent with the St. Johns County Comprehensive Plan, Ordinance No. 2010-38, as amended, the Northeast Florida Strategic Regional Policy Plan, the Community Planning Act and Land Development Regulation Act (Chapter 163, Florida Statutes).
- (c) The proposed Comprehensive Plan Amendment is procedurally consistent with Part 9.05.00 of 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 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.

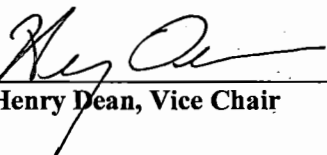
**SECTION 4.** Except to the extent that they conflict with specific provisions of the approved development plan or PUD Ordinance, all building code, zoning ordinance, and other land use and development regulations of St. Johns County, including, without limitation, and the St. Johns County Comprehensive Plan, and Land Development Code, as may be amended from time to time shall be applicable to this development, except modification to approved development plans by variance or special use shall be prohibited except where allowed by the Land Development Code. Notwithstanding any provision of this ordinance, no portion of any impact fee ordinance, concurrency provision, building code, comprehensive plan or any 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 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.

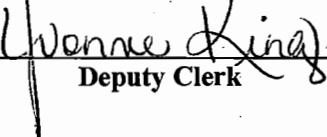
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 17th DAY OF November, 2020.**

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

BY:   
Henry Dean, Vice Chair

Rendition Date: NOV 19 2020

ATTEST: **Brandon J. Patty**  
Clerk of the Circuit Court & Comptroller

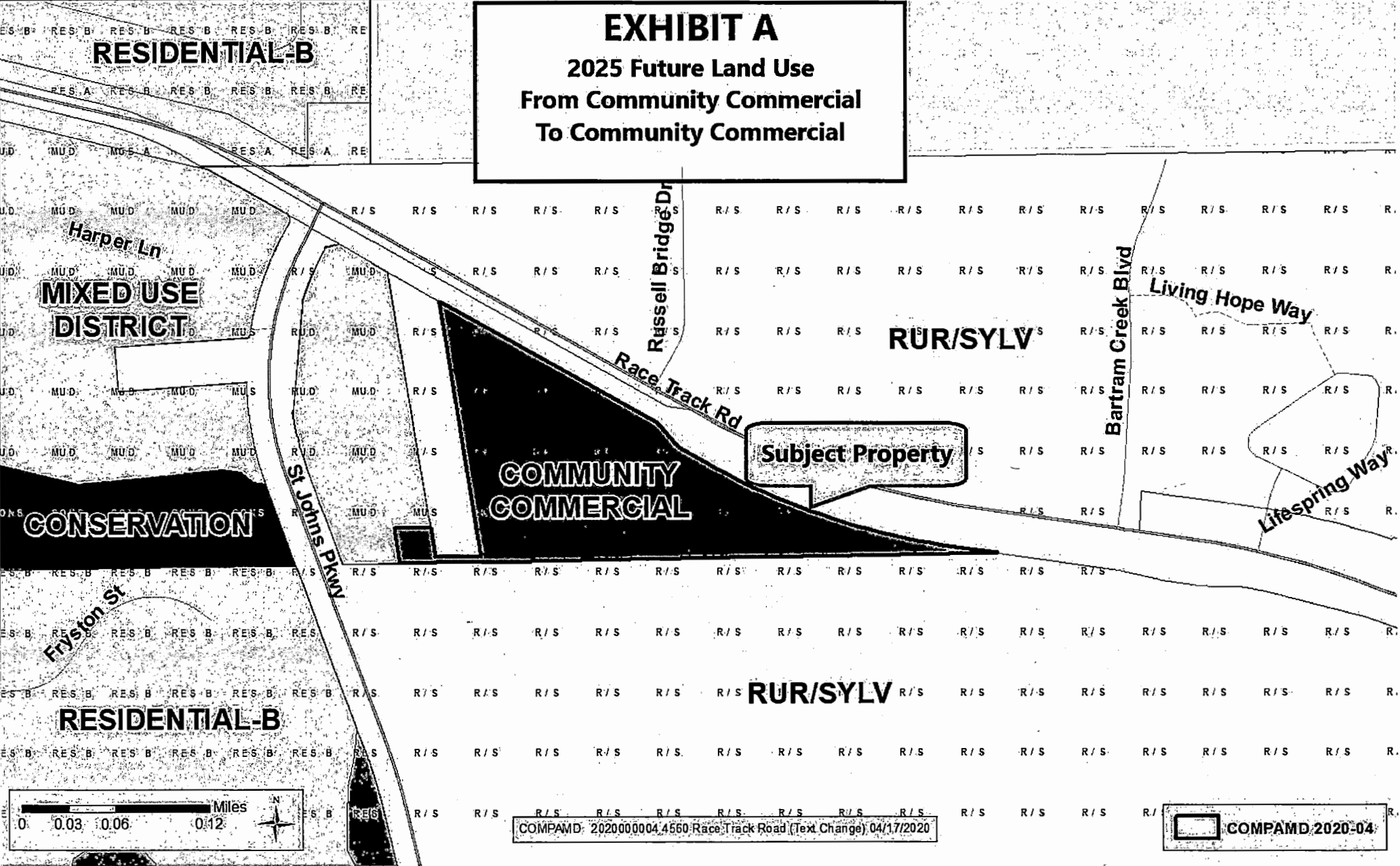
BY:   
Deputy Clerk

Effective Date: JAN 14 2021



# EXHIBIT A

## 2025 Future Land Use From Community Commercial To Community Commercial



COMPAMD: 2020000004.4560-Race Track Road (Text Change), 04/17/2020

COMPAMD, 2020-04

Exhibit B

Legal Description

4560 Race Track-Road

The following described land, situate, laying and being in the County of St. Johns, State of Florida, to wit:

That certain tract or parcel of land being a portion of Section 1, Township 5 South, Range 27 East, and a part of Section 6, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as commencing at the Northeast corner of said Section 1; thence South 0° 00' 50" East along the line dividing said Section 1 and 6,329.74 feet to the Southerly right of way line of Race Track Road (County Road No.5, a 66 foot right of way) for a point of beginning; thence North 60° 24' West along the Southerly right of way line of said Race Track Road, 172.14 feet to the Easterly right of way line of Russell Sampson Road (a 60 foot right of way); thence South 5° West along the Easterly right of way line of said Russell Sampson Road, 624.17 feet; thence continue along said right of way line, South 13° 07' East, 492.27 feet to an intersection with the Southerly boundary of the Northeast 1/4 of the Northeast 1/4 of said Section 1; thence North 89° 14' 20" East along said boundary, 92.62 feet to the Southwest corner of Government Lot 1 of said Section 6; thence North 89° 06' 40" East along the Southerly boundary of said Government Lot 1 and along the Southerly boundary of the Northwest 1/4 of the Northwest 1/4 of Section 6, 2256.73 feet to an intersection with the Southerly right of way line of said Race Track Road; thence North 75° 44' West along the Southerly right of way line of said Race Track Road, 795.88 feet to a point of curve; thence along said curve being concave to the Northeast and having a radius of 1465.4 feet, a distance of 391 feet as measured along a chord bearing North 68° 04' West to a point of tangency; thence continue along the Southerly right of way line of said Race Track Road, North 60° 24' West, 1291.18 feet to the Point of Beginning.

(continued next page)

Less and except:

A PART OF SECTION 6, TOWNSHIP 5 SOUTH, RANGE 28 EAST; ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF SAID SECTION 6, THENCE NORTH 89 DEGREES 13 MINUTES 18 SECONDS EAST, ALONG THE NORTHERLY LINE OF SAID SECTION 6, 150.85 FEET; THENCE SOUTH 09 DEGREES 19 MINUTES 08 SECONDS EAST, DEPARTING FROM SAID NORTHERLY LINE OF SECTION 6, 466.18 FEET TO A POINT SITUATE ON THE SOUTHERLY RIGHT-OF-WAY LINE OF RACE TRACK ROAD (A 66 FOOT RIGHT-OF-WAY); THENCE CONTINUE SOUTH 09 DEGREES 19 MINUTES 08 SECONDS EAST, DEPARTING FROM SAID SOUTHERLY RIGHT-OF-WAY LINE OF SAID RACE TRACK ROAD, 868.51 FEET; THENCE SOUTH 89 DEGREES 13 MINUTES 18 SECONDS WEST, 151.68 FEET; THENCE NORTH 09 DEGREES 19 MINUTES 08 SECONDS WEST, 966.94 FEET TO A POINT SITUATE ON THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF RACE TRACK ROAD; THENCE SOUTH 60 DEGREES 26 MINUTES 12 SECONDS EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF RACE TRACK ROAD, 192.69 FEET TO THE POINT OF BEGINNING.

and also less and except:

SECTION 78000-2528 RACE TRACK ROAD ST. JOHNS COUNTY DESCRIPTION

PARCEL NUMBER 101

FEE SIMPLE

A part of Section 6, Township 5 South, Range 28 East, St. Johns County, Florida, Being described as:

Commence at the Northwest corner of Section 6, Township 5 South, Range 28 East, St. Johns County, Florida; thence South 02°41'27" East, along the Westerly boundary of said Section 6, a distance of 1344.91 feet, to the intersection with the Southerly line of Government Lot 1; Thence North 89°04'17" East, along last said line, a distance of 2027.89 feet, to the Point of Beginning; Thence North 81 °53'06" West, a distance of 141.50 feet, to a point of curvature; thence Northwesterly along and around the arc of a curve, concave Northerly, having a radius of 2361.83 feet, an arc distance of 884.14 feet, said curve being subtended by a cord bearing and distance of North 71°09'39" West, 878.98 feet, to a point of tangency; Thence North 60°26'12" West, a distance of 105.87 feet; Thence North 40°07'56" West, a distance of 106.63 feet, to the intersection with the existing Southerly right of way line of Race Track Road (a 66 foot right of way as now established); Thence South 60°26'12" East, along last said right of way line of Race Track Road, a distance of 188.48 feet, to a point of curvature; Thence Southeasterly along and

around last said right of way line and the arc of a curve, concave Northerly, having a radius of 1465.40 feet, an arc distance of 392.17 feet, said curve being subtended by a chord bearing and distance of South 68°06'12" East, 391.00 feet, to a point of tangency; Thence South 75°46'12" East, a distance of 797.56 feet; Thence South 89°04'17" West, a distance of 167.04 feet, to the Point of Beginning.

4650 Race Track Road, St. Johns, FL

# **EXHIBIT C**

## **4560 RACE TRACK ROAD Comprehensive Plan Amendment**

### **APPLICATION COMPAMD 2020-04**

#### **PROPOSED TEXT AMENDMENT**

**A.1.11.1(m)(8)(w)** ,The property known as 4560 Race Track Road as described in Ordinance 2020- 55 is assigned the Community Commercial future land use designation; provided, however, the floor area of buildings within the project shall not exceed 170,000 square feet. Proposed changes to increase the allowed density of the subject property are subject to the provisions of Chapter 163, Florida Statutes.

SHARON ROTHENBERG  
10901 BURNT MILL RD UNIT 2601

JACKSONVILLE, FL 32256

ACCT: 49874  
AD# 0003304703-01

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 COMPAMD-2020-04 was published in said newspaper on 09/08/2020.

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.

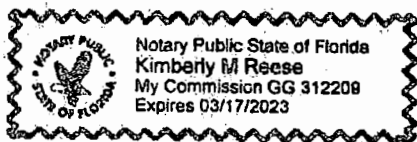
Sworn to (or affirmed) and subscribed before me by means of

physical presence or  
 online notarization

this      day of SEP 09 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 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, 10/1/2020 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 11/17/2020 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 COMMUNITY COMMERCIAL (CC) WITH A LIMITATION OF 90,000 SQUARE FEET TO COMMUNITY COMMERCIAL (CC) WITH A TEXT LIMITATION OF 170,000 SQUARE FEET, FOR APPROXIMATELY 14.3 ACRES OF LAND LOCATED AT 4560 RACE TRACK ROAD; 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 14.32 acres and is located on 4560 Race Track Road, 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-2020000004, 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.

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.

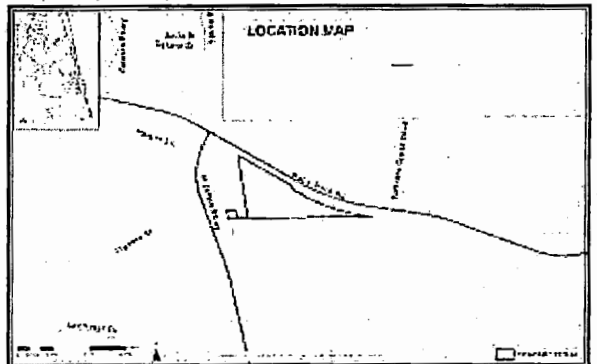
A person may attend this CMT meeting by calling the telephone number at 904.209.1265 and viewing the meeting on (GTV or <http://www.sicfl.us/GTV/watchtv.aspx>). Written or physical documentation may be submitted to the St. Johns County Growth Management Department at 4040 Lewis Speedway, St. Augustine, FL 32084, or e-mail address: [plandep@sicfl.us](mailto:plandep@sicfl.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@sicfl.us](mailto:plandep@sicfl.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.

**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 (18009558770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY  
ST. JOHNS COUNTY, FLORIDA  
MIKE KOPPENHAFFER, CHAIR  
File Number: COMPAMD-2020000004  
Project Name: 4560 Race Track Road (Text Change)  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JEB S. SMITH, CHAIR







## FLORIDA DEPARTMENT OF STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

November 23, 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. 2020-55, which was filed in this office on November 20, 2020.

Sincerely,

Ernest L. Reddick  
Program Administrator

ELR/lb

FILED **NOV 20 2020**  
ST. JOHNS COUNTY  
CLERK OF COURT  
BY: Yvonne King  
DEPUTY CLERK