

ORDINANCE NUMBER: 2020- 57

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) TO MIXED USE DISTRICT (MD) FOR APPROXIMATELY 1.16 ACRES OF LAND LOCATED AT 11305 OLD DIXIE HIGHWAY; 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 Map designation from **Rural/Silviculture (R/S)** to **Mixed Use District (MD)**, on approximately 1.16 acres of land located at 11305 Old Dixie Highway, as described on the attached **EXHIBITS A and B**.

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.

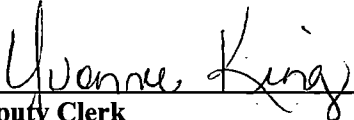
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 1st DAY OF December, 2020.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Henry Dean, Vice Chair

Rendition Date: DEC 03 2020

ATTEST: Brandon J. Patty,
Clerk of the Circuit Court and Comptroller

BY: 
Deputy Clerk

Effective Date: JAN 04 2021



Exhibit A:

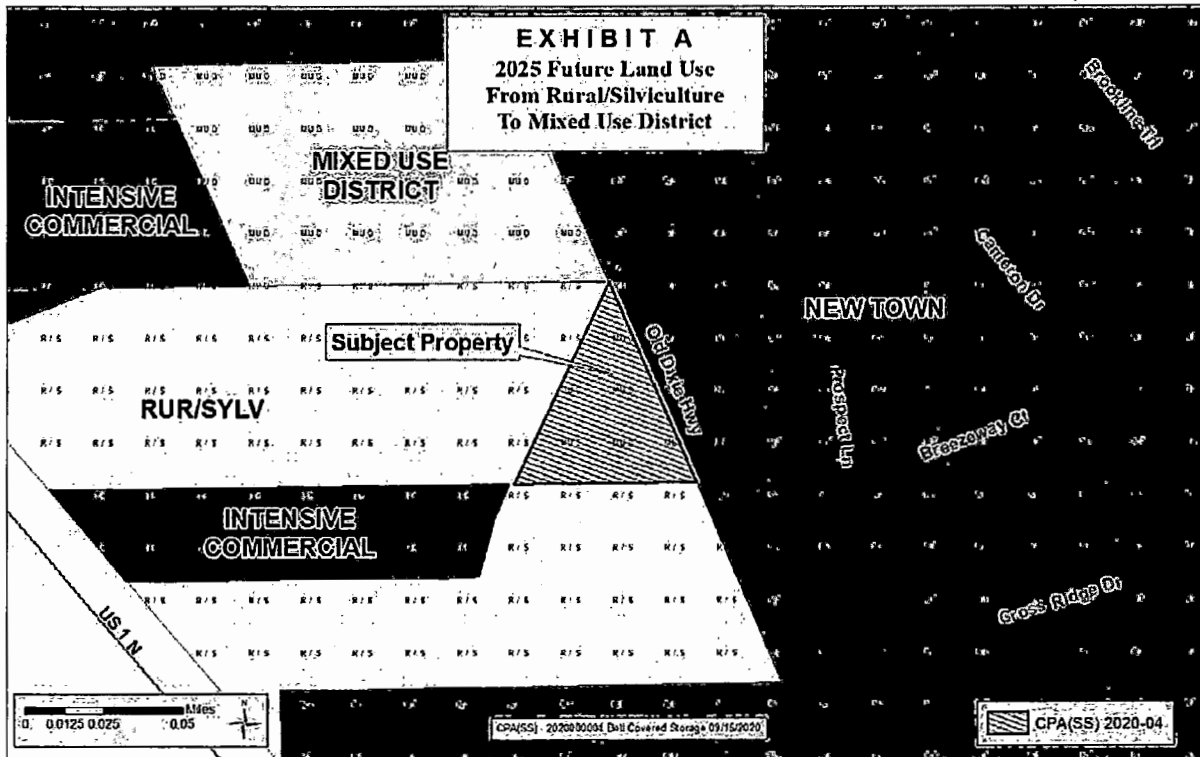


Exhibit B

Legal Description

A Parcel of land in Tract 10 of Durbin Subdivision, in Section 2 and 3, Township 5 South, Range 28 East, St. Johns County, Florida, said Parcel or land being more fully described as follows: Commencing at the Northeast corner of said Tract 10, thence South 25 degrees 02 minutes East, on the East line of said Tract 10, and the West line of the Old Dixie Highway, 100 feet to the Point of Beginning at the Northeast corner of the herein described parcel of land; thence continuing South 25 degrees 02 Minutes East, on said East line of said Tract 10 and west line of Highway, 264.02 feet; thence South 88 degrees 10 Minutes West 305.15 feet; thence North 24 degrees 10 minutes East, on the East line of a 20 feet width lateral ditch from State Road No. 5, U.S. Highway No. 1 a distance of 270.01 feet; thence North 88 degrees 10 Minutes East 82.75 feet to the Point of Beginning; and containing 1.08 acres more or less.

Together with,

A triangular shaped parcel of land in Tract 10 of the DURBIN SUBDIVISION, in Sections 2 and 3, Township 5 South, Range 28 East, St. Johns County, Florida, being more particularly described as follows,

Commencing at the Northeast corner of said Tract 10; thence run South 25 degrees, 02 minutes East on the East line of said Tract 10 and the west line of the Old Dixie Highway, 98.18 feet to the Northeast corner of the property of THOMAS E. BELL and SHERRY LEE BELL, his wife, as described in ORB 239, page 410, public records of St. Johns County, Florida, thence South 88 degrees 10 minutes West along the North line of property of THOMAS E. BELL and SHERRY LEE BELL, his wife, 82.75 feet; thence North 24 degrees 12 minutes East 100.39 feet to the point of beginning.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

JAMIE MACKEY
P.O. BOX 600363
JACKSONVILLE, FL 32260

ACCT: 52210
AD# 0003312802-01
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 AD DISPLAY in the matter of CPA(SS) 2020-000004 was published in said newspaper on 10/09/2020.

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

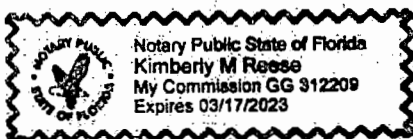
physical presence or
 online notarization

OCT 09 2020

this ___ day of OCT 09 2020

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

Kimberly M Reese
(Signature of Notary Public)



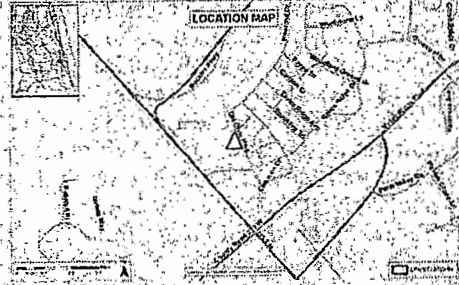
NOTICE OF PUBLIC HEARING TO CONSIDER TRANSMITTAL OF A PROPOSED COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on 11/5/2020 at 1:30 p.m. and the St. Johns County Board of County Commissioners on 11/3/2020 at 9:00 a.m. is postponed to 12/1/2020 @ 9:00 a.m. will each hold public hearings, as follows: The Planning and Zoning Agency to consider and issue a recommendation on the transmittal 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 transmit 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 (R/S) TO MIXED USE DISTRICT (M/D) FOR APPROXIMATELY 1.16 ACRES OF LAND LOCATED AT 11305 OLD DIXIE HIGHWAY, 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 1.16 acres and is located on 11305 Old Dixie Highway, 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)-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.sjfl.us/GTV/watching.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@sjfl.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@sjfl.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 (18009553770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY
ST. JOHNS COUNTY, FLORIDA
MIKE KOPPENHAFFER, CHAIR
FILENAME: CPA(SS)-2020000004
PROJECT NAME: Bell Covered Storage

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

0003312802 October 9, 2020



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 4, 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. 2020-57, which was filed in this office on December 3, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED **DEC 03 2020**
ST. JOHNS COUNTY
CLERK OF COURT

BY: *Yvonne King*
DEPUTY CLERK