

ORDINANCE NO. 2021 - 14

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 (MU), FOR APPROXIMATELY 5.74 ACRES OF LAND WITH A TEXT AMENDMENT TO POLICY A.1.11.1(M)(8) LIMITING COMMERCIAL DEVELOPMENT TO A MAXIMUM OF 79,000 SF, SPECIFICALLY LOCATED EAST OF PACETTI ROAD AND SOUTH OF COUNTY ROAD 16A, 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 **Rural Silviculture (R/S) to Mixed Use (MU)** on approximately 5.74 acres of land with a text amendment to Policy A.1.11.1(m)(8) limiting Commercial development to a maximum of 79,000 SF, specifically located east of Pacetti Road and south of County Road 16 A; 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. 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 6 DAY OF April 2021.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Jeremiah R. Blocker
Jeremiah R. Blocker, Chair

RENDITION DATE APR 08 2021

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

BY: Wanda King
Deputy Clerk

Effective Date: MAY 07 2021

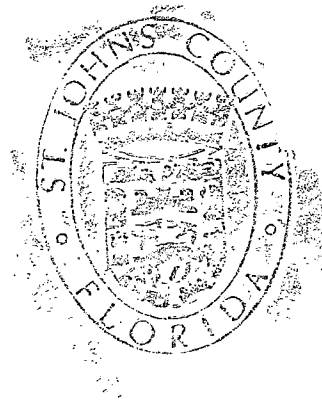


EXHIBIT A
2025 Future Land Use
From Rural/Silviculture
To Mixed Use

MIXED USE DISTRICT

RUR/SYLV

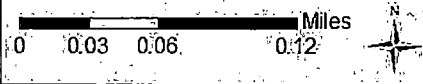
MIXED USE DISTRICT

Subject Property

RUR/SYLV

RUR/SYLV

PARK/RECREATION



CPA(SS) 2019000005 State Road 16 Car Condos 01/07/2021


 CPA(SS) 2019-06

EXHIBIT B
LEGAL DESCRIPTION

8-13D Antonio Huertas Grant Subdivision Part South one-half of Southwest one-quarter of Section 7 Lying South of SR 16 – Parcel 5 (Ex Parcel 7 in OR3048/1662).
OR4346/1932

Parcel # 0283900040

METES AND BOUNDS SURVEY
BOUNDARY SURVEY MAP

Parcel 5

A parcel of land lying in Section 8 within Section 38 of the Antonio Huertas Grant, Township 6 South, Range 28 East St. Johns County, Florida being more particularly described as follows:

For a POINT OF COMMENCEMENT begin at the Intersection of the Southeast corner of State Road 16 A 200 foot Right-of-way as now established and County Road 13-A (AKA Pacetti Road) Right-of-Way varies; Thence along said Right-of-Way of State Road 16 run South 81 Degrees 10 Minutes and 44 Seconds East 4,596.55 Feet to a Point on a curve, said curve having a Delta of 07 Degrees 27 Minutes and 12 Seconds radius of 17,188.80 Feet, Arc length of 2235.97 Feet, a chord bearing of South 84 Degrees 52 Minutes and 04 Seconds East and a chord distance of 2,234.39 Feet to a point on a curve; Said Point lying on a curve having a delta of 01 Degrees 46 Minutes and 33 Seconds; Radius of 17,188.80 feet, arc length of 532.76 Feet, a chord bearing of South 72 Degrees 48 Minutes and 55 Seconds East and a chord distance of 532.73 Feet; Thence South 71 Degrees 54 Minutes and 44 Seconds East 130.12 Feet; Thence leaving said Right-of-Way of State Road 16 South 19 Degrees 20 Minutes and 54 Seconds West 379.53 Feet; Thence North 72 Degrees 30 Minutes 22 Seconds West 650.55 Feet; Thence North 17 Degrees 29 Minutes 38 Seconds East 377.80 Feet to the Southeasterly Right-of-Way of State Road 16 and the POINT OF BEGINNING. Less and except that part conveyed to Robert D. Rustell and Cynthia P. Rustici recorded in O.R. Book 3048, page 1662.

EXHIBIT C
STATE ROAD 16 GARAGE CONDOS
COMPREHENSIVE PLAN MAP TEXT AMENDMENT

Policy A.1.11.1(m)(8) ee

The property located on State Road 16, identified as Parcel # 0283900040, approximately 5.7 acres in size, as legally described in Ordinance No. 2021-14, is assigned a future land use designation of Mixed Use District as shown on the Future Land Use Map. Development is limited to a maximum of 79,000 square feet of commercial uses.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

SJC GROWTH MANAGEMENT
4040 LEWIS SPEEDWAY
ST. AUGUSTINE, FL 32084

ACCT: 15628
AD# 000336706-01

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)-2019000006 SR 16 Car Condos was published in said newspaper on **02/05/2021**.

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.

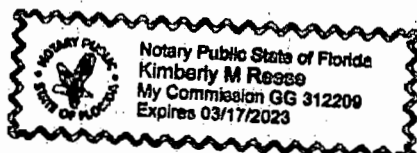
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this day of FEB 05

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 SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that a Public Hearing previously scheduled for 2/18/21 by the Planning and Zoning Agency will now be held on **Thursday, 3/4/2021 at 1:30 p.m.**, and the St. Johns County Board of County Commissioners on **Tuesday, 4/6/2021 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 approval of a proposed Small Scale 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 approve the same proposed Small Scale 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 (MD), FOR APPROXIMATELY 5.74 ACRES OF LAND WITH A TEXT AMENDMENT TO POLICY A.1.11.1(M)(B) LIMITING COMMERCIAL DEVELOPMENT TO A MAXIMUM OF 79,000 SF, SPECIFICALLY LOCATED EAST OF PACETTI ROAD AND SOUTH OF COUNTY ROAD 16A, 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 5.74 acres and is located on State Road 16, 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)-2019000006, 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 St. Johns County Emergency Order No. 2020-10, this meeting may be conducted remotely and may provide remote public participation under communication media technology (CMT). 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 of 5 days in advance of this meeting. Such printed documentation will be presented at the meeting.

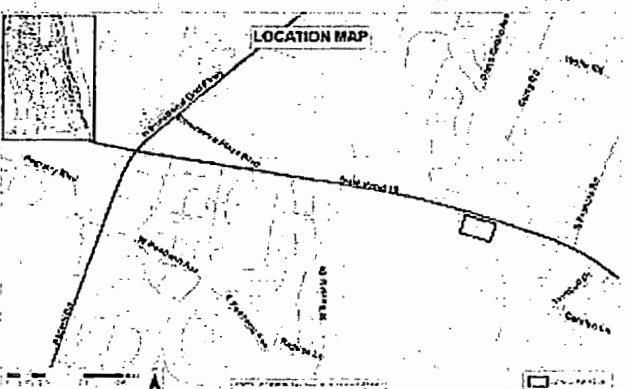
A person may attend this CMT meeting by calling the telephone number at 904.209.1265 and viewing the meeting on [GTV or <http://www.sjcl.us/GTV/watchgtv.aspx>]. Written or physical documentation may be submitted to the St. Johns County Growth Management Department at 4040 Lewis Speedway, St. Augustine,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

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.

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.

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| PLANNING AND ZONING AGENCY | BOARD OF COUNTY COMMISSIONERS |
| ST. JOHNS COUNTY, FLORIDA | ST. JOHNS COUNTY, FLORIDA |
| GREG MATOVINA, CHAIR | JEREMIAH R. BLOCKER, CHAIR |
| File Number: CPA(SS)-2019000006, State Road 16 Car Condos | |





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

April 8, 2021

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. 2021-14, which was filed in this office on April 8, 2021.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

FILED APR 08 2021
ST. JOHNS COUNTY
CLERK OF COURT

BY: Yvonne King
DEPUTY CLERK