

ORDINANCE NO. 2021 - 42

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 AGRICULTURAL-INTENSIVE (A-I) TO RESIDENTIAL-A (RES-A), FOR APPROXIMATELY 5.16 ACRES OF LAND LOCATED EAST OF COUNTY ROAD 13 SOUTH AND NORTH OF COUNTY ROAD 13-A SOUTH; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 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, Section 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 **Agricultural-Intensive (A-I)** to **Residential-A (RES-A)**, for approximately 5.16 acres of land located east of County Road 13 South and north of County Road 13-A South; as described and shown 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 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.

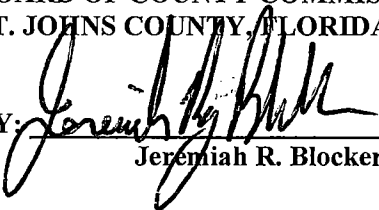
SECTION 4. Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

SECTION 5. Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance.

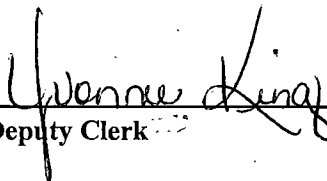
SECTION 6. This ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 20 DAY OF July 2021.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Jeremiah R. Blocker, Chair

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

BY: 
Deputy Clerk

Rendition Date: JUL 21 2021

Effective Date: AUG 20 2021



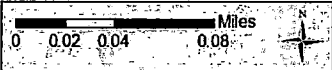
EXHIBIT A
2025 Future Land Use
From Agriculture
To Residential-A

Subject Property

Residential-A

AGRICULTURE

AGRICULTURE



CPA(SS) 2021000001 Clark Property 04/12/21



EXHIBIT B

Legal Description

Parcel# 033080-0080

A parcel of land in the Southeast Quarter of the Northwest Quarter of Section 28, Township 8 South, Range 28 East, St. Johns County, Florida, and being more particularly described as follows:

COMMENCE at the Northwest corner of the Southeast Quarter of Northwest Quarter of Section 28; thence North $89^{\circ}19'28''$ East, along the North line of the Southeast Quarter of the Northwest Quarter Section 28 a distance of 150.00 feet to the Northeast corner of Official Records Book 4914, Page 825, of the public records of said St. Johns County and the **POINT OF BEGINNING** for the herein described parcel; thence North $89^{\circ}18'36''$ East, a distance of 384.11 feet to the Northwest Corner of Official Records Book 1775, Page 968; thence South $33^{\circ}17'42''$ East along the West line of Official Records Book 1775, Page 968, a distance of 151.21 feet to the North line of Official Records Book 4236, Page 322; thence South $55^{\circ}17'37''$ West parallel to the Northwest right-of-way County Road 13-A, a distance of 149.96 feet; thence South $33^{\circ}17'42''$ East, parallel to the West line of Official Records Book 1775, Page 968, a distance of 270.04 feet to the Northwest right-of-way of County Road 13-A; thence South $55^{\circ}17'37''$ West, along said Northwest right-of-way County Road 13-A, a distance of 362.92 feet to the Northeast right-of-way State Road 13; thence North $41^{\circ}11'13''$ West, along said State Road 13, a distance of 488.57 feet; thence North $89^{\circ}17'39''$ East, parallel to the North line of the Southeast Quarter of the Northwest Quarter Section 28, a distance of 132.90 feet; thence North $01^{\circ}01'43''$ West, parallel to West line of the Southeast Quarter of the Northwest Quarter Section 28 a distance of 270.22 feet to the **POINT OF BEGINNING** and to close.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

MICHAEL BATES
3428 S SILVERTREE WAY
ST. AUGUSTINE, FL 32086

ACCT: 56047
AD# 0003351371-01

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) 2021-01 was published in said newspaper on 04/23/2021.

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.

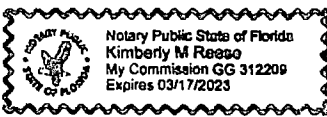
Sworn to (or affirmed) and subscribed before me by means of

[x] physical presence or
[] online notarization

this _____ day of **APR 23 2021**

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

Kimberly M. Reese
(Signature of Notary Public)



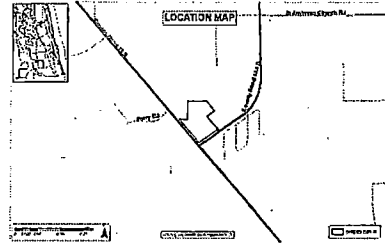
NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on **Thursday, 5/20/2021 at 1:30 p.m.**, and the St. Johns County Board of County Commissioners on **Tuesday, 7/20/2021 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 AGRICULTURAL-INTENSIVE (A-I) TO RESIDENTIAL-A (RES-A), FOR APPROXIMATELY 5.16 ACRES OF LAND LOCATED EAST OF COUNTY ROAD 13 SOUTH AND NORTH OF COUNTY ROAD 13-A SOUTH; 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 5.16 acres and is located on County Road 13 S, 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)-2021000001, 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.

This meeting may be conducted to 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. If provided, CMT used to conduct the meeting would include Government TV (GTV), phone, and wireless microphone.

Please contact staff to confirm whether CMT will be offered for this meeting.
Additional information may be obtained at:
Mailing address: 4040 Lewis Speedway, St. Augustine, FL 32084
Email address: plandept@sjcfl.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
GREG MATOVINA, CHAIR

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JEREMIAH R. BLOCKER, CHAIR

File Number: CPA(SS)-2021-01, Clark Property

ED-0003351371-01



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

July 21, 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. 2021-42, which was filed in this office on July 21, 2021.

Sincerely,

Anya Grosenbaugh
Program Administrator

AG/lb

FILED JUL 21 2021
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK