

ORDINANCE NUMBER: 2021- 44

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 INTENSIVE COMMERCIAL (IC) FOR APPROXIMATELY 2.13 ACRES OF LAND LOCATED AT 11280 US HIGHWAY 1 NORTH; 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 **Intensive Commercial (IC)**, on approximately 2.13 acres of land located at 11280 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.

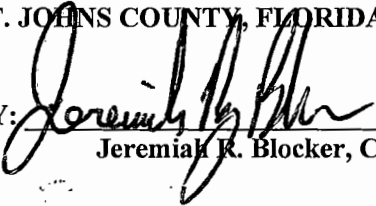
SECTION 5. These amendments to the St. Johns County Comprehensive Plan shall be effective 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged within 30 days after adoption, the amendment does not become effective

until the state land-planning agency or Administration Commission enters a final order determining the adopted amendment to be in compliance.

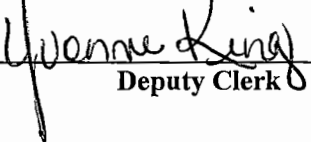
SECTION 6. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 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 and Comptroller

BY: 
Deputy Clerk

Rendition Date: **JUL 21 2021**

Effective Date: **SEP 02 2021**



Exhibit A:

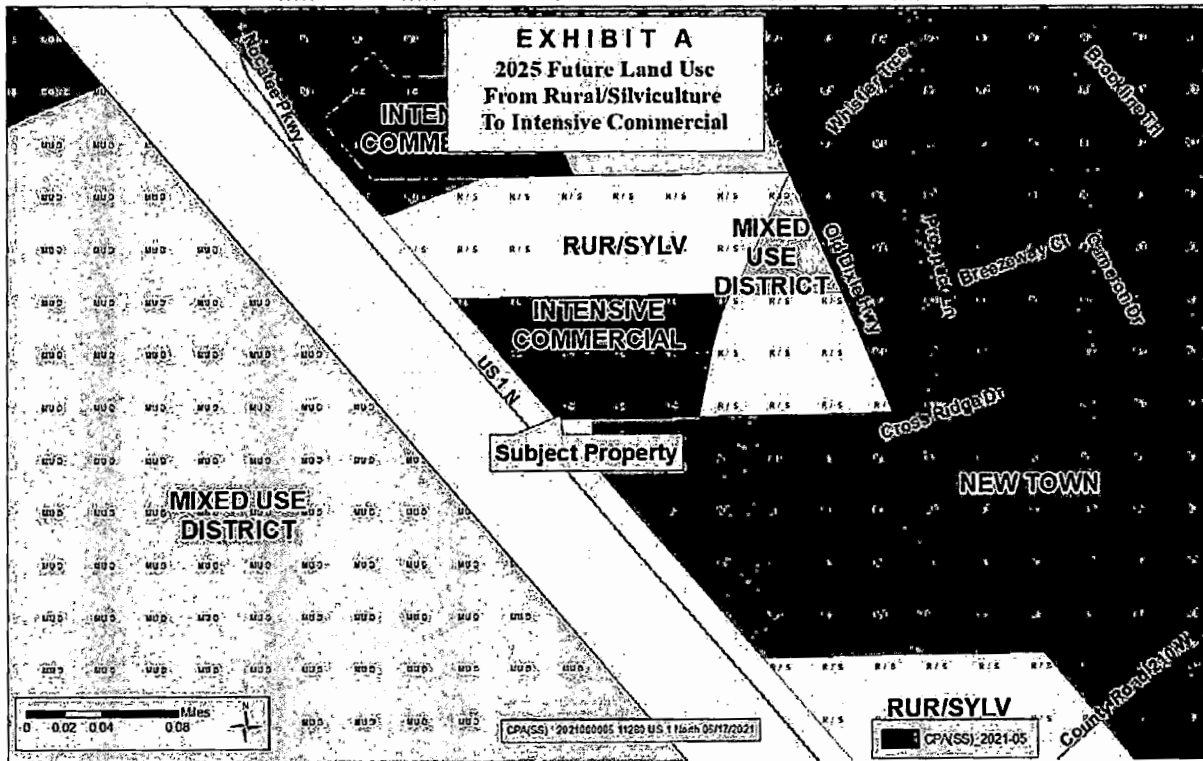


Exhibit B:

Legal Description

A PORTION OF LAND IN SECTION 2 AND 3, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 28 EAST, AS A POINT OF REFERENCE; THENCE SOUTH 88 DEGREES 11 SECONDS 00 SECONDS WEST, A DISTANCE OF 4324.13 FEET TO THE EXISTING NORTHEASTERLY BOUNDARY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTH 42 DEGREES 10 MINUTES 00 SECONDS WEST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE 1755.62 FEET TO THE THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE 238.77 FEET TO THE SOUTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 421, PAGE 583, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 88 DEGREES 10 MINUTES 00 SECONDS EAST, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS VOLUME 421, PAGE 583, 587.90 FEET TO THE CENTER LINE OF A DRAINAGE EASEMENT (SAID DRAINAGE EASEMENT BEING DESCRIBED IN DEED BOOK 221, PAGE 214); THENCE RUN SOUTHERLY ALONG THE CENTER LINE OF SAID DRAINAGE EASEMENT 186.80 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 794, PAGE 894, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88 DEGREES 10 MINUTES 00 SECONDS WEST, ALONG THE NORTHERLY BOUNDARY OF SAID OFFICIAL RECORDS VOLUME 794, PAGE 894, 392.29 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY BEING MORE ACCURATELY DESCRIBED AS FOLLOWS:

A PORTION OF LAND IN SECTION 2 AND 3, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 28 EAST, AS A POINT OF REFERENCE; THENCE SOUTH 88 DEGREES 11 SECONDS 00 SECONDS WEST, A DISTANCE OF 4324.13 FEET TO THE EXISTING NORTHEASTERLY BOUNDARY LINE OF U.S. HIGHWAY NO. 1; THENCE NORTH 42 DEGREES 10 MINUTES 00 SECONDS WEST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE 1755.62 FEET TO THE THE POINT OF BEGINNING; THENCE CONTINUE NORTH 42 DEGREES 10 MINUTES 00 SECONDS WEST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE 239.10 FEET TO THE SOUTHWESTERLY CORNER OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 421, PAGE 583, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 88 DEGREES 08 MINUTES 02 SECONDS EAST, ALONG THE SOUTH LINE OF SAID OFFICIAL RECORDS VOLUME 421, PAGE 583, 587.74 FEET TO THE CENTER LINE OF A DRAINAGE EASEMENT (SAID DRAINAGE EASEMENT BEING DESCRIBED IN DEED BOOK 221, PAGE 214); THENCE RUN SOUTHERLY SOUTH 10 DEGREES 44 MINUTES 45 SECONDS WEST ALONG THE CENTER LINE OF SAID DRAINAGE EASEMENT 186.86 FEET TO A POINT ON THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 794, PAGE 894, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88 DEGREES 08 MINUTES 02 SECONDS WEST, ALONG THE NORTHERLY BOUNDARY OF SAID OFFICIAL RECORDS VOLUME 794, PAGE 894, 392.29 FEET TO THE POINT OF BEGINNING.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

CARSON BAIRD
4791 SW THISTLE TERRANCE
PALM CITY FL 34990

ACCT: 56501
AD# 0003356695-01
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)-2021000005 was published in said newspaper on 05/24/2021.

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.

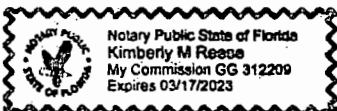
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this ___ day of MAY 24 2021

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

Kimberly M Reese
(Signature of Notary Public)



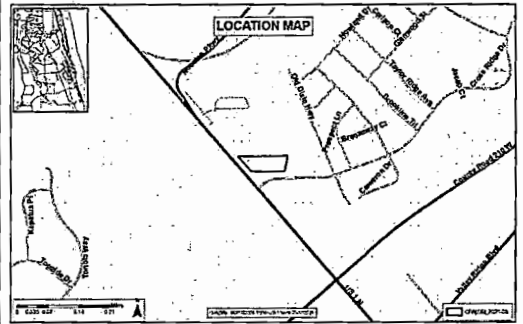
NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2025 COMPREHENSIVE PLAN

NOTICE IS HEREBY GIVEN that the Planning and Zoning Agency on Thursday, 6/17/2021 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 RURAL/SILVICULTURE (R/S) TO INTENSIVE COMMERCIAL (IC) FOR APPROXIMATELY 2.13 ACRES OF LAND LOCATED AT 11280 US HIGHWAY 1 NORTH; 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 acres and is located on 11280 US Highway 1 North, 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)-2021000005, 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.

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.

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 MATOVNA, CHAIR
BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA
JEREMIAH R. BLOCKER, CHAIR
FILE NUMBER: CPA(SS)-2021000005
PROJECT NAME: 11280 US 1 North



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. 2021-44, 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