

ORDINANCE NUMBER: 2021- 82

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) AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD) TO MIXED USE (MU) FOR APPROXIMATELY 49.9 ACRES OF LAND LOCATED BETWEEN S.R. 16 AND INTERSTATE 95; 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) and St. Johns River Water Management District (SJRWMD)** to **Mixed Use (MU)** for approximately 49.9 acres of land located between S.R. 16 and Interstate 95; as described on the attached EXHIBITS A and B, and limiting the maximum number of multifamily dwelling units and nonresidential intensity with a Comprehensive Plan policy text amendment on the attached EXHIBIT C.

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 2nd DAY OF November 2021.

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

BY: _____

Jeremiah R. Blocker
Jeremiah R. Blocker, Chair

REMOVAL DATE NOV 04 2021

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

BY: _____

Reber L. Platt
Deputy Clerk

Effective Date: DEC 03 2021



EXHIBIT A

2025 Future Land Use
From Rural Silviculture SJRWMD
To Mixed Use District

RUR/SYLV

RUR/SYLV/SJRWMD

MIXED USE
DISTRICT

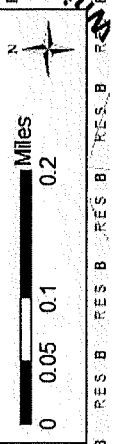
NEIGHBORHOOD
COMMERCIAL

RESIDENTIAL-B

State Road 76

Interstate 95

Whisper Ridge Dr



CPA(SS) 202100020 TGC Parcel C 9/23/2021

CPA(SS) 2021-20

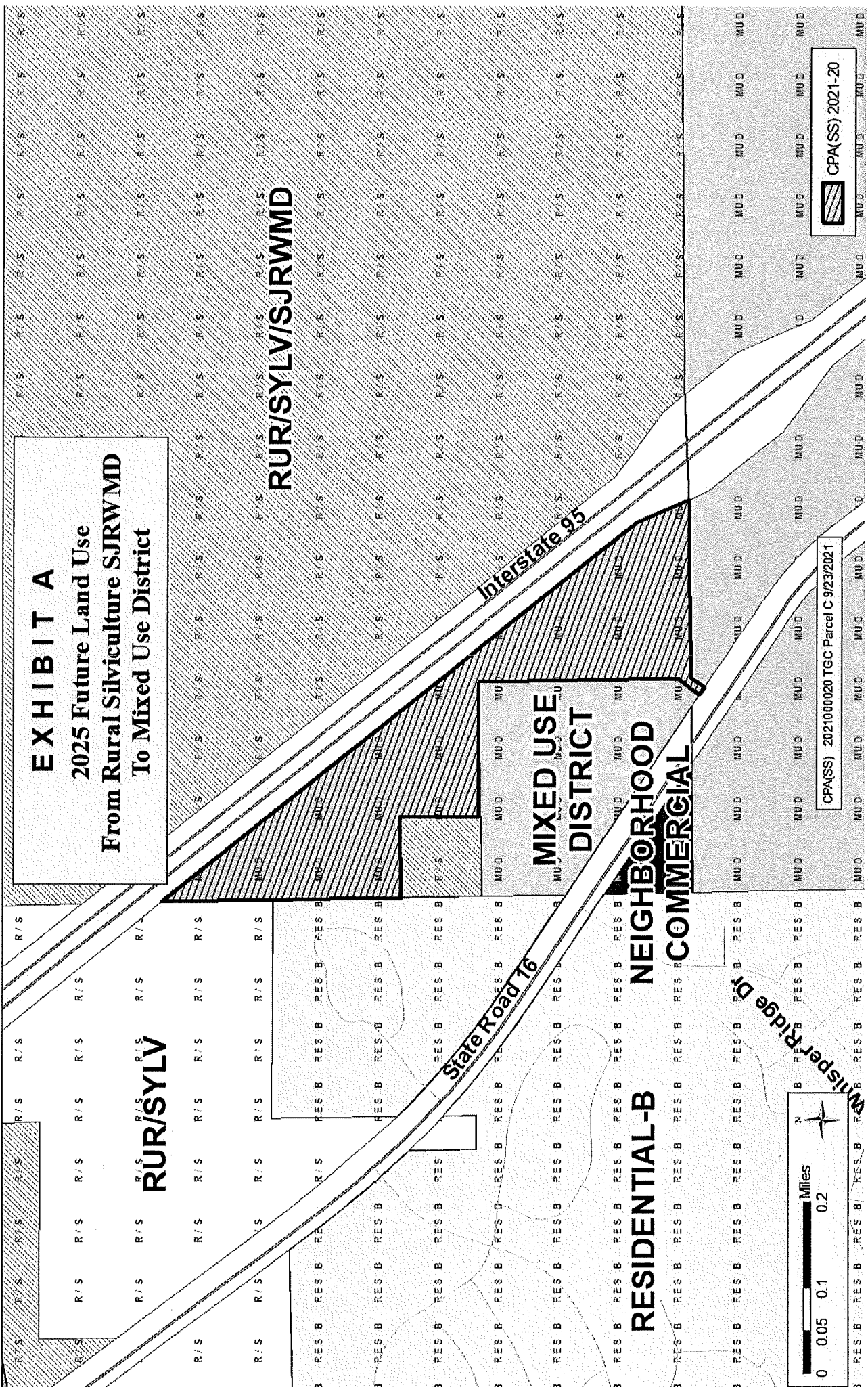


EXHIBIT "B"

Legal Description of the Property

072910-0010

A PORTION OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 29 EAST, AND A PORTION OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE WESTERLY LINE OF SAID SECTION 31, TOWNSHIP 6 SOUTH, RANGE 29 EAST, WITH THE SOUTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE OF INTERSTATE HIGHWAY NO. 95, A 300 FOOT RIGHT-OF-WAY, AS PRESENTLY ESTABLISHED; THENCE SOUTH 38 DEGREES 29 MINUTES 55 SECONDS EAST, ALONG SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 3741.44 FEET; THENCE SOUTH 23 DEGREES 29 MINUTES 55 SECONDS EAST, CONTINUING ALONG SAID SOUTHWESTERLY LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 353.15 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF SAID SECTION 31; THENCE SOUTH 89 DEGREES 06 MINUTES 28 SECONDS WEST, DEPARTING SAID LIMITED ACCESS RIGHT-OF-WAY LINE, AND ALONG SAID SOUTH LINE OF SECTION 31, A DISTANCE OF 1097.48 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERLY LINE OF THOSE LANDS DESCRIBED IN DEED BOOK 206, PAGE 589, SAID ST. JOHNS COUNTY; THENCE SOUTH 33 DEGREES 06 MINUTES 03 SECONDS WEST, ALONG SAID SOUTHEASTERLY LINE A DISTANCE OF 99.64 FEET TO THE NORTHEASTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 16, (A 200 FOOT RIGHT-OF-WAY AS PRESENTLY ESTABLISHED); THENCE NORTH 56 DEGREES 01 MINUTES 25 SECONDS WEST, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 57.10 FEET TO A NORTHWESTERLY LINE OF SAID LANDS DESCRIBED IN DEED BOOK 206, PAGE 589; THENCE NORTH 37 DEGREES 01 MINUTES 53 SECONDS EAST, ALONG JUST MENTIONED NORTHWESTERLY LINE, A DISTANCE OF 166.61 FEET TO THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS 1073, PAGE 1879 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY; THENCE NORTH 01 DEGREES 01 MINUTES 04 SECONDS WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 1236.59 FEET TO THE NORTHEAST CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS 1073, PAGE 1879 OF SAID PUBLIC RECORDS; THENCE SOUTH 89 DEGREES 01 MINUTES 20 SECONDS WEST, ALONG SAID NORTH LINE A DISTANCE OF 1311.00 FEET TO THE WEST LINE OF SAID SECTION 31; THENCE NORTH 01 DEGREES 00 MINUTES 42 SECONDS WEST, ALONG SAID WEST LINE OF SECTION 31, A DISTANCE OF 1285.17 FEET; THENCE NORTH 01 DEGREES 17 MINUTES 47 SECONDS WEST, CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 688.81 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT ALL SOVEREIGNTY LANDS.

Less and except the following described parcel of land:

A portion of Section 31, Township 6 South, Range 29 East, St. Johns County, Florida, being a portion of Parcel "F", as described and recorded in Official Records Book 4837, page 989, of the Public Records of said county, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Southwesterly limited access right of way line of Interstate No. 95, a variable width limited access right of way as presently established, and the Westerly line of said Section 31; thence South 01°17'47" East, along said Westerly line, 688.81 feet; thence South 01°00'42" East, continuing along said Westerly line, 795.17 feet to the Point of Beginning.

From said Point of Beginning, thence North 89°01'20" East, departing said Westerly line of Section 31, a distance of 490.00 feet; thence South 01°00'42" East, 490.00 feet to a point lying on the Northerly line of Parcel 1, as described and recorded in Official Records Book 5165, page 1718, of said Public Records; thence South 89°01'20" West, along said Northerly line, 490.00 feet to the Northwesterly corner thereof, said corner lying on said Westerly line of Section 31; thence North 01°00'42" West, along said Westerly line, 490.00 feet to the Point of Beginning.

Containing 5.51 acres, more or less.

EXHIBIT "C"

TGC Parcel C Mixed Use

Comprehensive Plan Text Amendment

Objective A.1.11.1(m)(8)__ - Development within the approximately 49.8 acres of the TGC Parcel C Mixed Use Property (COMPAMD 2021-05), shall be limited to a maximum of 300 multi-family residential units and a maximum of 50,000 square feet of commercial uses. Floor area and impervious surface ratios shall be as permitted in the Mixed Use Future Land Use Map category. Proposed changes to increase the density or add other non-residential uses are subject to the provisions of Chapter 163, Florida Statutes, as related to Comprehensive Plan Amendments.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

ROGERS, TOWERS
1301 RIVERPLACE BLVD, STE 1500
JACKSONVILLE, FL 32207

ACCT: 15669
AD# 0003377521-01
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) 2021-20 TCG Parcel C was published in said newspaper on 09/15/2021.

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.

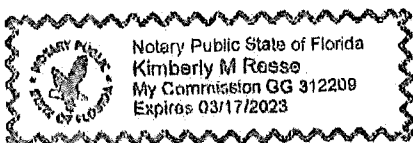
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this day of **SEP 21 2021**

by *[Signature]* 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, 10/7/2021 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 11/2/2021 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 adoption 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 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 RURAL/SILVICULTURE (R/S) AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWD) TO MIXED USE (MU) FOR APPROXIMATELY 49.9 ACRES OF LAND LOCATED BETWEEN SR. 16 AND INTERSTATE 95; 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 49.9 acres and is located on Between SR 16 and Interstate 95, northwest of the Outlet Mall, 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.

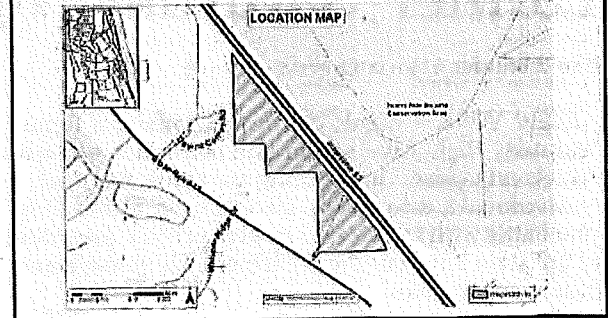
The proposed change is known as File Number CPA(SS)-2021000020, and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

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 the meetings or hearings, he/she will need a record of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which 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 (1-800-955-8770), 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) 2021-20
PROJECT NAME: TGC PARCEL C





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 5, 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. 2021-82, which was filed in this office on November 4, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

FILED NOV 04 2021
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK