

ORDINANCE NUMBER: 2021- 90

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 TO MIXED USE FOR APPROXIMATELY 19.17 ACRES OF LAND LOCATED OFF OF SAN PABLO ROAD SOUTH; 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**, for approximately 19.17 acres of land located off of San Pablo Road South, 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. It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during

codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

SECTION 6. 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.

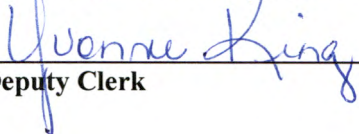
SECTION 7. This Ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 7th DAY OF December, 2021.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Henry Dean Chair

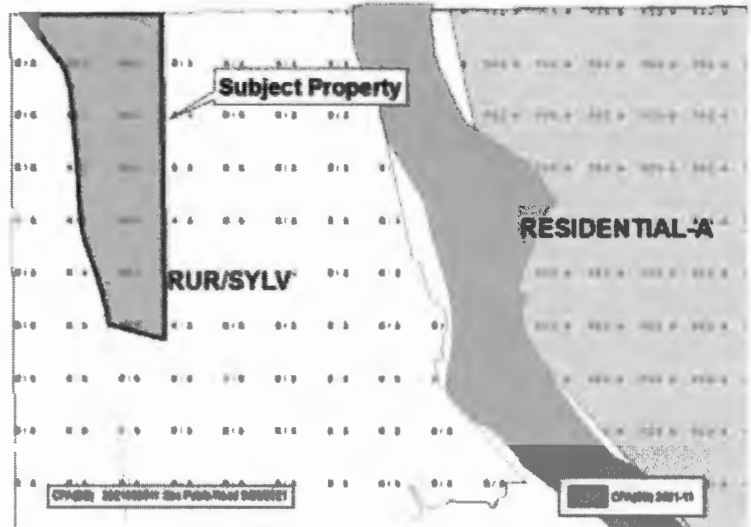
ATTEST: **Brandon J. Patty, Clerk of the Circuit Court and Comptroller**

BY: 
Deputy Clerk

Rendition Date: DEC 09 2021

Effective Date: JAN 07 2022

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



"Exhibit B"

Revised March 2, 2021
February 26, 2021

Work Order No. 21-069.00
File No. 127F-37.00A

Land Use Parcel

A portion of Section 38 of the Joseph Peavett Grant, Township 3 South, Range 29 East, St. Johns County, Florida, being more particularly described as follows:

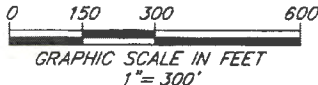
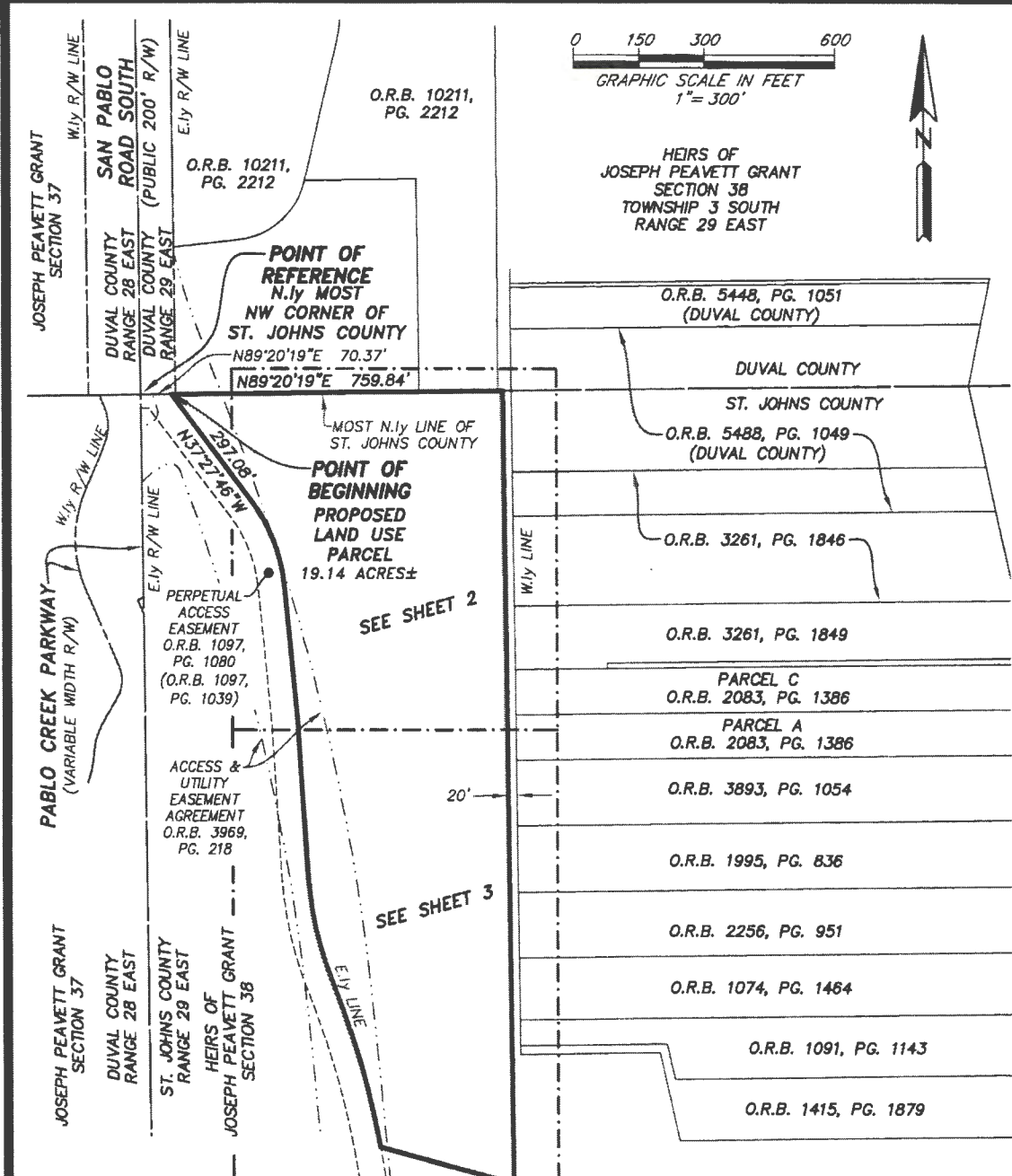
For a Point of Reference, commence at the Northerly most Northwest corner of said St. Johns County; thence North $89^{\circ}20'19''$ East, along the most Northerly line of said St. Johns County, 70.37 feet to the Point of Beginning.

From said Point of Beginning, thence continue North $89^{\circ}20'19''$ East, along said most Northerly line of St. Johns County, 759.84 feet; thence South $00^{\circ}39'41''$ East, departing said Northerly line and along a line 20 feet Westerly of and parallel with the Westerly line of those lands described and recorded in Official Records Book 5488, page 1049, of the current Public Records of Duval County, Florida and the Westerly lines of those lands described and recorded in Official Records Book 3261, page 1846, Official Records Book 3261, page 1849, Official Records Book 2083, page 1386, Official Records Book 3893, page 1054, Official Records Book 1995, page 836, Official Records Book 2256, page 951, Official Records Book 1074, page 1464, Official Records Book 1091, page 1143, Official Records Book 1415, page 1879, and their Southerly prolongation, all of Public Records of said St. Johns County, a distance of 1796.90 feet; thence North $74^{\circ}53'22''$ West, 316.98 feet to a point lying on the Easterly line of that certain Perpetual Access Easement as described and recorded in Official Records Book 1097, page 1080, of said Public Records; thence Northerly along said Easterly line the following 6 courses: Course 1, thence Northerly along a non-tangent curve concave Westerly having a radius of 1970.00 feet, through a central angle of $11^{\circ}24'01''$, an arc length of 391.98 feet to a point of reverse curvature, said arc being subtended by a chord bearing and distance of North $16^{\circ}14'08''$ West, 391.33 feet; Course 2, thence Northerly along the arc of a curve concave Easterly having a radius of 770.00 feet, through a central angle of $18^{\circ}14'25''$, an arc length of 245.13 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $12^{\circ}48'56''$ West, 244.10 feet; Course 3, thence North $03^{\circ}41'44''$ West, 355.22 feet; Course 4, thence North $05^{\circ}43'18''$ West, 309.63 feet to the point of curvature of a curve concave Westerly having a radius of 380.00 feet; Course 5, thence Northerly along the arc of said curve, through a central angle of $31^{\circ}44'31''$, an arc length of 210.52 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of North $21^{\circ}35'32''$ West, 207.84 feet; Course 6, thence North $37^{\circ}27'46''$ West, 297.08 feet to the Point of Beginning.

Containing 19.14 acres, more or less.

SKETCH TO ACCOMPANY DESCRIPTION OF

A PORTION OF SECTION 38 OF THE JOSEPH PEAVETT GRANT,
TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA,
BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



HEIRS OF
JOSEPH PEAVETT GRANT
SECTION 38
TOWNSHIP 3 SOUTH
RANGE 29 EAST

SHEET 1 OF 3

GENERAL NOTES:

- 1) THIS IS NOT A SURVEY.
- 2) BEARINGS BASED ON THE MOST NORTHERLY LINE OF ST. JOHNS COUNTY AS BEING NORTH 89°20'19" EAST.
- 3) PUBLIC RECORDS DEPICTED HEREON PER THE PUBLIC RECORDS OF ST. JOHNS COUNTY, UNLESS OTHERWISE DENOTED.

LEGEND:
O.R.B. OFFICIAL RECORDS BOOK
PG. PAGE
R/W RIGHT OF WAY

REVISED MARCH 2, 2021 TO AMEND
MAP AND LEGAL DESCRIPTION.



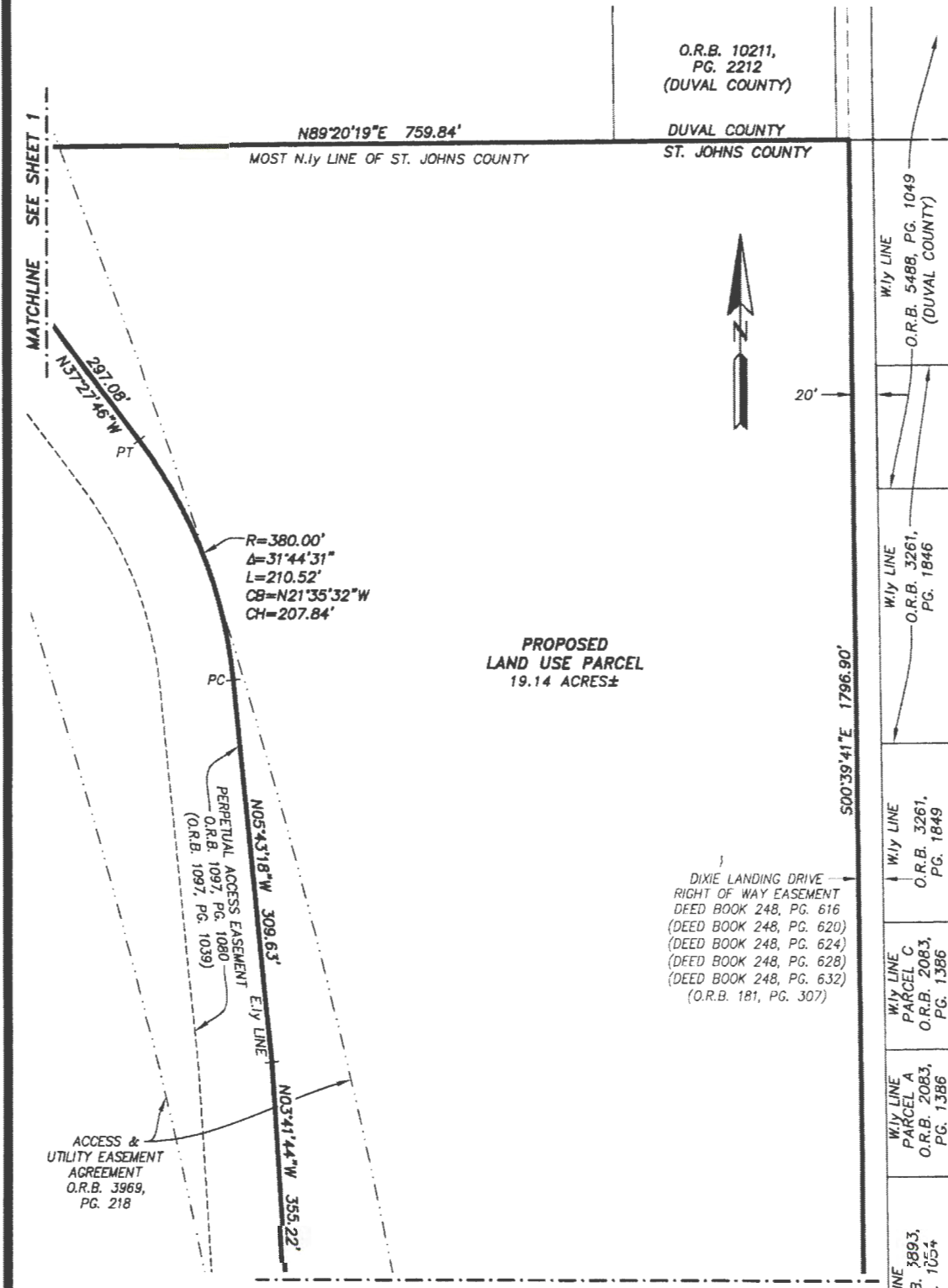
14775 Old St. Augustine Road, Jacksonville, FL 32258
Tel: (904) 642-8550 Fax: (904) 642-4165
Certificate of Authorization No.: LB 3624

SCALE: 1"=300'
DATE: FEBRUARY 26, 2021

Digital Signature By:
Damon J. Kelly, P.S.M.

DAMON J. KELLY
PROFESSIONAL SURVEYOR AND MAPPER
STATE OF FLORIDA LS No. 6284

A PORTION OF SECTION 38 OF THE JOSEPH PEAVETT GRANT,
TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA.



O.R.B. 10211,
PG. 2212
(DUVAL COUNTY)

DUVAL COUNTY
ST. JOHNS COUNTY

W/IY LINE
O.R.B. 5488, PG. 1049
(DUVAL COUNTY)

W/IY LINE
O.R.B. 3261,
PG. 1846

W/IY LINE
O.R.B. 3261,
PG. 1849

W/IY LINE
PARCEL C
O.R.B. 2083,
PG. 1386

W/IY LINE
PARCEL A
O.R.B. 2083,
PG. 1386

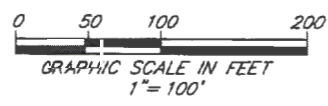
W/IY LINE
O.R.B. 3893,
PG. 1054

PROPOSED
LAND USE PARCEL
19.14 ACRES±

DIXIE LANDING DRIVE
RIGHT OF WAY EASEMENT
DEED BOOK 248, PG. 616
(DEED BOOK 248, PG. 620)
(DEED BOOK 248, PG. 624)
(DEED BOOK 248, PG. 628)
(O.R.B. 181, PG. 307)

MATCHLINE SEE SHEET 3

- LEGEND:
- O.R.B. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - R/W RIGHT OF WAY
 - PC POINT OF CURVATURE
 - PT POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE

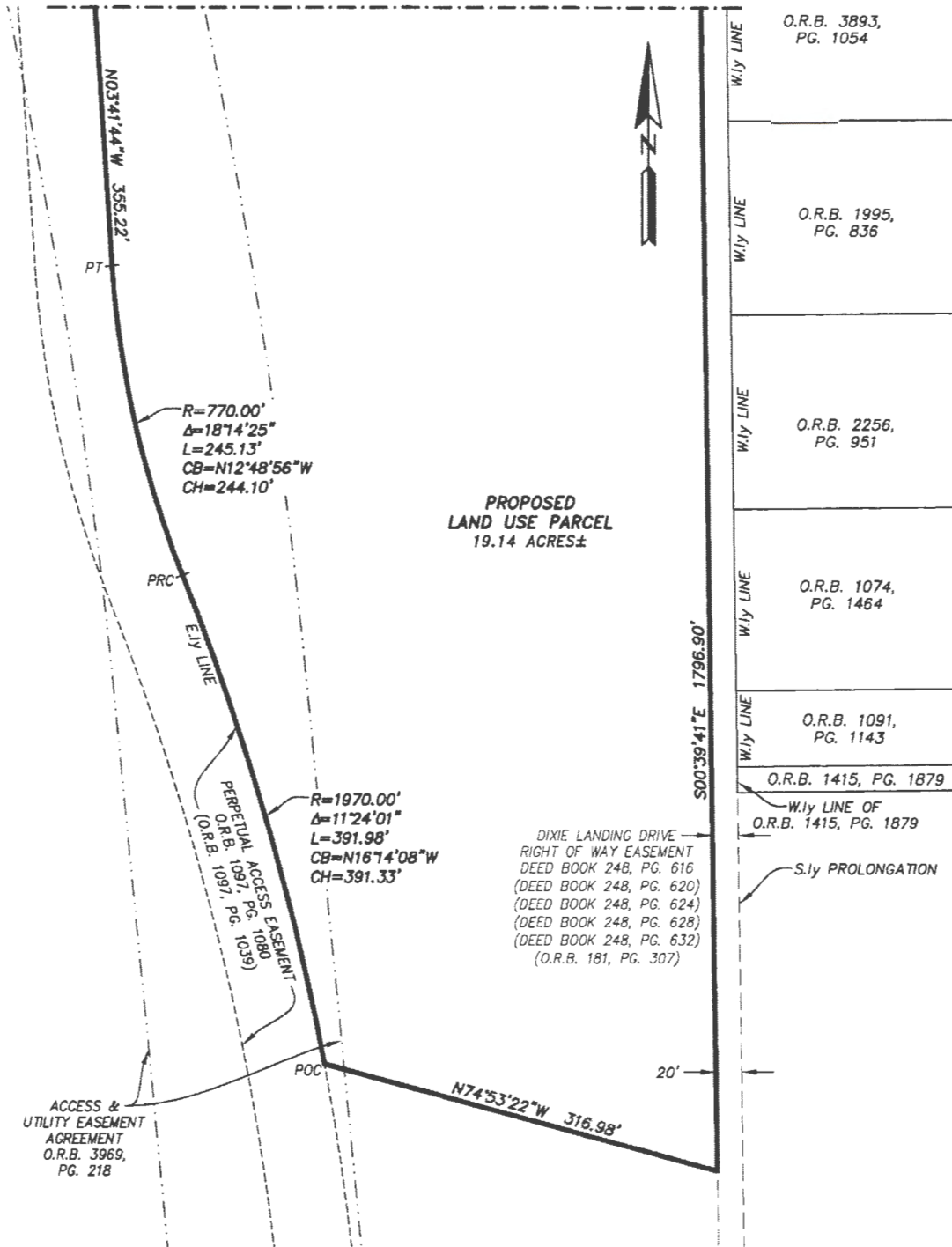


SHEET 2 OF 3
SEE SHEET 1 FOR GENERAL NOTES.

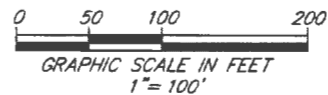
PREPARED BY:
ETM SURVEYING & MAPPING, INC.
14775 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32258 (904) 842-8550
CERTIFICATE OF AUTHORIZATION NO. LB 3824

A PORTION OF SECTION 38 OF THE JOSEPH PEAVETT GRANT,
TOWNSHIP 3 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA.

MATCHLINE SEE SHEET 2



- LEGEND:**
- O.R.B. OFFICIAL RECORDS BOOK
 - PG. PAGE
 - PC POINT OF CURVATURE
 - POC POINT ON CURVE
 - PRC POINT OF REVERSE CURVATURE
 - PT POINT OF TANGENCY
 - R RADIUS
 - Δ CENTRAL ANGLE
 - L ARC LENGTH
 - CB CHORD BEARING
 - CH CHORD DISTANCE



SHEET 3 OF 3
SEE SHEET 1 FOR GENERAL NOTES.

PREPARED BY:
ETM SURVEYING & MAPPING, INC.
14725 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32258 (904) 642-8550
CERTIFICATE OF AUTHORIZATION NO. LB 3624

THE ST. AUGUSTINE RECORD
Affidavit of Publication

ENGLAND THIMS & MILLER, INC
14775 OLD SAINT AUGUSTINE ROAD
JACKSONVILLE, FL 32258

ACCT: 55123
AD# 0003382070-01
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 **SALEGAL AD DISPLAY** in the matter of **CPA(SS) 2021-11** was published in said newspaper on **10/08/2021**.

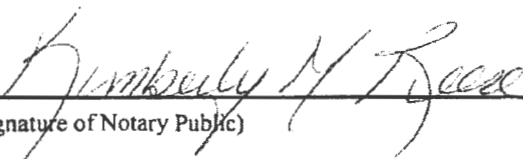
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida each day and has been entered as second class mail matter at the post office 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.

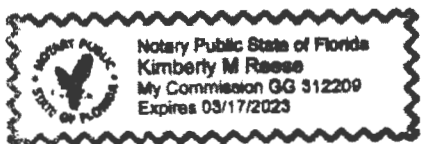
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this day of **OCT 08 2021**

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


(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, 11/4/2021 at 1:30, and the St. Johns County Board of County Commissioners on Tuesday, 12/7/2021 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 TO MIXED USE FOR APPROXIMATELY 19.17 ACRES OF LAND LOCATED OFF OF SAN PABLO ROAD 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 19.17 acres and is located on San Pablo Road South, 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)-2021000011, 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.

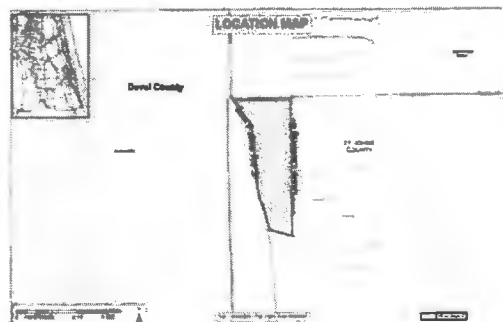
Interested parties may appear at the public hearings to be heard regarding the proposed amendment.

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
FILE NUMBER: CPA(SS)-2021-11
PROJECT NAME: San Pablo Road

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



October 8, 2021



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 13, 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. 2021-90, which was filed in this office on December 13, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

FILED **DEC 13 2021**
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK