

ORDINANCE NO. 2021 - 95

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 6.66 ACRES OF LAND, 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 6.66 acres of land; 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 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.

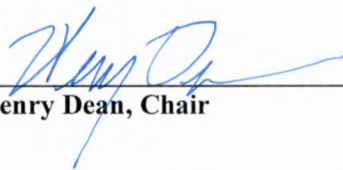
SECTION 4. Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining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

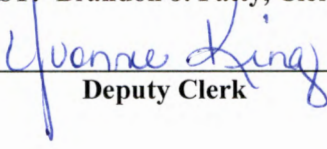
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 21st DAY OF December 2021.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Henry Dean, Chair

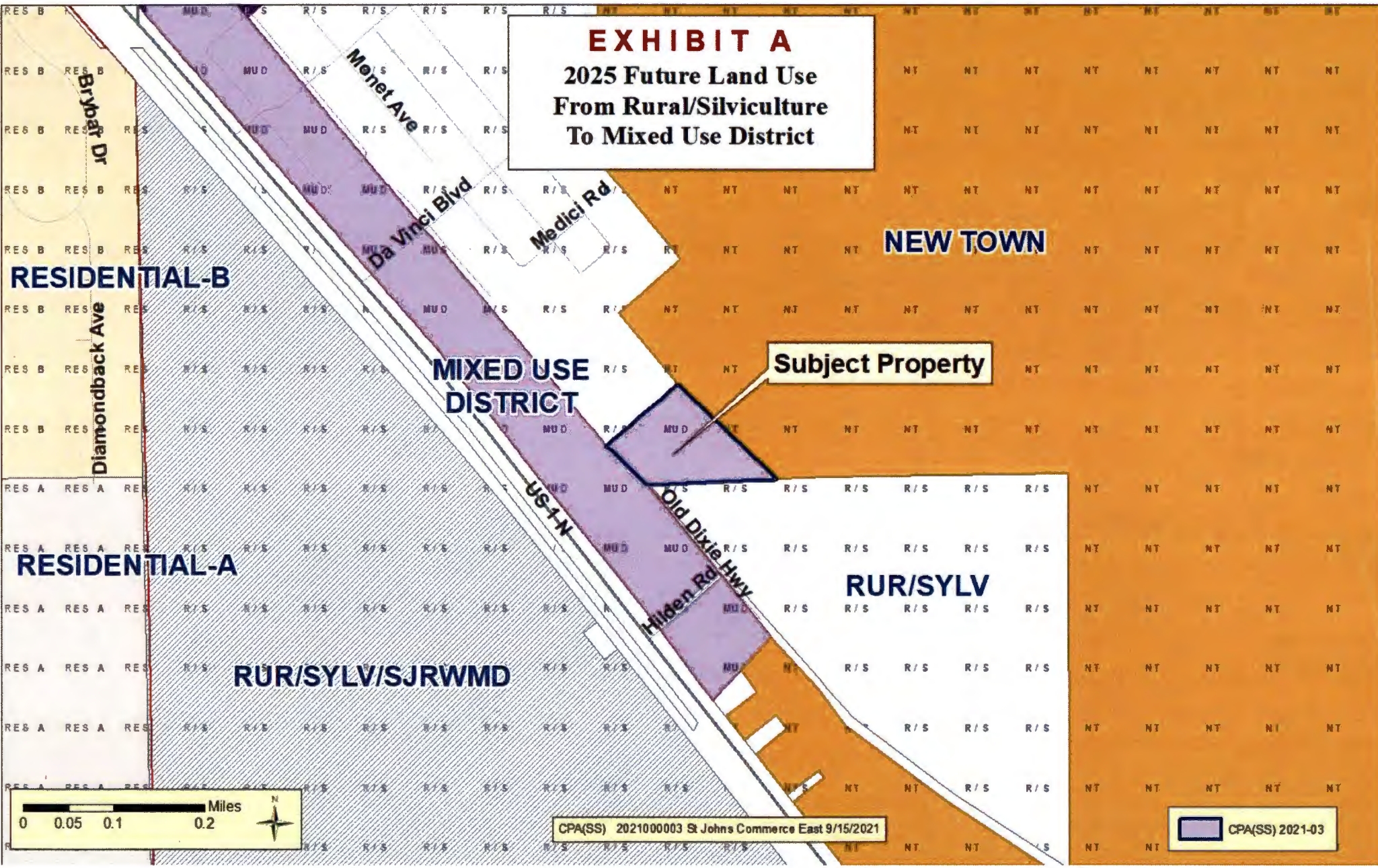
Rendition Date: DEC 22 2021

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

BY: 
Deputy Clerk

Effective Date: JAN 21 2022

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



RESIDENTIAL-B

RESIDENTIAL-A

RUR/SYLV/SJRWMD

MIXED USE DISTRICT

NEW TOWN

Subject Property

RUR/SYLV

CPA(SS) 202100003 St Johns Commerce East 9/15/2021

CPA(SS) 2021-03

EXHIBIT B - LEGAL DESCRIPTION

THAT CERTAIN TRACT OR PARCEL OF LAND BEING A PART OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE SOUTHEASTERLY CORNER OF HILDEN SUBDIVISION AS RECORDED IN MAP BOOK 3, PAGE 59 OF THE PUBLIC RECORDS OF SAID ST. JOHNS COUNTY, SAID POINT BEING SITUATED AT THE INTERSECTION OF THE SOUTHEASTERLY RIGHT OF WAY LINE OF SECOND STREET (A 40 FOOT RIGHT OF WAY AS SHOWN ON SAID PLAT OF HILDEN SUBDIVISION) WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF FIFTH AVENUE (A 40 FOOT RIGHT OF WAY AS SHOWN ON SAID PLAT OF HILDEN SUBDIVISION), SAID POINT ALSO BEING SITUATED IN THE SOUTHWESTERLY LINE OF THE TOLOMATO CDD, CONSERVATION EASEMENT PARCEL "A", AS RECORDED IN OFFICIAL RECORDS BOOK 4271, PAGE 1981 OF SAID PUBLIC RECORDS; THENCE SOUTH 40°12'48" EAST, ALONG SAID SOUTHWESTERLY LINE OF SAID TOLOMATO CDD, 752.60 FEET TO A POINT IN THE NORTHERLY LINE OF GOVERNMENT LOT 2 OF SAID SECTION 13; THENCE SOUTH 88°15'21" WEST, ALONG SAID NORTHERLY LINE OF GOVERNMENT LOT 2, A DISTANCE OF 699.56 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF DIXIE HIGHWAY, SAID POINT BEING THE NORTHEAST CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4039, PAGE 483 OF SAID PUBLIC RECORDS; THENCE NORTH 39°56'04" WEST ALONG SAID SOUTHWESTERLY RIGHT OF WAY LINE OF DIXIE HIGHWAY, 307.42 FEET TO A POINT IN SAID SOUTHEASTERLY RIGHT OF WAY LINE OF SECOND STREET AS SHOWN ON SAID PLAT OF HILDEN SUBDIVISION; THENCE NORTH 48°44'18" EAST, ALONG SAID SOUTHEASTERLY RIGHT OF WAY LINE, 546.31 FEET TO THE POINT OF BEGINNING.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

PROPERTY THEATER
8110 CYPRESS PLAZA DRIVE
JACKSONVILLE, FL 32256

ACCT: 58346
AD# 0003379232-01
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) 2021-03 was published in said newspaper on 09/24/2021.

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.

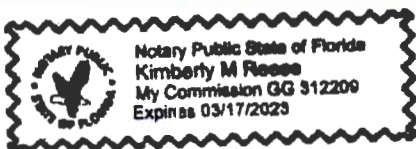
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this day of **SEP 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, 10/21/2021 at 1:30 p.m., 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 (R/S) TO MIXED USE (MU), FOR APPROXIMATELY 6.66 ACRES OF LAND, 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 6.66 acres and is located on Old Dixie Highway, Ponte Vedra, FL 32081, 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)-2021000003, 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) 2021-03
FILE NAME: St Johns Commerce East

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



PUBLISH ONE TIME ON: 9/24/2021

ED-000379232-01



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

December 27, 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. 2021-95, which was filed in this office on December 23, 2021.

Sincerely,

Anya Owens
Program Administrator

AO/lb

FILED **DEC 23 2021**
ST. JOHNS COUNTY
CLERK OF COURT
BY: *Yvonne King*
DEPUTY CLERK