

ORDINANCE NUMBER: 2022 - 31

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE FAMILY (RS-3) TO WORKFORCE HOUSING (WH); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

WHEREAS, the development of the lands within this rezoning shall proceed in accordance with the application, dated December 13, 2021 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2021-40 Spanish Forest**, as approved by the Board of County Commissioners, and incorporated by reference into and made part hereof this Ordinance. In the case of conflict between the application, the supporting documents, and the below described special provisions of this Ordinance, the below described provisions shall prevail.

SECTION 1. Upon consideration of the application, supporting documents, statements from the applicant, correspondence received by the Growth Management Department, recommendation of the Planning and Zoning Agency, and comments from the staff and the general public at the public hearing, the Board of County Commissioners, finds as follows:

1. The request for rezoning has been fully considered after public hearing with legal notice duly published as required by law.
2. The rezoning to **Workforce Housing (WH)** is consistent with the Comprehensive Plan, in that:
 - (a) The rezoning is compatible and complementary to conforming adjacent land uses. (Objective A.1.3.11)
 - (b) The rezoning encourages an efficient and compact land use pattern and supports balanced growth and economic development. (Objective A.1.11)
 - (c) The proposed project is consistent with the goals, policies and objectives of the 2025 St. Johns County Comprehensive Plan.
3. The rezoning to **Workforce Housing (WH)** is consistent with Parts 5.07.00 and 5.11.00 of the St. Johns County Land Development Code.
4. The zoning district of **Workforce Housing (WH)** is consistent with the land uses allowed in the land use designation of Residential-D as described in Policy A.1.11.1(m) of the 2025 St. Johns County Comprehensive Plan and as depicted on the 2025 Future Land Use Map.

SECTION 2. Pursuant to this application **File Number REZ 2021-40** the zoning classification of the lands described within the attached legal description, Exhibit "A",

is hereby changed to Workforce Housing (WH).

SECTION 3. To the extent that they do not conflict with the unique, specific and detailed provisions of this Ordinance, all provisions of the Land Development Code as such may be amended from time to time shall be applicable to development of property referenced herein except to the degree that development may qualify for vested rights in accordance with applicable ordinances and laws. Notwithstanding any provision of this Ordinance, no portion of any concurrency provision or impact fee ordinance, building code, Comprehensive Plan or any other non-Land Development Code ordinance or regulation shall be deemed waived or varied by any provision herein. Notwithstanding any provision of this Ordinance, no portion of any use restriction, title conditions, restriction or covenant shall be deemed waived or varied by any provision herein.

SECTION 4. 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 5. This Ordinance shall take effect upon receipt by the Secretary of State.

SECTION 6. This Ordinance shall be recorded in a book kept and maintained by the Clerk of the Board of County Commissioners of St. Johns County, Florida, in accordance with Section 125.68, Florida Statutes.

SECTION 7. Upon the effective date of this Ordinance, the zoning classification shall be recorded on the Zoning Atlas.

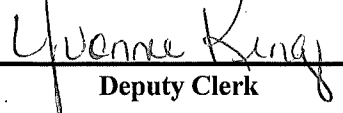
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 19TH DAY OF APRIL, 2022.

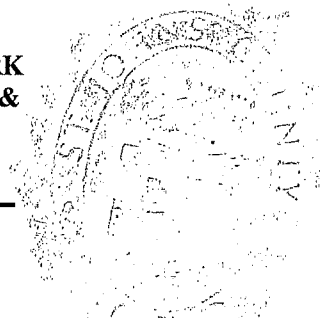
**BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA**

BY: 
Christian Whitehurst, Vice-chair

Rendition Date APR 21 2022

**ATTEST: BRANDON J. PATTY, CLERK
OF THE CIRCUIT COURT &
COMPTROLLER**

BY: 
Deputy Clerk



EFFECTIVE DATE: APR 21 2022

EXHIBIT A
LEGAL DESCRIPTION
Spanish Forest Rezoning

PARCEL "A"
BLOCK 104, CLARK'S ADDITION AS RECORDED IN MAP BOOK 1, PAGE 77 OF
THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA

PARCEL "B"
A PARCEL OF LAND SITUATED IN THE ANTONIO HUERTAS GRANT, SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 29 EAST, OF SAID COUNTY; THENCE S 85°56'06" E, ALONG THE NORTH LINE OF SAID SECTION 24, ALSO BEING THE SOUTH LINE OF SAID SECTION 45, A DISTANCE OF 1347.45 FEET TO THE POINT OF INTERSECTION WITH THE SOUTHERLY PROJECTION OF THE EAST RIGHT OF WAY LINE OF SOUTH NASSAU STREET, AS IT CURRENTLY EXISTS AND ALSO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N 03°25'14" W, ALONG THE SAID EAST RIGHT OF WAY LINE OF SOUTH NASSAU STREET AND ITS SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 820.86 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF COLUMBUS STREET, AS IT CURRENTLY EXISTS; THENCE N 85°39'56" E, ALONG SAID SOUTH RIGHT OF WAY LINE OF COLUMBUS STREET, A DISTANCE OF 729.52 FEET TO THE POINT OF INTERSECTION WITH THE WEST RIGHT OF WAY LINE OF MILLER STREET, AS IT CURRENTLY EXISTS; THENCE S 03°57'13" E, ALONG SAID WEST RIGHT OF WAY LINE OF MILLER STREET, A DISTANCE OF 929.52 FEET TO SAID SOUTH LINE OF SECTION 45; THENCE N 85°56'06" W, ALONG SAID SOUTH LINE OF SECTION 45, A DISTANCE OF 744.42 FEET TO THE POINT OF BEGINNING.
THE AFOREDESCRIBED PARCEL CONTAINS 14.738 ACRES MORE OR LESS.

PARCEL "C"
A PARCEL OF LAND SITUATED IN THE ANTONIO HUERTAS GRANT, SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 29 EAST, OF SAID COUNTY; THENCE S 85°56'06" E, ALONG THE NORTH LINE OF SAID SECTION 24, ALSO BEING THE SOUTH LINE OF SAID SECTION 45, A DISTANCE OF 2122.17 FEET TO THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY LINE OF MILLER STREET, AS IT CURRENTLY EXISTS AND ALSO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N 03°57'13" W, ALONG THE SAID EAST RIGHT OF WAY LINE OF MILLER STREET, A DISTANCE OF 933.94 FEET TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF COLUMBUS STREET, AS IT CURRENTLY EXISTS; THENCE N 85°39'56" E, ALONG SAID SOUTH RIGHT OF WAY LINE OF COLUMBUS STREET, A DISTANCE OF 388.92 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF THE FLORIDA EAST COAST RAILWAY, AS IT CURRENTLY EXISTS; THENCE S 03°25'33" E, ALONG SAID WEST LINE OF THE FLORIDA EAST COAST RAILWAY, A DISTANCE OF 990.07 FEET TO SAID SOUTH LINE OF SECTION 45; THENCE N 85°56'06" W, ALONG SAID SOUTH LINE OF SECTION 45, A DISTANCE OF 383.54 FEET TO THE POINT OF BEGINNING.
THE AFOREDESCRIBED PARCEL CONTAINS 8.491 ACRES MORE OR LESS.

PARCEL "D"
A PARCEL OF LAND SITUATED IN THE ANTONIO HUERTAS GRANT, SECTION 45, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:
COMMENCE AT THE NORTHWEST CORNER OF SECTION 24, TOWNSHIP 7 SOUTH, RANGE 29 EAST, OF SAID COUNTY; THENCE S 85°56'06" E, ALONG THE NORTH LINE OF SAID SECTION 24, ALSO BEING THE SOUTH LINE OF SAID SECTION 45, A DISTANCE OF 2505.71 FEET TO THE POINT OF INTERSECTION OF THE WEST LINE OF THE FLORIDA EAST COAST RAILWAY, AS IT CURRENTLY EXISTS; THENCE N 03°25'33" W, ALONG THE SAID WEST LINE OF THE FLORIDA EAST COAST RAILWAY, A DISTANCE OF 1020.07 FEET TO THE POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF COLUMBUS STREET, AS IT CURRENTLY EXISTS AND ALSO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL OF LAND; THENCE S 85°39'56" W, ALONG SAID SOUTH RIGHT OF WAY LINE OF COLUMBUS STREET, A DISTANCE OF 389.20 FEET TO THE POINT OF INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF MILLER STREET, AS IT CURRENTLY EXISTS; THENCE N 03°57'13" W, ALONG SAID EAST RIGHT OF WAY LINE OF MILLER STREET, A DISTANCE OF 492.87 FEET TO THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4189, PAGE 1497 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE N 85°25'27" E, ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4189, PAGE 1497, A DISTANCE OF 393.77 FEET TO THE SAID WEST LINE OF THE FLORIDA EAST COAST RAILWAY; THENCE S 03°25'33" E, ALONG SAID WEST LINE OF THE FLORIDA EAST COAST RAILWAY, A DISTANCE OF 494.58 FEET TO THE POINT OF BEGINNING.
THE AFOREDESCRIBED PARCEL CONTAINS 4.437 ACRES MORE OR LESS.

I HEREBY CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY AS APPEARS ON RECORD IN ST. JOHNS COUNTY, FLORIDA. WITNESS MY HAND AND OFFICIAL SEAL THIS
21st DAY OF April 2022
ST. JOHNS COUNTY CLERK OF COURT
Ex-Officio Clerk of the Board of County Commissioners

By: Huanne Kury, Deputy Clerk



THE ST. AUGUSTINE RECORD
Affidavit of Publication

KAREN M TAYLOR
77 SARAGOSSA ST

SAINT AUGUSTINE, FL 32084

ACCT: 15637
AD# 0003401477-01
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 Classified in the matter of REZ-2021-40 was published in said newspaper in the issue dated 02/18/2022.

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.

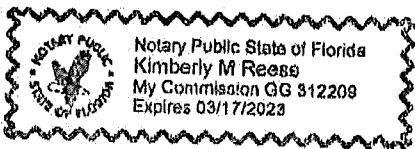
Sworn to (or affirmed) and subscribed before me by means of

physical presence or
 online notarization

this ____ day of **FEB 18 2022**

by *[Signature]* who is personally known to
me or who has produced as identification

[Signature]
(Signature of Notary Public)



NOTICE OF A PROPOSED REZONING

NOTICE IS HEREBY GIVEN that a public hearing will be held on 3/17/2022 at 1:30 pm before the Planning and Zoning Agency in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida and on 4/19/2022 at 9:00 am before the Board of County Commissioners in the St. Johns County Auditorium located at 500 San Sebastian View, St. Augustine, Florida to consider a request to rezone approximately 31.75 acres of land from Residential Single-Family (RS-3) to Workforce Housing (WH) to allow for 106 residential dwelling units, consisting of 52 single family and 54 townhomes.

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF RESIDENTIAL, SINGLE FAMILY (RS-3) TO WORKFORCE HOUSING (WH); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

The subject property is unaddressed property south and east of Columbus Street, northeast of the Solomon Calhoun Center. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Section of the Growth Management Department located at the St. Johns County Permit Center, 4040 Lewis Speedway, St. Augustine, Florida, 32084 and may be inspected by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

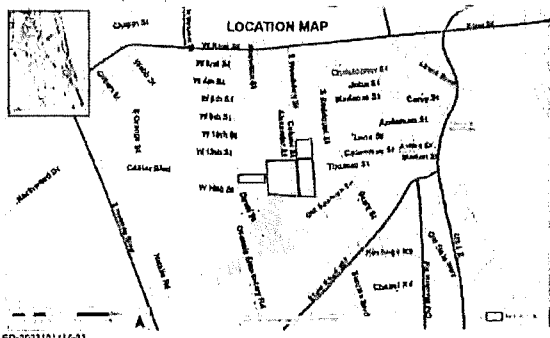
If a person decides to appeal any decision made with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

This matter is subject to court imposed quasi-judicial rules of procedure. Interested parties should limit contact with the Board of County Commissioners or the Planning and Zoning Agency members on this topic, except in compliance with Resolution 95-126, to properly noticed public hearings or to written communication, care of SJC Planning and Zoning Section, 4040 Lewis Speedway, St. Augustine, Florida, 32084.

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: REZ-2021-40
PROJECT NAME: Spanish Forest

BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
HENRY DEAN, CHAIR





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

April 21, 2022

Honorable Brandon Patty
Clerk of Courts
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Yvonne King

Dear Honorable Brandon. Patty:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of St. Johns Ordinance No. 2022-31, which was filed in this office on April 21, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/mas

FILED APR 21 2022
ST. JOHNS COUNTY
CLERK OF COURT
BY: Yvonne King
DEPUTY CLERK