

ORDINANCE NUMBER: 2022- 43

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 DISTRICT (MD) FOR APPROXIMATELY 4.17 ACRES OF LAND LOCATED AT 6138 AND 6148 RACE TRACK ROAD; 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 District (MD)**, on approximately 4.17 acres of land located at 6138 and 6148 Race Track Road, as described on the attached **EXHIBIT A**.

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

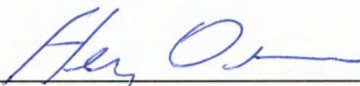
complete. If timely challenged within 30 days after adoption, the amendment does not become effective until the state land-planning agency or Administration Commission enters a final order determining the adopted amendment to be in compliance.

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.

SECTION 7. It is the intent of the St. Johns County Board of County Commissioners that scriveners 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.

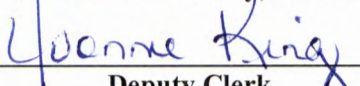
PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 21 DAY OF June 2022.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: 
Henry Dean, Chair

Rendition Date JUN 23 2022

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

BY: 
Deputy Clerk

Effective Date: AUG 14 2022



EXHIBIT A

Legal Description

6148 Race Track Road PUD

A PORTION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF RACE TRACK ROAD (A VARIABLE WIDTH RIGHT OF WAY AS RECORDED IN MAP BOOK 46, PAGES 17-22 OF THE PUBLIC RECORDS OF SAID COUNTY) 111 TH THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4; SAID POINT ALSO BEING THE NORTHWEST CORNER OF JEA PARCEL 809 AS RECORDED IN OFFICIAL RECORDS BOOK 4654, PAGE 1803 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°31'44" EAST, ALONG SAID WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4, AND ALONG THE WEST LINE OF SAID JEA PARCEL 809, A DISTANCE OF 5.01 FEET TO THE SOUTHWEST CORNER THEREOF AND TO THE POINT OF BEGINNING;

FROM THE POINT OF BEGINNING, RUN EAST AND NORTH ALONG SAID JEA PARCEL 809 THE FOLLOWING 2 COURSES: COURSE 1 - SOUTH 88°18'46" EAST, A DISTANCE OF 150.24 FEET; COURSE 2 - NORTH 01°31'44" WEST, A DISTANCE OF 5.01 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF RACETRACK ROAD; THENCE SOUTH 88°78'46" EAST, ALONG SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 169.54 FEET TO A POINT ON A LINE 30.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4560, PAGE 1801 OF SAID PUBLIC RECORDS; THENCE SOUTH 01°30'17" EAST, DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE AND RUNNING ALONG SAID PARALLEL LINE. A DISTANCE OF 585.07 FEET TO A POINT ON A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4560, PAGE 1801 OF SAID PUBLIC RECORDS; THENCE SOUTH 88°29'57" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 214.03 FEET; THENCE NORTH 01°31'44" WEST, A DISTANCE OF 70.00 FEET; THENCE SOUTH 88°29'57" WEST. A DISTANCE OF 105.00 FEET TO A PONT ON THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4; THENCE NORTH 01°31'44" WEST, ALONG SAID WEST LINE, A DISTANCE OF 527.85 FEET TO THE POINT OF BEGINNING, CONTAINING 4.17 ACRES, MORE OR LESS.

THE ST. AUGUSTINE RECORD
Affidavit of Publication

ASH PROPERTIES
7880 GATE PKWY, STE 300
JACKSONVILLE, FL 32256

ACCT: 15983
AD# 0003411720-01
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 CPA(SS)-2021000027 was published in said newspaper in the issue dated 04/22/2022.

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 **APR 22 2022**

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, 4/19/2022 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 4/21/2022 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 in 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 DISTRICT (MD) FOR APPROXIMATELY 4.17 ACRES OF LAND LOCATED AT 6138 AND 6148 RACE TRACK ROAD; 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 4.17 acres and is located on 6138 and 6148 Race Track Road, 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)-2021000027, 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 San 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)-2021000027, 6148 Race Track Road	BOARD OF COUNTY COMMISSIONERS ST. JOHNS COUNTY, FLORIDA HENRY DEAN, CHAIR
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FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

June 27, 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. 2022-43, which was filed in this office on June 27, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh

