

ORDINANCE NO. 2022 - 87

**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 RESIDENTIAL-B (RES-B) TO COMMUNITY COMMERCIAL (CC), FOR APPROXIMATELY 2.26 ACRES OF LAND LOCATED AT 6710 US HIGHWAY 1 S; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 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**, Section 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 **Residential-B (RES-B)** to **Community Commercial (CC)**, for approximately 2.26 acres of land located at 6710 US Highway 1 S; 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 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 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 scriveners and

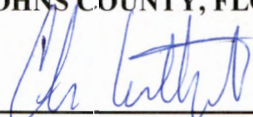
typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

**SECTION 6.** Small scale development amendments may not become effective until 31 days after adoption. If challenged within 30 days after adoption, small scale development amendments may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that the adopted small scale development amendment is in compliance. No development orders, development permits, or development dependent on this amendment may be issued or commence before it has become effective.

**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 6th DAY OF December 2022.**

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

BY:   
Christian Whitehurst, Chair

Rendition Date DEC 08 2022

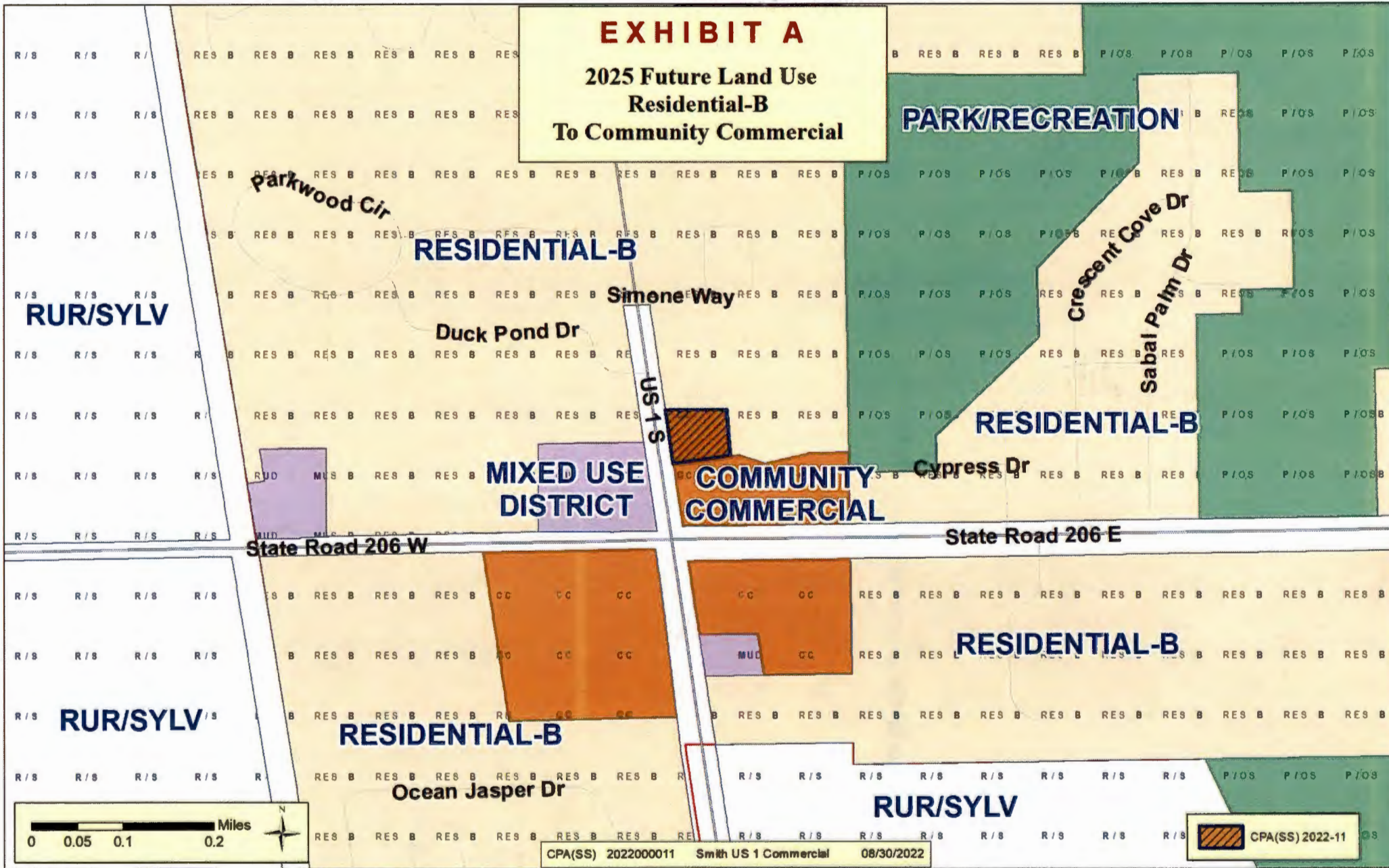
**ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller**

BY:   
Deputy Clerk

Effective Date: JAN 06 2023



**EXHIBIT A**  
**2025 Future Land Use**  
**Residential-B**  
**To Community Commercial**



CPA(SS) 202200011 Smith US 1 Commercial 08/30/2022



EXHIBIT B: LEGAL DESCRIPTION

A PARCEL OF LAND IN GOVERNMENT LOT 8, SECTION 31, TOWNSHIP 8 SOUTH, RANGE 30 EAST, SAINT JOHNS COUNTY, FLORIDA, BEING ALSO A PART OF THOSE LANDS OF ADA D. MICKLER, AS RECORDED IN DEED BOOK 161, PAGES 405 AND 406, OF THE PUBLIC RECORDS OF SAINT JOHNS COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF SAID GOVERNMENT LOT 8, WITH THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 1, HAVING A RIGHT OF WAY LINE OF U.S. HIGHWAY 1, HAVING A RIGHT-OF-WAY WIDTH OF 200 FEET AS IT IS NOW ESTABLISHED: THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY 1, SOUTH 08 DEGREES 33 MINUTES 56 SECONDS EAST, 615.39 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE SOUTH 08 DEGREES 33 MINUTES 56 SECONDS EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE. 312.05 FEET; THENCE NORTH 81 DEGREES 40 MINUTES 53 SECONDS EAST, 329.00 FEET: THENCE NORTH 04 DEGREES 29 MINUTES 02 SECONDS WEST, 268.68 FEET: THENCE SOUTH 88 DEGREES 52 MINUTES 34 SECONDS WEST, 351.08 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN ACCESS EASEMENT FOR INGRESS AND EGRESS OF 40 FEET ALONG THE SOUTHERLY PART THEREOF.

# LOCALiQ FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

## **PROOF OF PUBLICATION**

Bradley Webster  
Driver McAfee Peek & Hawthorne  
1 Independent DR # 1200

Jacksonville FL 32202-5014

STATE OF FLORIDA, COUNTY OF ST JOHNS

The St Augustine Record, a daily newspaper published in St Johns County, Florida; and of general circulation in St Johns County; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

10/28/2022

and that the fees charged are legal.  
Sworn to and subscribed before on 10/28/2022

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$239.60

Order No: 7964635

# of Copies:

Customer No: 765261

1

PO #:

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

SARAH BERTELSEN  
Notary Public  
State of Wisconsin

# 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, 10/20/2022 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 12/6/2022 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 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 RESIDENTIAL-B (RES-B) TO COMMUNITY COMMERCIAL (CC), FOR APPROXIMATELY 2.26 ACRES OF LAND LOCATED AT 6710 US HIGHWAY 1 S; 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 5 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

The subject property includes 2.26 acres and is located on 6710 US HIGHWAY 1 S, 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)-202200011, 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 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.

**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 visit St Johns County Facilities Management 2416 Dobbs Rd 32086. Hearing impaired persons, call Florida Relay Service (1-800-955-8770), no later than 5 days prior to the meeting.

PLANNING AND ZONING AGENCY      BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA      ST. JOHNS COUNTY, FLORIDA  
GREG MATOVINA, CHAIR              HENRY DEAN, CHAIR  
CPA(SS)-202200011, Smith US 1 Commercial





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

December 9, 2022

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

Attention: Crystal Smith

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. 2022-87, which was filed in this office on December 9, 2022.

Sincerely,

Anya Owens  
Program Administrator

ACO/rra

