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-C (RES-C) TO MIXED USE DISTRICT (MD), FOR APPROXIMATELY 3.89 ACRES OF LAND LOCATED AT THE SE CORNER OF KINGS ROAD AND KINGS ESTATE ROAD; 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-C** (**Res-C**) to **Mixed Use District** (**MD**), for approximately 3.89 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 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.

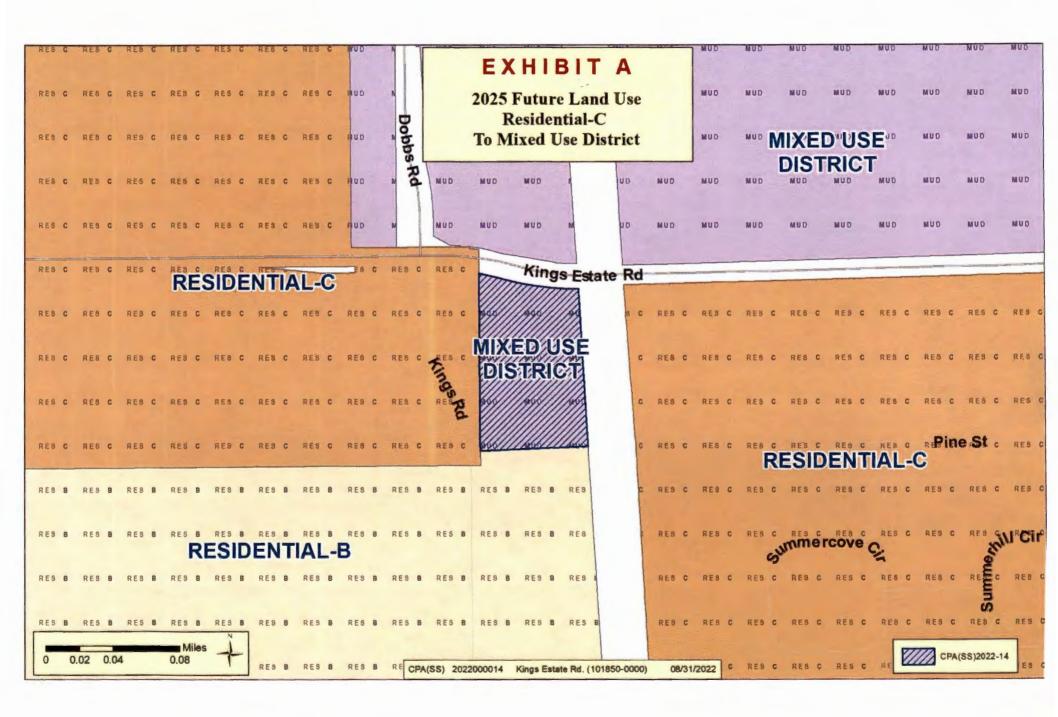
SECTION 5. It is the intent of the St. Johns County Board of County Commissioners that scriveners and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, 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, FLORIDA, THIS DAY	
BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA BY:Christian Whitehurst, Chair	Rendition Date JAN 17 2023
ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller	

Effective Date: APR 2 1 2023



BK: 5555 PG: 129

EXHIBIT B

A PARCEL OF LAND LYING AND BEING IN SECTION 36, TOWNSHIP 7 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

BEGIN AT A CONCRETE MONUMENT AT THE INTERSECTION OF THE SOUTH LINE OF SAID SECTION 36, AND THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE SOUTH 88 DEGREES 36 MINUTES 30 SECONDS WEST ON THE SOUTH LINE OF SAID SECTION 36, A DISTANCE OF 335.56 FEET TO THE EAST RIGHT OF WAY LINE OF KINGS ROAD; THENCE NORTH 00 DEGREES 37 MINUTES 00 SECONDS WEST ON THE EAST RIGHT OF WAY LINE OF KINGS ROAD, 573.79 FEET TO THE SOUTH RIGHT OF WAY LINE OF KINGS ESTATE ROAD AS DESCRIBED IN OFFICIAL RECORDS VOLUME 188, PAGE 418, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE SOUTH 80 DEGREES 26 MINUTES 31 SECONDS EAST ON SAID SOUTH RIGHT OF WAY LINE OF KINGS ESTATE ROAD, 314.94 FEET TO THE WEST RIGHT OF WAY OF FLORIDA EAST COAST RAILROAD; THENCE SOUTH 03 DEGREES 36 MINUTES 48 SECONDS EAST ON THE WEST RIGHT OF WAY LINE OF THE FLORIDA EAST COAST RAILROAD, 514.24 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT FROM THE ABOVE DESCRIBED PARCEL THAT PORTION DEEDED TO ST. JOHNS COUNTY, FLORIDA AS DESCRIBED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 3172, PAGE 1424, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

SUBJECT TO GRANT OF DRAINAGE EASEMENT TO ST. JOHNS COUNTY, FLORIDA, IN OFFICIAL RECORDS BOOK 3912, PAGE 932, OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.



FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

PROOF OF PUBLICATION

Gary B Davenport Gary B Davenport Gary B Davenport 212 S Shadowwood DR Saint Augustine FL 32086-9127

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:

10/16/2022

and that the fees charged are legal. Sworn to and subscribed before on 10/16/2022

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MARIAH VERHAGEN 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, 11/17/2022 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 1/17/2023 at 9:00 p.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

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Said hearings will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appe 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 3.89 acres and is located on Kings Estate Rd., 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)-2022000014, 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.

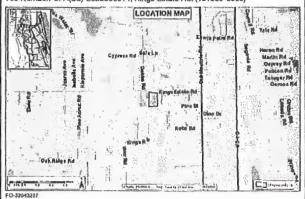
interested parties may appear at the public hearings to be heard regarding the proposed amendment

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 verbalim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Any evidence, testimony, and argument which is offered utilizing CMT shall be afforded equal consideration as if were offered in person and shall be subject to the same objections.

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 6 days prior to the meeting.

PLANNING AND ZONING AGENCY ST, JOHNS COUNTY, FLORIDA GREG MATOVINA CHAIR File Number: CPA(SS)-2022000014, Kings Estate Rd. (101850-0000)

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





RON DESANTIS
Governor

CORD BYRDSecretary of State

January 18, 2023

Honorable Brandon Patty Clerk of Courts St. Johns County 500 San Sebastian View St. Augustine, FL 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. 2023-01, which was filed in this office on January 18, 2023.

Sincerely,

Anya Owens Program Administrator

ACO/rra

St. Johns County
Clerk of Court

By: Upnue Tink
Deputy Clerk