

ORDINANCE NUMBER: 2023 - 34

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) AND COMMERCIAL HIGHWAY TOURIST (CHT) TO PUBLIC SERVICE (PS); 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 May 10, 2023 in addition to supporting documents and statements from the applicant, **which are a part of Zoning File REZ 2023-08 SJC SR 207 Water Reclamation Facility**, 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 **Public Service (PS)** 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 **Public Service (PS)** is consistent with the St. Johns County Land Development Code.
4. The zone district of **Public Service (PS)** is consistent with the land uses allowed in the land use designation of **Mixed Use (MU) and Residential-B (Res-B)** as depicted on the 2025 Future Land Use Map.

**SECTION 2.** Pursuant to this application File Number **REZ 2023-08 SJC SR 207 Water Reclamation Facility** the zoning classification of the lands described within the attached legal description, Exhibit "A",

**is hereby changed to Public Service (PS).**

**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.

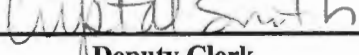
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA THIS** 15th **DAY OF** August **2023.**

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

BY:   
Christian Whitehurst, Chair

Rendition Date AUG 15 2023

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

BY:   
Deputy Clerk

**EFFECTIVE DATE:** AUG 16 2023



Exhibit "A"

A PARCEL OF LAND SITUATED IN SECTIONS 4, 9 AND 16, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 00°30'23" WEST, ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL OF LAND; THENCE CONTINUE NORTH 00°30'23" WEST, ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 2567.15 FEET TO A CONCRETE MONUMENT FOUND AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 9; THENCE NORTH 00°56'40" WEST, ALONG SAID WEST LINE OF SAID SECTION 9, A DISTANCE OF 2588.79 FEET TO THE NORTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 00°37'30" EAST, ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 203.60 FEET TO THE SOUTHEAST CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3256, PAGE(S) 312 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 88°20'01" EAST, ALONG THE SOUTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3256, PAGE(S) 312, A DISTANCE OF 1033.08 FEET TO THE WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE(S) 852 OF SAID PUBLIC RECORDS; THENCE SOUTH 00°31'48" EAST, ALONG SAID WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE(S) 852, A DISTANCE OF 2457.10 FEET TO AN ANGLE POINT IN SAID WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE(S) 852; THENCE SOUTH 02°25'48" EAST, ALONG SAID WEST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE(S) 852, A DISTANCE OF 2692.71 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 2616.93 FEET, A CENTRAL ANGLE OF 11°16'45", A CHORD LENGTH OF 514.33 FEET AND A CHORD BEARING OF NORTH 42°26'11" EAST; THENCE NORTHEASTERLY, ALONG THE ARC OF THE AFOREDESCRIBED CURVE AND THE SOUTHERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE(S) 852, AN ARC DISTANCE OF 515.16 FEET TO A POINT OF NON-TANGENCY; THENCE SOUTH 53°22'12" EAST, ALONG THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE(S) 852, A DISTANCE OF 296.48 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 207, AS IT CURRENTLY EXISTS, SAID POINT BEING A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 3481.95 FEET, A CENTRAL ANGLE OF 07°37'48", A CHORD LENGTH OF 463.35 FEET AND A CHORD BEARING OF SOUTH 44°19'06" WEST; THENCE SOUTHWESTERLY, ALONG THE ARC OF THE AFOREDESCRIBED CURVE AND SAID NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 207, AN ARC DISTANCE OF 463.69 FEET TO THE SOUTHEASTERLY CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1713, PAGE(S) 1833 (PARCEL "B"); THENCE NORTH 41°52'00" WEST, ALONG THE EASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1713, PAGE(S) 1833 (PARCEL "B"), A DISTANCE OF 221.46 FEET TO THE NORTHEASTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1713, PAGE(S) 1833 (PARCEL "B"); THENCE SOUTH 49°25'26" WEST, ALONG THE NORTHERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1713, PAGE(S) 1833 (PARCEL "B"), A DISTANCE OF 146.89 FEET TO THE NORTHWESTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1713, PAGE(S) 1833 (PARCEL "B"); THENCE SOUTH 00°30'36" EAST, ALONG THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1713, PAGE(S) 1833 (PARCEL "B"), A DISTANCE OF 184.57 FEET TO AN ANGLE POINT IN SAID WESTERLY LINE; THENCE SOUTH 37°20'28" EAST, ALONG THE WESTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1713, PAGE(S) 1833 (PARCEL "B"), A DISTANCE OF 75.60 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 207, AS IT CURRENTLY

EXISTS, SAID POINT BEING A POINT ON A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 3481.95 FEET, A CENTRAL ANGLE OF 09°58'50", A CHORD LENGTH OF 605.76 FEET AND A CHORD BEARING OF SOUTH 57°38'59" WEST; THENCE SOUTHWESTERLY, ALONG THE ARC OF THE AFOREDESCRIBED CURVE AND SAID NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROAD No. 207, AN ARC DISTANCE OF 606.53 FEET TO THE SOUTHEASTERLY CORNER OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1440, PAGE(S) 1080 (PARCEL 3); THENCE NORTH 30°43'49" WEST, ALONG THE EASTERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1440, PAGE(S) 1080 (PARCEL 3), A DISTANCE OF 540.83 FEET TO NORTHEASTERLY CORNER OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1440, PAGE(S) 1080 (PARCEL 3); THENCE SOUTH 89°30'51" WEST, ALONG THE NORTH LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1440, PAGE(S) 1080 (PARCEL 3), A DISTANCE OF 219.67 FEET TO THE POINT OF BEGINNING.

SUBJECT TO A 60 FOOT EASEMENT DESCRIBED IN EASEMENT AGREEMENT AS PER OFFICIAL RECORDS BOOK 881, PAGE 857 OF SAID PUBLIC RECORDS.

THE AFOREDESCRIBED PARCEL OF LAND CONTAINS 138.157 ACRES MORE OR LESS.

LEGAL DESCRIPTION:

A PORTION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE 852 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA, ALSO BEING A PARCEL OF LAND LYING AND BEING IN SECTION 9, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, SAID CORNER BEING A 4"x4" CONCRETE MONUMENT, IDENTIFIED AS BEING "LB 6979"; THENCE NORTH 0°31'51" WEST, ALONG THE WESTERLY LINE OF SAID SECTION 9, A DISTANCE OF 2667.19 FEET TO A CONCRETE MONUMENT WITH NO IDENTIFICATION, SAID CONCRETE MONUMENT BEING AT THE WEST QUARTER CORNER OF SECTION 9; THENCE NORTH 0°56'56" WEST, CONTINUING ALONG SAID WESTERLY LINE OF SECTION 9, A DISTANCE OF 2588.46 FEET TO THE NORTHWEST CORNER OF SAID SECTION 9 ALSO BEING THE SOUTHWEST CORNER OF SECTION 4, TOWNSHIP 8 SOUTH, RANGE 29 EAST, ST. JOHNS COUNTY, FLORIDA, SAID CORNER BEING A 4"x4" CONCRETE MONUMENT WITH NO IDENTIFICATION; THENCE NORTH 0°36'00" EAST, ALONG THE WESTERLY LINE OF SAID SECTION 4, A DISTANCE OF 204.06 FEET TO A 1/2" IRON PIPE WITH NO IDENTIFICATION, SAID IRON PIPE BEING ON THE NORH LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365, PAGE 1163 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 88°20'11" EAST, DEPARTING SAID WESTERLY LINE OF SECTION 4 AND ALONG SAID NORTHERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365, PAGE 1163, A DISTANCE OF 1033.31 FEET TO THE NORTHEAST CORNER OF SAID LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365, PAGE 1163, SAID CORNER BEING ON THE WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE 852 OF SAID PUBLIC RECORDS; THENCE SOUTH 0°31'38" EAST, ALONG THE EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365, PAGE 1163 AND ALONG SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE 852, A DISTANCE OF 1148.44 FEET TO A 1/2" IRON PIPE IDENTIFIED AS BEING "LB 6824", SAID IRON PIPE BEING THE POINT OF BEGINNING;

THENCE NORTH 89°28'22" EAST, DEPARTING SAID EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365, PAGE 1163 AND SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE 852, A DISTANCE OF 60.00 FEET TO A 1/2" IRON PIPE BEING IDENTIFIED AS BEING "LB 6824"; THENCE SOUTH 0°31'38" EAST, A DISTANCE OF 1307.67 FEET TO A 1/2" IRON PIPE IDENTIFIED AS BEING "LB 6824"; THENCE SOUTH 2°25'38" EAST, A DISTANCE OF 2640.73 FEET TO A 1/2" IRON PIPE IDENTIFIED AS BEING "LB 6824", SAID IRON PIPE BEING ON A CURVE CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 2616.93 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A DELTA ANGLE OF 1°43'26", AN ARC LENGTH OF 78.74 FEET, SAID CURVE BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 47°13'00" WEST, 78.74 FEET TO A 5/8" IRON ROD WITH A YELLOW CAP THAT IS ILLEGABLE, SAID IRON ROD BEING ON SAID EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365, PAGE 1163 AND SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE 852; THENCE NORTH 2°25'38" WEST, SAID EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365, PAGE 1163 AND SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE 852, A DISTANCE OF 2692.71 FEET TO A 5/8" IRON ROD IDENTIFIED AS BEING "PSM 4793"; THENCE NORTH 0°31'38" WEST, SAID EASTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 5365,

PAGE 1163 AND SAID WESTERLY LINE OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 881, PAGE 852, A DISTANCE OF 1308.66 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINING 238,508.703 SQUARE FEET OR 5.475 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

21 DAY OF August 2023

ST. JOHNS COUNTY CLERK OF COURT

Ex-Officio Clerk of the Board of County Commissioners



By: Crystal Smith, Deputy Clerk

# LOCALIQ FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

## **PROOF OF PUBLICATION**

Cheri Ng  
Cheri Ng  
Sjc Growth Management  
4040 Lewis Speedway

Saint Augustine FL 32084-8637

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of the St Augustine Record, published in St Johns County, Florida; that the attached copy of advertisement, being a Classified Legal CLEGL, was published on the publicly accessible website of St Johns County, Florida, or in a newspaper by print in the issues of, on:

06/27/2023

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 06/27/2023

Legal Clerk

Notary, State of WI, County of Brown

My commission expires

Publication Cost: \$326.40  
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MARIAH VERHAGEN  
Notary Public  
State of Wisconsin

**NOTICE OF A PROPOSED REZONING**

NOTICE IS HEREBY GIVEN that a public hearing will be held on 7/20/2023 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 8/15/2023 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 143 acres of land from Open Rural (OR) and Commercial Highway Tourist (CHT) to Public Service (PS) to allow for the construction of a Water Reclamation Facility.

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM THE PRESENT ZONING CLASSIFICATION OF OPEN RURAL (OR) AND COMMERCIAL HIGHWAY TOURIST (CHT) TO PUBLIC SERVICE (PS); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE.**

The subject property is located at State Road 207. See attached map (Exhibit A). This file and the proposed ordinance are maintained in the Planning and Zoning Division 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.

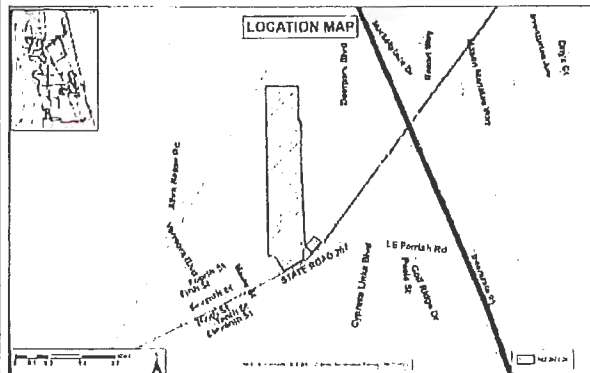
Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

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 Division, 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 St. Johns County Facilities Management, 2416 Dobbs Road, St. Augustine, FL 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	CHRISTIAN WHITEHURST, CHAIR
FILE NUMBER: REZ-2023000008	
PROJECT NAME: SJC SR 207 Water Reclamation Facility	





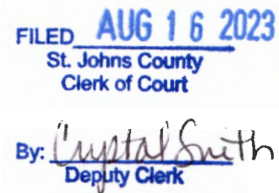


## FLORIDA DEPARTMENT of STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

August 16, 2023



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 County Ordinance No. 2023-34, which was filed in this office on August 16, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh