

ORDINANCE NO. 2023 - 39

**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 COMMUNITY COMMERCIAL (CC), FOR APPROXIMATELY 4.25 ACRES OF LAND LOCATED ON COUNTY ROAD 210 WEST, NORTH OF COUNTY ROAD 16A; 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 **Rural/Silviculture (R/S) to Community Commercial (CC)**, for approximately 4.25 acres of land located on County Road 210 West, north of County Road 16A; 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.

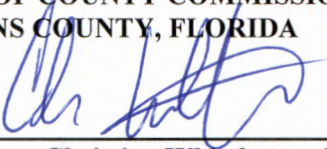
**SECTION 5.** It is the intent of the St. Johns County Board of County Commissioners that scrivener and typographic errors which do not change the tone or tenor of this Ordinance may be corrected during codification and may be authorized by the County Administrator or designee, without public hearing, by filing a corrected or recodified copy of the same with the Clerk of the Board.

**SECTION 6.** Small scale development amendments may not become effective until thirty-one (31) days after adoption. If challenged within thirty (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.

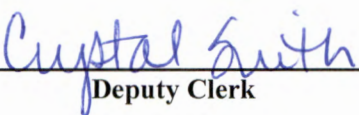
**PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 5th DAY OF September 2023.**

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

BY:   
Christian Whitehurst, Chair

Rendition Date SEP 06 2023

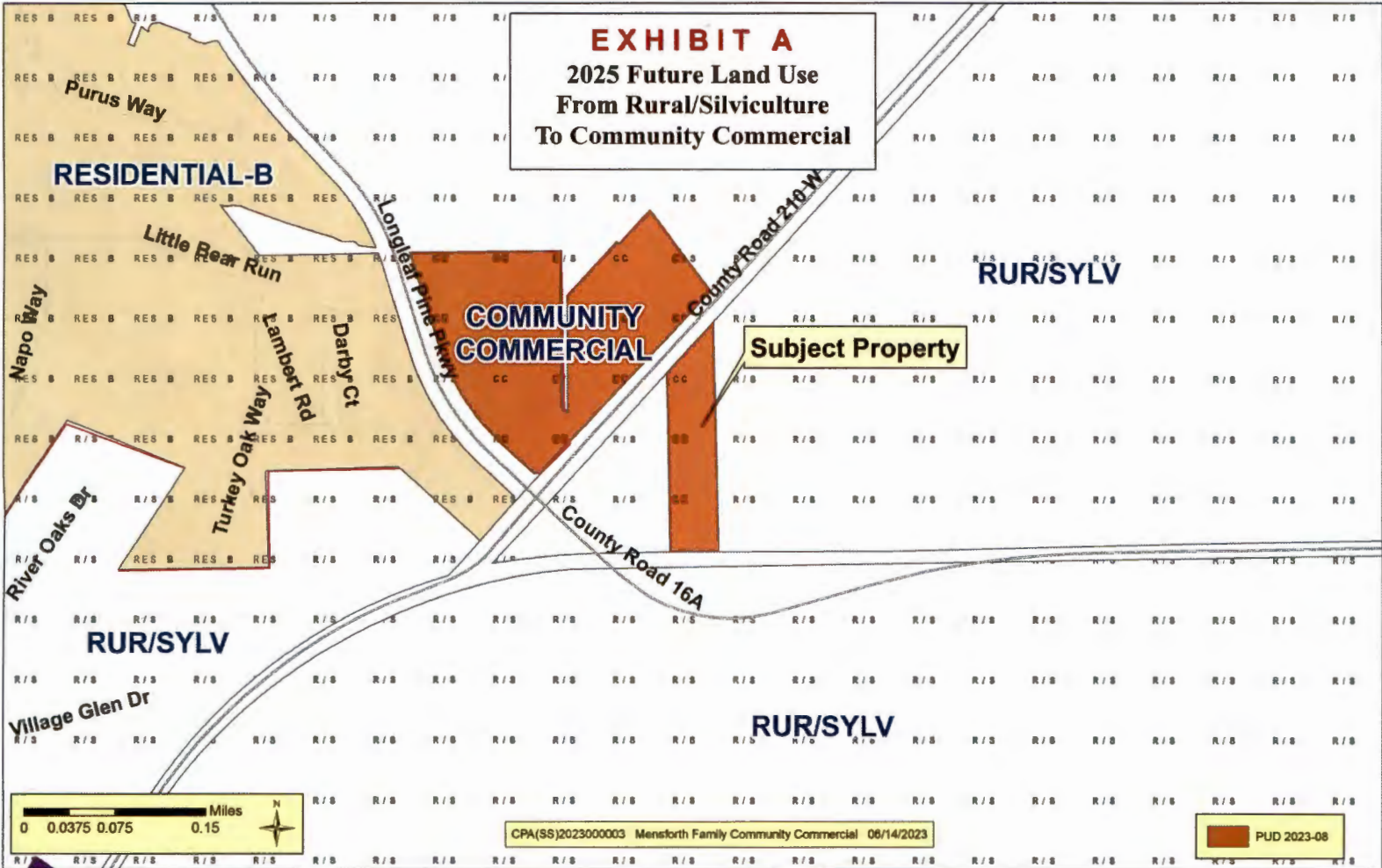
**ATTEST: Brandon J. Patty, Clerk of the Circuit Court & Comptroller**

BY:   
Deputy Clerk

Effective Date: OCT 04 2023



**EXHIBIT A**  
2025 Future Land Use  
From Rural/Silviculture  
To Community Commercial



RUR/SYLV

Subject Property

COMMUNITY COMMERCIAL

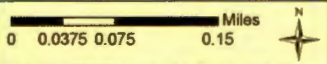
RESIDENTIAL-B

RUR/SYLV

RUR/SYLV

CPA(SS)2023000003 Mensforth Family Community Commercial 06/14/2023

PUD 2023-08



## **“EXHIBIT B”**

### **LEGAL DESCRIPTION**

That certain piece, parcel or tract of land, situate lying and being in the County of St. Johns and State of Florida, being more particularly described as follows:

Commence at the intersection of the East line of Section 32, Township 5 South, Range 27 East and the North right of way line of State Road No. 16, run thence South 89 degrees 37 minutes West along said North right of way line 728.01 feet for the Point of Beginning of this description, continue South 89 degrees 37 minutes West along said North right of way line 210 feet, thence North 0 degrees 05 minutes 10 seconds West 777.81 feet to the Southerly right of way line of State Road No. 210, thence North 43 degrees 15 minutes 50 seconds East along said Southerly right of way line 305.90 feet, thence South 0 degrees 05 minutes 10 seconds East 998.89 feet to the Point of Beginning, said parcel of land being a part of the Southeast 1/4 of Section 32, Township 5 South, Range 27 East.

EXCEPTING THEREFROM any part of captioned lands lying within the rights of way of State Roads No. 16 or No. 210, as presently established.

# LOCALIQ FLORIDA

PO Box 631244 Cincinnati, OH 45263-1244

## PROOF OF PUBLICATION

Marie Colee  
St Johns Law Group  
104 Sea Grove Main ST  
St Augustine FL 32080-6308

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 Main 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: \$239.60

Order No: 8971197

Customer No: 811586

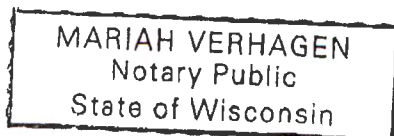
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**THIS IS NOT AN INVOICE!**

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



**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, 7/20/2023 at 1:30 p.m., and the St. Johns County Board of County Commissioners on Tuesday, 9/5/2023 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 RURAL/SILVICULTURE (R/S) TO COMMUNITY COMMERCIAL (CC), FOR APPROXIMATELY 4.25 ACRES OF LAND LOCATED ON COUNTY ROAD 210 WEST, NORTH OF COUNTY ROAD 16A; 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 4.25 acres and is located at 9500 County Road 16A, 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.*

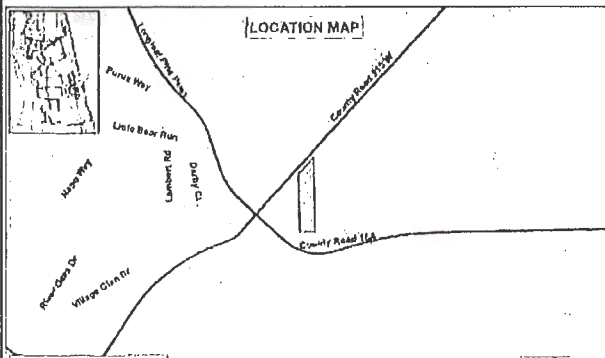
The proposed change is known as File Number CPA(SS)-2023000003, and is available for review in the Planning and Zoning Division of the Growth Management Department, at the Permit Center, 4040 Lewis Speedway, St. Augustine, Florida and may be examined by interested parties prior to said public hearings.

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 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: CPA(SS)-2023000003, Mensforth Family Community Commercial	





## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

September 7, 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. 2023-39, which was filed in this office on September 7, 2023.

Sincerely,

Anya Owens  
Administrative Code and Register Director

ACO/wlh