

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
APRIL 18, 2000
(9:00 A.M.)**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, began and held in the Auditorium at the County Administration Building, #4020 Lewis Speedway (County Road 16-A) and U.S. 1 North, St. Augustine, Florida.

Present were: James E. Bryant, District 5, Chair
Mary Kohnke, District 4, Vice Chair
Pal Howell, District 1
John Reardon, District 2
Mark Jacalone, District 3
Ben W. Adams, Jr., County Administrator
Daniel Bosanko, Deputy County Attorney
Yvonne King, Deputy Clerk

Also present were: Cheryl Strickland, Clerk of Courts; and Michael Givens, Chief Deputy-Finance

(04/18/2000 - 1 - 9:06 a.m.)
CALL TO ORDER

The meeting was called to order by Bryant.

(04/18/2000 - 1 - 9:07 a.m.)
The Invocation was given by Howell. The Pledge of Allegiance was led by Howell.

(04/18/2000 - 1 - 9:07 a.m.)
ROLL CALL

The roll was called by the Deputy Clerk.

(04/18/2000 - 1 - 9:08 a.m.)
ADDITIONS/DELETIONS TO CONSENT AGENDA

Betty Sue Stepp, Development Services, requested that Item #8 be pulled from the consent agenda; it was added to the Regular Agenda as Item #4a.

(04/18/2000 - 1 - 9:09 a.m.)
APPROVAL OF CONSENT AGENDA

Motion by Jacalone, seconded by Reardon, carried 5/0, to approve the Consent Agenda, as amended.

1. Approval of minutes:
04/04/00 - BCC Special Meeting
2. Approval of a motion transferring \$108,122 from reserves for an approved storage facility for the Sheriff's Office and Emergency Management Services
3. Approval of a motion adopting a Resolution setting a Public Hearing on the transfer of the Time Warner Cable Franchise for May 9, 2000 at 9:00 a.m.

RESOLUTION NO. 2000-47

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, RECOGNIZING THE APPLICATION OF TIME WARNER INC. TO TRANSFER CONTROL OF THE CABLE TELEVISION FRANCHISE GRANTED TO THEM BY ST. JOHNS COUNTY, DETERMINING THAT THE CRITERIA FOR APPLICATION HAS BEEN MET, AND SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER APPROVAL OF TRANSFER

4. Approval of a motion transferring \$80 from Aid to Private Agencies to postage and operating supplies for expenses incurred by the Children's Commission
5. Approval of a motion adopting a Resolution accepting Easement for Utilities from the Legends Golf, LLC. to St. Johns County for access, installation and maintenance of water lines located off Old Moultrie Road

RESOLUTION NO. 2000-48

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING EASEMENT FOR UTILITIES FROM LEGENDS GOLF, LLC., TO ST. JOHNS COUNTY, FOR ACCESS, INSTALLATION AND MAINTENANCE OF WATER LINES LOCATED OFF OLD MOULTRIE ROAD

6. Approval of a motion adopting a Resolution accepting a Temporary Turnaround Easement from Walden Chase Developers, LTD., a Florida Limited Partnership to St. Johns County located at the dead end of Silverthorn Lane in Walden Chase Subdivision Phase I to allow use of a turnaround for public safety purposes until the extension of Silverthorn Lane

RESOLUTION NO. 2000-49

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A TEMPORARY TURNAROUND EASEMENT FROM WALDEN CHASE DEVELOPERS, LTD., A FLORIDA LIMITED PARTNERSHIP TO ST. JOHNS COUNTY LOCATED AT THE DEAD END OF SILVERTHORN LANE IN WALDEN CHASE SUBDIVISION PHASE I TO ALLOW USE OF A TURNAROUND FOR PUBLIC SAFETY PURPOSES UNTIL THE EXTENSION TO SILVERTHORN LANE IS COMPLETED

7. Approval of a motion adopting a Resolution accepting Easements for Utilities for access, installation and maintenance of water and sewer lines for Walden Chase Subdivision

RESOLUTION NO. 2000-50

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING EASEMENTS FOR UTILITIES FOR ACCESS, INSTALLATION AND MAINTENANCE OF WATER AND

SERVICE FOR WALDEN CHASE SUBDIVISION

8. Approval of a motion adopting a Resolution approving a final plat for Seven Mile Drive, Phase 2, Unit 2D (*This item was removed from the Consent Agenda and added to the Regular Agenda as Item #4a; see page 11*)
9. Approval of a motion adopting a Resolution approving a final plat for Walden Chase Phase One

RESOLUTION NO. 2000-51

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR WALDEN CHASE PHASE ONE

10. Approval of a motion authorizing the establishment of the Auditor Selection Committee in accordance with Florida Statutes 11.45 for the purpose of soliciting audit services for the County
11. Motion to approve a contract between St. Johns County and Exclusive Sports Marketing, Inc. for Family Fitness Weekend
12. Motion to approve the Memorandum of Understanding between St. Johns County and First Tee of St. Johns County
13. Motion to approve projects listed by the Northwest Communications Tower Committee
14. Sheriff's Bonds
Approve: Timothy Sturman
Approve: Mark Rush
Approve: Guy Rivard
Approve: Sharon Douglas
Cancel: Vernon Bender
Cancel: Richard Walmsley
Cancel: James Acosta
Cancel: Mildred Hancock
Cancel: Allan Hannigan
Cancel: Allan Howard
15. File:
 - a. Proof, Certificate of Liability Insurance, Military Construction Corp.
 - b. Proof, Evidence of Property Insurance, Military Construction Corp.
 - c. Proof, Certificate of Insurance, Gee & Jenson Engineers & Architects, Planners Inc.
 - d. Proof, Certificate of Insurance, The IT Group, Inc.
 - e. Proof, Request for Proposals Telecommunications Tower Development
 - f. Proof, Notice to Bidders, Bid No. 00-39
 - g. Proof, Notice of Public Hearings Ordinance #99-51, Part 6.00.00 and Part 6.01.00, April 4 & April 18, 2000
 - h. Proof, Notice of Public Hearings Ordinance 99-51, Part 7.00.00 and Part 7.00.02, April 4 & April 18, 2000
 - i. Proof, Notice of Public Hearings Ordinance 99-51, Part 2.02.00 and Part 2.02.01, April 4 & April 18, 2000

(04/18/2000 - 4 - 9:09 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Adams requested an item be added to the Regular Agenda: Appointment to the TDC Category II Funding Panel. It was added as Item #10a.

(04/18/2000 - 4 - 9:10 a.m.)

APPROVAL OF REGULAR MEETING AGENDA

Motion by Reardon, seconded by Howell, carried 5/0, to approve the Regular Agenda, as amended.

(04/18/2000 - 4 - 9:10 a.m.)

ADDITIONS/DELETIONS TO THE WORKSHOP AGENDA

Kohnke requested to add two items to the Workshop Agenda: finishing the external infrastructure on developments before any building permits be given; and traffic study. They were added as Items #13a and #13b.

(04/18/2000 - 4 - 9:11 a.m.)

APPROVAL OF WORKSHOP AGENDA

Motion by Howell, seconded by Reardon, carried 5/0, to approve the Workshop Agenda, as amended.

(04/18/2000 - 4 - 9:12 a.m.)

PRESENTATION OF A PROCLAMATION DESIGNATING APRIL 22, 2000 AS EARTH DAY

Reardon read the proclamation designating April 22, 2000 as Earth Day and presented it to Peg McIntire, who then announced some events that will be taking place on Earth Day.

(04/18/2000 - 4 - 9:19 a.m.)

PUBLIC COMMENTS

Stan Kamys, 1315 CR 13 South, expressed concerns and frustration with the enforcement of speed limits and signage changes along CR 13. Discussion followed on the concerns of Mr. Kamys. (9:30 a.m.) Andrew Campbell, 1435 Scott Road, requested the Board consider changing the roadway paving design. He requested an amendment that would allow for an alternative 2-layer step asphalt course within the pavement drainage design. Discussion followed on the proposed design. (9:36 a.m.) ***It was the consensus of the Board for Mr. Campbell to work with Staff on this proposal.*** (9:37 a.m.) Leo O'Farrel, 85 Catalina Circle, President and Founder of the St. Johns County Paw Park Committee, Inc., reported on the opening of the park. (9:39 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., representing St. Johns County Audubon Society, presented a map to each of the commissioners of the conservation lands that have been purchased by C.A.R.L. funds. (9:41 a.m.) Louise Thrower, 288 Orange Avenue, requested the Board send a letter to former County Commissioner Sarah Bailey expressing their condolence in the death of her husband.

(04/18/2000 - 4 - 9:42 a.m.)

1. PUBLIC HEARING – R-PUD- 00-013, FAMILY KIA OF ST. AUGUSTINE PUD. THIS REQUEST SEEKS TO REZONE A 3.21 ACRE PARCEL FROM CG TO PUD TO ALLOW THE DEVELOPMENT OF A KIA NEW CAR DEALERSHIP AT 2665 US 1 SOUTH. THE SITE IS LOCATED WITHIN A MIXED USE CORRIDOR FUTURE LAND USE CATEGORY AND IS IN AN AREA COMPRISED OF EXISTING NEW

AND USED CAR DEALERSHIPS AND SIMILAR AUTOMOTIVE RELATED USES. THE SITE NOW CONTAINS AN ABANDONED MOTOR LODGE, AND FOUR OF THE EXISTING BUILDINGS WILL BE RETAINED. TWO NEW STRUCTURES NOT EXCEEDING A COMBINED TOTAL OF 8,500 SQUARE FEET WILL BE CONSTRUCTED

Proof of publication of the notice of public hearing of a rezoning, R-PUD-00-013, Family KIA of St. Augustine PUD, was received having been published in The St. Augustine Record on April 3, 2000.

Sonya Doerr, Principal Planner, explained the request to rezone a 3.21 acre parcel from CG to PUD to allow the development of a KIA new car dealership. Discussion followed on the certificate of concurrency, buffers, and the location of the trees on the site. (9:51 a.m.) George McClure, 170 Malaga Street, representing Family KIA of St. Augustine, explained that the applicant would provide for the extension of the water line across U.S. 1; addressed the retention pond; and explained the preservation of trees on the site. Discussion followed on the connection to central water and sewer, and the trees on the site. (9:58 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., commented on the tree credits and drainage. (10:01 a.m.) Joe Serra, 11 Everett Street, St. Augustine, commented in favor of the rezoning. (10:02 a.m.) **Motion by Jacalone, seconded by Reardon, carried 5/0, to enact Ordinance No. 2000-23; adopting Findings of Fact 1-5 to support the motion.**

ORDINANCE NO. 2000-23

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, REZONING LANDS AS DESCRIBED HEREINAFTER FROM PRESENT ZONING CLASSIFICATION COMMERCIAL GENERAL (CG) TO PLANNED UNIT DEVELOPMENT (PUD), PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(04/18/2000 - 5 - 10:04 a.m.)

2. **PUBLIC HEARING – AMENDMENTS TO ARTICLE II AND ARTICLE IV OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE**

Proof of publication of the notice of public hearing on the amendments to Article II and Article IV of the St. Johns County Land Development Code was received having been published in The St. Augustine Record on April 7, 2000.

Scott Clem, Director of Growth Management Services, said no further changes have been made to Article II since the first public hearing. Clem then reviewed the amendments to Article IV in Section 4.01.02.F. Discussion followed on the buffer requirements for lots with bulkheads, mini-warehouses being moved to the light industrial zoning classification, and buffers.

The meeting recessed at 10:36 a.m. and reconvened at 10:45 a.m.

(10:45 a.m.) John Metcalf, 1104 Mill Creek Drive, suggested the Board add to Article XII a definition of man made canals; then, addressed upland buffers. (10:49 a.m.) Al Hadeed, Flagler Beach, representing the Friends of Matanzas, addressed the bulkhead issue; then, commented in favor of the amendment. (10:55 a.m.) Mel Longo, 620 21st Street, commented on bulkheads. (10:59 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., representing

the Audubon Society, commented on the definition of man made canals. (11:01 a.m.) Deborah Andrews, 11 N. Roscoe Blvd., Palm Valley, commented on the placement of bulkheads. (11:06 a.m.) Heather Michael, 981 Irma Way, commented on home day care facilities. Discussion followed on man made canals and permitting of bulkheads. (11:15 a.m.) **Motion by Kohnke, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2000-24, amending Articles II and IV of the Land Development Code, as amended in Section 4.01.02.F.**

ORDINANCE NO. 2000-24

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE II AND IV OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING PART 2.02.00 USES ALLOWED WITHIN ZONING DISTRICTS; SPECIFICALLY REVISING SECTION 2.02.01 USE CLASSIFICATIONS AND DEFINITIONS; SPECIFICALLY REVISING SECTION 2.2.04 ACCESSORY USES; AMENDING PART 2.03.00 SPECIAL USES; SPECIFICALLY REVISING SECTION 2.03.01 ALLOWABLE SPECIAL USES BY ZONING DISTRICTS; SPECIFICALLY REVISING SECTION 2.03.20 FARM WORKER HOUSING, SPECIFICALLY REVISING SECTION 2.03.25 ANTENNA TOWERS; SPECIFICALLY ADDING SECTION 2.03.38 CONVENTIONAL BUILT SINGLE FAMILY; AND AMENDING PART 4.01.00 NATURAL RESOURCES; SPECIFICALLY REVISING SECTION 4.01.02 NATURAL RESOURCES PERMITTING; AND PROVIDING FOR AN EFFECTIVE DATE

(04/18/2000 - 6 - 11:16 a.m.)

3. PUBLIC HEARING - AMENDMENTS TO ARTICLE VI OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE

Proof of publication of the notice of public hearing on the amendments to Article VI of the St. Johns County Land Development Code was received having been published in The St. Augustine Record on April 7, 2000.

Scott Clem, Director of Growth Management Services, reviewed the amendments to Article VI in Section 6.01.03.J and 6.01.05.B.3. Discussion followed regarding the minimum lot area requirements, septic tanks, and fall zones for communication towers. (11:37 a.m.) Al Hadeed, Flagler Beach, representing the Friends of Matanzas, commented on the calculation of lot sizes. (11:44 a.m.) John Welch, 200 Laura Street, Jacksonville, representing Powertel and the telecommunications industry, commented on setback requirements and residential fall zone requirements. (11:45 a.m.) Deborah Andrews, 11 N. Roscoe Blvd., commented on the buffers, wetlands, minimum lot sizes, and right-of-way protection. (11:50 a.m.) Heather Michael, 981 Irma Way, commented on setbacks, wetlands, and communication towers. (11:52 a.m.) Roger Van Ghent, 4005 Moultrie Foreside Blvd., representing the Audubon Society, commented on the mean high water line and wetlands. (11:54 a.m.) Louise Thrower, 288 Orange Avenue, Fruit Cove, commented on antenna towers. Discussion followed regarding the wetlands and calculation of lot sizes.

(12:08 p.m.) **Motion by Kohnke, seconded by Reardon, carried 5/0, to continue agenda items #3, #4, #4a, #7, #8, #9, #10, #10a, and Reports until after the lunch recess.**

(04/18/2000 - 7 - 12:08 p.m.)

4. PUBLIC HEARING - AMENDMENTS TO ARTICLE VII OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE

This item was continued to the afternoon session of the meeting. (See page 10)

(04/18/2000 - 7 - 12:08 p.m.)

- 4a. APPROVAL OF A MOTION ADOPTING A RESOLUTION APPROVING A FINAL PLAT FOR SEVEN MILE DRIVE, PHASE 2, UNIT 2D

This item was continued to the afternoon session of the meeting. (See page 11)

(04/18/2000 - 7 - 12:09 p.m.)

5. PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2000-2001 - & FAIR HOUSING WORKSHOP. THIS IS THE FIRST PUBLIC HEARING TO DISCUSS THE POSSIBILITY OF ST. JOHNS COUNTY APPLYING TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OF UP TO \$750,000. THE CDBG CONSULTANT, BETTY JORDAN, WILL PRESENT THE BASIC REQUIREMENTS FOR THE APPLICATION AND WILL ALSO CONDUCT A SHORT FAIR HOUSING WORKSHOP, A REQUIREMENT OF CDBG

Proof of publication of the first public hearing notice on the CDBG 2000-2001 and Fair Housing Workshop was received having been published in The St. Augustine Record on April 10, 2000.

William Tredik, Acting County Engineer, introduced Betty Jordan. Betty Jordan, Jordan & Associates, requested the Board grant approval to submit the application for the 2000/2001 CDBG. (12:11 p.m.) **Motion by Reardon, seconded by Kohnke, carried 5/0, to approve submittal of application for 2000/2001 CDBG program and to authorize a second public hearing.**

(04/18/2000 - 7 - 12:12 p.m.)

6. CONSIDER APPROVAL OF A RESOLUTION DEDICATING \$150,000 WITH ENGINEERING'S TRANSPORTATION TRUST FUND TO BE USED FOR INFRASTRUCTURE IMPROVEMENTS IN THE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

John Schwab, Director of Solid Waste Management, explained the resolution dedicating \$150,000 of the Engineering Transportation Trust Fund. (12:13 a.m.) **Motion by Jacalone, seconded by Kohnke, carried 5/0, to adopt Resolution No. 2000-52 dedicating \$150,000 of the Engineering 2000/2001 Transportation Trust Fund element of the West Augustine Stormwater improvement budget to be used in the 2000/2001 Community Development Block Grant Application.**

RESOLUTION NO. 2000-52

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, COMMITTING FUNDS TO THE ANNUAL 2000/2001 TRANSPORTATION TRUST FUND BUDGET FOR INFRASTRUCTURE IMPROVEMENTS WITHIN THE COMMUNITY DEVELOPMENT BLOCK GRANT

(04/18/2000 - 8 - 12:08 p.m.)

7. CONSIDER A RESOLUTION APPROVING THE TERMS OF A LICENSE AGREEMENT AUTHORIZING THE USE OF A CERTAIN PUBLIC RIGHT-OF-WAY OF OLD DIXIE HIGHWAY

This item was continued to the afternoon session of the meeting. (See page 12)

(04/18/2000 - 8 - 12:08 p.m.)

8. CONSIDER A LEASE OF THE PROPERTY AT 38 ARENTA STREET FOR COMMUNITY RESIDENTIAL HOME FOR CLIENTS

This item was continued to the afternoon session of the meeting. (See page 12)

(04/18/2000 - 8 - 12:08 p.m.)

9. CONSIDER A CONTRACT FOR THE TILLMAN RIDGE LANDFILL CLOSURE PHASE II, SECTOR 2, BID NO. 00-34 WITH HANDEX OF FLORIDA, INC.

This item was continued to the afternoon session of the meeting. (See page 13)

(04/18/2000 - 8 - 12:08 p.m.)

10. DISCUSSION OF THE PROPOSED CLEANUP OF CONTAMINATION ON THE ORTAGUS PROPERTY WEST OF THE COURTHOUSE ON LEWIS SPEEDWAY

This item was continued to the afternoon session of the meeting. (See page 13)

(04/18/2000 - 8 - 12:08 p.m.)

- 10a. AFFIRM APPOINTMENT OF TDC REPRESENTATIVE ON CATEGORY II FUNDING PANEL

This item was continued to the afternoon session of the meeting. (See page 13)

(04/18/2000 - 8 - 12:08 p.m.)

COMMISSIONER'S REPORTS

This item was continued to the afternoon session of the meeting. (See page 13)

(04/18/2000 - 8 - 12:08 p.m.)

COUNTY ADMINISTRATOR'S REPORT

This item was continued to the afternoon session of the meeting. (See page 14)

(04/18/2000 - 8 - 12:08 p.m.)

COUNTY ATTORNEY'S REPORT

This item was continued to the afternoon session of the meeting. (See page 14)

(04/18/2000 - 8 - 12:08 p.m.)

CLERK OF COURT'S REPORT

This item was continued to the afternoon session of the meeting. (See page 14)

The meeting recessed at 12:14 p.m.

The meeting reconvened at 1:56 p.m. with Bryant, Kohnke, Howell, Jacalone, Reardon, Adams, Bosanko, and Deputy Clerk Judy Hamilton present. Clem continued with Article VI. Two additional handouts were presented to the Board, one from Al Hadeed with suggested language, and one from Clem, dealing with substitute language dealing with communication towers. Proposed changes were reviewed. (2:16 p.m.) **Motion by Kohnke, seconded by Howell, carried 5/0, to continue items 3 and 4 to the end of the agenda, and let Staff get with the affected parties and try to come up with changes; if they cannot, then later another hearing would have to be set.**

(4:38 p.m.) Clem reviewed the new language. Discussion followed on the intent of language. Bosanko urged the Board not to adopt at this meeting the revised language proposed by Hadeed. Discussion was also held on minimum yard, nonconformity, buffers, submerged lands, conservation areas, preservation areas, high water line, maps, sideyard setbacks, etc. (5:43 p.m.) Sid Ansbacher, 780 N. Ponce de Leon Blvd., spoke on submerged lands and wetlands buffer. (5:52 p.m.) Mary Cornwell, 2652 SR 13, spoke on buffers, submerged lands, tidal marshes, natural fishery, bulkheads, docks, and natural habitat. (5:58 p.m.) The Board conferred in agreement on the various sections. (6:02 p.m.) **Motion by Kohnke, seconded by Howell, carried 5/0, to enact Ordinance No. 2000-25, amending Article VI of the Land Development Code, with substitutes for Article VI that appear on the paper as submitted by Staff, with the understanding that Staff will bring back 6.01.03.j and 6.01.05.b.3.**

ORDINANCE NO. 2000-25

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE VI OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING PART 6.00.00 GENERALLY; AMENDING PART 6.01.00 DISTRICT PERFORMANCE AND DIMENSIONAL STANDARDS; SPECIFICALLY REVISING SECTION 6.01.01 SCHEDULE OF DISTRICT AREA, HEIGHT, BULK, AND PLACEMENT REGULATIONS; ADDING 6.01.02 RESIDENTIAL SETBACKS TO COMMUNICATION ANTENNA TOWERS; SPECIFICALLY REVISING SECTION 6.01.03 LOT WIDTH AREA AND YARD REQUIREMENTS; REVISING SECTION 6.01.04 ZERO LOT LINE RESIDENTIAL; REVISING SECTION 6.01.05 MINIMUM LOT SIZES BY AVAILABLE UTILITIES; AMENDING PART 6.02.00 SUBDIVISION DESIGN STANDARDS AND GUIDELINES; SPECIFICALLY REVISING SECTION 6.02.01 ACCESS; REVISING SECTION 6.02.02 MEDIANS AND ISLANDS; REVISING SECTION 6.02.06 SIDEWALKS; REVISING SECTION 6.02.10 WATER, WASTEWATER, RECLAIMED WATER UTILITIES; REVISING SECTION 6.02.11 FIRE PROTECTION; REVISING SECTION 6.02.12 UNDERGROUND UTILITY SERVICE; AMENDING PART 6.04.00 ROADWAYS, DRAINAGE, & UTILITIES STANDARDS; SPECIFICALLY REVISING SECTION 6.04.01 DATA SUBMITTALS; REVISING SECTION 6.04.02 PERMITS; REVISING SECTION 6.04.04 CONSTRUCTION WITHIN RIGHTS-OF-WAY; REVISING SECTION 6.04.05

ACCESS MANAGEMENT; REVISING SECTION 6.04.06 STORMWATER MANAGEMENT; REVISING SECTION 6.04.07 ROADWAY DESIGN; REVISING SECTION 6.04.08 BONDING; REVISING SECTION 6.04.09 LAND EXCAVATION AND BORROW AREAS AND SILVICULTURAL OPERATIONS; SECTION 6.04.10 SPECIAL EXCEPTION; REVISING SECTION 6.04.11 CONNECTIONS WITH CENTRAL WATER & WASTEWATER SYSTEM REQUIRED BY CERTAIN EXCEPTIONS; REVISING SECTION 6.04.12 REGULATION OF WATER AND WASTEWATER CONNECTIONS FOR IMPROVEMENTS; WATER METERS REQUIRED; REVISING SECTION 6.04.14 MAINTENANCE OF PLUMBING SYSTEMS; REVISING SECTION 6.04.15 RIGHT OF ENTRY FOR PURPOSE OF MAKING INSPECTION; REVISING SECTION 6.04.16 REGULATION OF SEPTIC TANKS; REVISING SECTION 6.04.18 CROSS CONNECTIONS BETWEEN WATER SYSTEMS PROHIBITED; INSTALLATION OF AND STANDARDS FOR BACKFLOW PREVENTION DEVICES; REVISING SECTION 6.04.22 CONSTRUCTION OR ALTERATION OF WASTEWATER COLLECTION SYSTEM CONNECTED TO THE COUNTY WASTEWATER SYSTEM; AMENDING PART 6.05.00 PARKING AND LOADING; SPECIFICALLY REVISING SECTION 6.05.02 PARKING AND LOADING STANDARDS; AMENDING PART 6.06.00 LANDSCAPING AND BUFFERING REQUIREMENTS; SPECIFICALLY REVISING SECTION 6.06.01 APPLICABILITY AND EXEMPTIONS; REVISING SECTION 6.06.02 GENERAL STANDARDS AND GUIDELINES; REVISING SECTION 6.06.03 OFF-STREET VEHICULAR USE AREAS; AMENDING PART 6.08.00 SUPPLEMENTAL DESIGN STANDARDS FOR SPECIFIED USES; SPECIFICALLY REVISING SECTION 6.08.08 CEMETERIES, HUMAN; REVISING SECTION 6.08.09 CEMETERIES, PET; REVISING SECTION 6.08.10 CHILD CARE CENTER; REVISING SECTION 6.08.11 COLLEGES/COMMUNITY COLLEGES/UNIVERSITIES; REVISING SECTION 6.08.12 COMMUNICATION ANTENNA TOWERS; REVISING SECTION 6.08.13 CONVENIENCE STORE; REVISING SECTION 6.08.19 GAS STATION; REVISING SECTION 6.08.25 NURSING, CONVALESCENT AND EXTENDED CARE FACILITIES; REVISING SECTION 6.08.26 OUTDOOR REGIONAL CULTURAL AND ENTERTAINMENT FACILITIES; REVISING SECTION 6.08.31 SANITARIUM/MENTAL INSTITUTION; REVISING SECTION 6.08.32 SERVICE STATIONS; REVISING SECTION 6.08.35 STABLES, COMMERCIAL; REVISING SECTION 6.08.36 SWIMMING AND TENNIS CLUB; AND PROVIDING FOR AN EFFECTIVE DATE

The next item discussed was Item 4a.

(04/18/2000 - 10 - 6:04 p.m.)

4. PUBLIC HEARING - AMENDMENTS TO ARTICLE VII OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE

Proof of publication of the notice of public hearing on the amends to Article VII of the St. Johns County Land Development Code was received having been published in The St. Augustine Record on April 7, 2000.

Clem presented this item to the Board. (6:09 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2000-26, amending Article VII of the Land Development Code.**

ORDINANCE NO. 2000-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND SUPPLEMENTING, ADDING AND REPEALING SECTIONS OF ARTICLE VII OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS ADOPTED BY ORDINANCE 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: AMENDING PART 7.00.00 GENERALLY; SPECIFICALLY REVISING SECTION 7.00.02 ZONING AND COMPREHENSIVE PLAN; SPECIFICALLY REVISING SECTION 7.00.08 APPEALS; AMENDING PART 7.02.00 ON-PREMISE SIGN PROVISIONS; SPECIFICALLY REVISING SECTION 7.02.01 ON-PREMISE SIGN PROVISIONS-NON-INTERSTATE; SPECIFICALLY REVISING 7.02.04 SPECIAL USE SIGNS; SPECIFICALLY REVISING SECTION 7.02.05 POLITICAL CAMPAIGN SIGNS; SPECIFICALLY REVISING SECTION 7.02.06 SPECIAL EVENT SIGNS; SPECIFICALLY REVISING SECTION 7.02.07 DEVELOPMENT SIGNS; SPECIFICALLY REVISING SECTION 7.02.08 SCENIC HIGHWAY SIGNS AND ANTENNAS; SPECIFICALLY REVISING SECTION 7.02.09 PROHIBITED SIGNS; SPECIFICALLY REVISING SECTION 7.02.10 NON-CONFORMING SIGNS; ADDING PART 7.10.00 RACETRACK ROAD SIGNS; AND PROVIDING FOR AN EFFECTIVE DATE

(04/18/2000 - 11 - 2:17 p.m.)

4a. APPROVAL OF A MOTION ADOPTING A RESOLUTION APPROVING A FINAL PLAT FOR SEVEN MILE DRIVE, PHASE 2, UNIT 2D

Betty Sue Stepp, Development Review Manager, stated this plat was pulled from the Consent Agenda in order to inform the Board that the Permanent Reference Monuments (PRMs) had not been set when they were checked. Staff requested the Board approve the plat, but with conditions that those PRMs be set prior to the recording. (2:20 p.m.) **Motion by Kohnke, seconded by Reardon, carried 5/0, to move to approve Resolution No. 2000-53, approving a Final Plat for Seven Mile Drive-Phase 2-Unit 2D, based on the condition that the Permanent Reference Monuments are set prior to execution of the signature by the office of the County Surveyor on the mylars.**

RESOLUTION NO. 2000-53

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A SUBDIVISION PLAT FOR SEVEN MILE DRIVE - PHASE 2 - UNIT 2D

The next item discussed was Item #7.

(04/18/2000 - 12 - 2:21 p.m.)

7. CONSIDER A RESOLUTION APPROVING THE TERMS OF A LICENSE AGREEMENT AUTHORIZING THE USE OF A CERTAIN PUBLIC RIGHT-OF-WAY OF OLD DIXIE HIGHWAY

Mary Ann Blount, Real Estate Manager, addressed the Board, advising them that Fred A. Brinkoff, Jr. And Marianne B. Brinkoff had requested a license authorizing use of a certain public right-of-way of Old Dixie Highway for a sign that has existed approximately 15 years. The referenced agreement is requested by the Brinkoffs to satisfy a code violation. Staff has approved the terms and procedure of the proposed Agreement. Discussion followed on the terms of the license agreement. (2:31 p.m.) Hamilton Upchurch, representing the Brinkoffs, addressed the Board, advising them of the situation. (2:36 p.m.) **Motion by Reardon, seconded by Kohnke, carried 5/0, to adopt Resolution No. 2000-54, with changes to Exhibit "A" to Resolution, License Agreement, Version "A", Section 4 to read: "Licensee shall have the right to assign this license, with written consent of the County (which consent shall not be unreasonably denied) provided any assignment shall fully bind Assignee as a successor Licensee." AND, deletion of Item No. 13.**

RESOLUTION NO. 2000-54

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS OF A LICENSE AGREEMENT AUTHORIZING USE OF A CERTAIN PUBLIC RIGHT-OF-WAY OF OLD DIXIE HIGHWAY

The next item discussed was Item #8.

(04/18/2000 - 12 - 2:37 p.m.)

8. CONSIDER A LEASE OF THE PROPERTY AT 38 ARENTA STREET FOR COMMUNITY RESIDENTIAL HOME FOR CLIENTS

Dr. Ken Robertson, Mental Health Administrator, made a presentation to the Board, seeking approval for the lease of property located at 38 Arenta Street in St. Augustine to be used as a six-bed community residential home, providing housing for clients receiving mental health services from SJCMHD and requiring a moderate level of supervision. He stated he had met with people of the neighborhood and been informed of their many concerns. (2:43 p.m.) Reardon stated he could not support this lease because of the concerns of the residents. (2:47 p.m.) Kohnke stated she had problems with the whole situation and stated this was neighborhood was considered a frail neighborhood. (2:57 p.m.) Jacalone commented that he was uncomfortable from the start with this issue, and asked about use of space in the Old Flagler West Hospital. (3:01 p.m.) Bryant spoke on these type of homes being needed for mentally ill and spoke on alternative management. (3:10 p.m.) Len Prentiss, 40 Arenta Street, read his statement, spoke in opposition to the issue. (3:14 p.m.) Pattie Hunt, 129 Marsh Island Circle, President of National Alliance for the Mentally Ill, spoke on ADA and the fair housing law. (3:17 p.m.) Carlton O'Neal, 50 Arenta Street, stated he was not opposed to mental health, but to the building which should not be in that location. (3:20 p.m.) Michael M. Schulman, 22 Arenta Street, spoke in opposition to the proposed issue. (3:24 p.m.) Joe Serra, 11 Everett Street, spoke in opposition to the proposed housing, and he stated there was an outpatient program run by Psychological Services at the end of Clark Street. (3:25 p.m.) Discussion followed about state regulation and requirements and other agencies providing housing and services. (3:43 p.m.) **It was the consensus of the Board to take no action at this time.**

The meeting recessed at 3:43 and reconvened at 3:56 p.m.

(04/18/2000 - 13 - 3:57 p.m.)

9. CONSIDER A CONTRACT FOR THE TILLMAN RIDGE LANDFILL CLOSURE PHASE II, SECTOR 2, BID NO. 00-34 WITH HANDEX OF FLORIDA, INC.

Michael Rubin, Director of Construction Services, addressed the Board, informing them of bids received for the closure of Tillman Ridge Landfill. Discussion was held regarding contract review by the County Attorney's Office, closure to be completed by August 18. (4:07 p.m.) Dante A. Salamone, 5225 Datil Pepper Road, inquired how they had a proposal legally advertised and review the lowest bidder, without Legal seeing the proposal. Bosanko responded the bid packages are not run through Legal before they are done. (4:08 p.m.) **Motion by Kohne, seconded by Howell, carried 5/0, to authorize the County Administrator to enter into a contract with Handex of Florida, Inc. for a total contract price of \$1,079,033, subject to prior approval of the County Attorney. (See Attachment "A".)**

(04/18/2000 - 13 - 4:09 p.m.)

10. DISCUSSION OF THE PROPOSED CLEANUP OF CONTAMINATION ON THE ORTAGUS PROPERTY WEST OF THE COURTHOUSE ON LEWIS SPEEDWAY

Rubin gave the Board some background information on this issue. The Board's options were discussed: (1) Clean-up the property by excavation of the dirt from the contaminated area. OR (2) Wait for State remediation which could result with Mr. Ortagus seeking damages which would incur more costs to the County. Discussion followed with Staff on possible scenarios. (4:33 p.m.) **Motion by Kohnke, seconded by Jacalone, carried 5/0, to approve the cleanup from General Fund Reserve money, for not more than \$160,000.**

(4:34 p.m.) ***The Board directed Staff to formulate recommendations to the Board so that it contains everything that they need to consider.*** Rubin was directed to send a letter to Mr. Ortagus.

(04/18/2000 - 13 - 4:36 p.m.)

- 10a. AFFIRM APPOINTMENT OF TDC REPRESENTATIVE ON CATEGORY II FUNDING PANEL

Patsy Heiss, Assistant to the Administrator, made the presentation to the Board. (4:36 p.m.) **Motion by Reardon, seconded by Jacalone, carried 5/0, to affirm the TDC's recommendation that Brenda Bushell be appointed to the Category II Arts/Grants Funding Panel as a TDC representative, completing a term scheduled to expire 9/30/00.**

The next item discussed was Item #3.

(04/18/2000 - 13 - 6:10 p.m.)

COMMISSIONER'S REPORTS

Commissioner Howell:

Howell reminded people of the Town Meeting at Switzerland Point Middle School on April 19, from 6:00 to 9:00 p.m.

Commissioner Kohnke:

Kohnke reminded the Board about the wetlands seminar at 12:00 Noon at Eddie's parking lot on April 24.

Kohnke stated work was still being done on the fertilizer ordinance and they were meeting tomorrow.

Commissioner Bryant:

Bryant reported on a letter sent to Joanne Hutchinson, Executive Director of the Transportation for the Disadvantaged, asking them to extend the provisions of Section 3.d. of the Memorandum of Agreement for the Transportation of the Disadvantaged. She acknowledged this with a letter to Cathy Brown, Executive Director of COA, stating it has been suspended for a year-and-a-half, to September 30, 2001.

Bryant stated the Airport Authority was shooting for a joint June meeting and asked Adams to coordinate with them on the agenda.

Commissioner Jacalone:

No report.

Commissioner Reardon:

Reardon stated there is a workshop April 24 for Staff on the Eco Heritage Trail for the St. Johns River.

Reardon stated on April 28, 6:00 p.m. there was a Skate Park Design Meeting.

(04/18/2000 - 14 - 6:13 p.m.)
COUNTY ADMINISTRATOR'S REPORT

Adams stated there was a joint School Board meeting Wednesday at 9:00 a.m. at the School Board and distributed an agenda.

(04/18/2000 - 14 - 6:14 p.m.)
COUNTY ATTORNEY'S REPORT

No report.

(04/18/2000 - 14 - 6:14 p.m.)
CLERK OF COURT'S REPORT

No report.

(6:15 p.m.) **Motion by Reardon, seconded by Kohnke, carried 5/0, to adjourn the meeting.** There being no further business to come before the Board, the meeting thereupon adjourned at 6:15 p.m.

CORRESPONDENCE:

1. Statement of acceptance of appointment of Al Liotta to the Board of Adjustment & Appeals (02/12/00)
2. Statement of acceptance of appointment of Deborah Adams to the Children's Commission (02/24/00)
3. Loyalty Oath of Deborah Adams of the Children's Commission (02/24/00)
4. Statement of acceptance of appointment of Shirley Vellis to the Code Enforcement Board (02/25/00)
5. Loyalty Oath of Alfred Liotta of the Adjustment & Appeals Board (02/28/00)

6. Statement of acceptance of appointment of Gloria Myers to the Scenic Highway A1A Committee (03/01/00)
7. Loyalty Oath of Gloria Myers of the Scenic Highway A1A Committee (03/01/00)
8. Statement of acceptance of appointment of Robert Cameron to the Ponte Vedra Zoning & Adjustment Board (03/01/00)
9. Loyalty Oath of Robert Cameron of the Ponte Vedra Zoning & Adjustment Board (03/01/00)
10. Statement of acceptance of appointment of Dave Lagarce to the Tourist Development Council (03/01/00)
11. Loyalty Oath of Keith Clarke of the Scenic Highway A1A Committee (03/01/00)
12. Statement of acceptance of appointment of John Regan to the Housing Finance Authority (03/02/00)
13. Loyalty Oath of John Regan of the Housing Finance Authority (03/02/00)
14. Statement of acceptance of appointment of Keith Clark to the Scenic Highway A1A Committee (03/03/00)
15. Loyalty Oath of Brenda DiRito of the Ponte Vedra Zoning & Adjustment Board (03/06/00)
16. Statement of acceptance of appointment of Brenda DiRito to the Ponte Vedra Zoning & Adjustment Board (03/06/00)
17. Loyalty Oath of Victor Martinelli of the Water & Sewer Authority (03/06/00)
18. Statement of acceptance of appointment of Victor Martinelli to the Water & Sewer Authority (03/06/00)
19. Loyalty Oath of David Lagarce of the Tourist Development Council (03/06/00)
20. Statement of acceptance of appointment of William McQuilkin to the LAMP Conservation Board (03/07/00)
21. Loyalty Oath of William McQuilkin of the LAMP Conservation Board (03/08/00)
22. Loyalty Oath of James Kern of the Code Enforcement Board (03/13/00)
23. Letter to the Secretary of State filing Ordinances No. 2000-20, 21, and 22 (04/13/00)

Approved May 9, 2000

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: _____
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: _____
Deputy Clerk