

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
JANUARY 21, 2003  
(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  
Karen Stern, District 2, Vice Chair  
Nicholas Meiszer, District 1  
Marc Jacalone, District 3  
Bruce Maguire, District 4  
Ben W. Adams, Jr., County Administrator  
Daniel Bosanko and Laura Barrow, County Attorneys  
Cecelia Aldrich, Clerk

Also present: Cheryl Strickland, Clerk of Court

(01/21/03 - 1 - 9:07 a.m.)

The meeting was called to order by Chair Bryant.

(01/21/03 - 1 - 9:07 a.m.)

The Invocation was given by Meiszer. The Pledge of Allegiance was led by Bryant.

(01/21/03 - 1 - 9:08 a.m.)

ROLL CALL

Bryant stated that all five Commissioners were in attendance.

(01/21/03 - 1 - 9:09 a.m.)

PROCLAMATION RECOGNIZING THE ST. JOHNS COUNTY COUNCIL ON AGING.

Bryant stated it is the 30<sup>th</sup> anniversary of the Council on Aging and there is a celebration planned for Friday evening, January 24<sup>th</sup>. He asked that the Board adopt the Proclamation at this meeting and save the reading for Friday night .

(01/21/03 - 1 - 9:09 a.m.)

APPROVAL OF TODAY'S PROCLAMATION

**Motion by Jacalone, seconded by Stern, carried 5/0, to adopt the proclamation.**

(01/21/03 - 1 - 9:09 a.m.)

PUBLIC COMMENT

(9:09 a.m.) Fred Ayers, 1220 Lemonwood Road, Fruit Cove read a letter (Exhibit A) requesting that a plaque, in honor of Pat West Howell, a former County Commissioner, be placed in the new County Government Annex. The letter was from the citizens of the northwest area.

(9:12 a.m.) Bryant commented that a plaque has been placed at the Convention Center honoring the current, as well as former Commissioners. (9:13 a.m.) Meiszer gave an historical account of the plaque at the Convention Center. (9:15 a.m.) Bryant said he'd like to workshop this item. (9:15 a.m.) Jacalone stated that Commissioner Howell did a lot of work with regard to this annex. He expressed concern about starting a precedence and related to the number of plaques that would be warranted to recognize all contributors in the County. Jacalone said he would like time for the Board to think about it. (9:17 a.m.) Meiszer said the Board should also consider Kohnke when thinking about this issue. (9:17) Bryant asked Adams to research the issue for discussion at a later date.

(01/21/03 - 2 - 9:17 a.m.)

#### DELETIONS TO CONSENT AGENDA

There were none.

(01/21/03 - 2 - 9:18 a.m.)

#### APPROVAL OF CONSENT AGENDA

(9:18 a.m.) Maguire indicated he had a positive conversation with Kari Hall Keating, Director of Economic Development and Tourism, at the Chamber of Commerce, and therefore would not pull Item #3. He also referred to Item #9, a Grant for the Fire Department and commended Staff on their hard work.

(9:19 a.m.) **Motion by Stern, seconded by Maguire, carried 5/0, to approve the Consent Agenda.**

1. Approval of the Cash Requirement Report
2. Approval of Minutes:
  - BCC Regular Meeting 12/17/02
  - BCC Regular Meeting 01/07/03
3. Motion to adopt **Resolution No. 2003-11**, disestablishing the County Economic Development Committee

#### RESOLUTION NO. 2003-11

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA RESCINDING RESOLUTION NO. 99-90, DISESTABLISHING THE ST. JOHNS COUNTY ECONOMIC DEVELOPMENT COMMITTEE**

4. Motion to adopt **Resolution No. 2003-12**, describing the public purpose in using \$20,000 of General Fund money to expand the fire suppression system at the County owned building leased to the Council on Aging located at 180 Marine Street and approving the transfer of funds from the Recreation Programs Department for that purpose

#### RESOLUTION NO. 2003-12

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA; ACKNOWLEDGING A NEED FOR EXPANSION OF THE**

FIRE SUPPRESSION SYSTEM AT THE COUNTY OWNED FACILITY ON MARINE STREET, ST. AUGUSTINE, SAID FACILITY LEASED TO COUNCIL ON AGING; DESCRIBING PUBLIC PURPOSE TO BE SERVED BY CONTRIBUTING FUNDS FOR EXPANSION OF FIRE SUPPRESSION SYSTEM; AUTHORIZING EXPENDITURE OF \$20,000 FROM GENERAL FUND FOR THE COUNTY PURPOSE OF EXPANSION OF FIRE SUPPRESSION SYSTEM AT SAID FACILITY; AND PROVIDING AN EFFECTIVE DATE

5. Motion to allow the County Administrator, or his designee, to enter into a price agreement under Bid No. 03-43 (Price Agreement for Playground/Park Equipment) with all of the 17 firms who responded for an initial term of 12 months, with the option of a maximum of four (4) one-year renewals/extensions, provided there is annual appropriation of funds and the approval of the County Purchasing Manager and the Director of Parks and Recreation (*Attachment A*)
6. Motion to adopt **Resolution No. 2003-13**, a Resolution recognizing unanticipated revenue in the amount of \$6,000 and increasing the expenditure budget of Solid Waste Grant Department in the same amount

**RESOLUTION NO. 2003-13**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA RECOGNIZING UNANTICIPATED REVENUE FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND APPROPRIATING IT TO THE SOLID WASTE FY2003 BUDGET

7. Motion to adopt **Resolution No. 2003-14**, a Resolution approving a Final Plat for Marsh Creek Landing

**RESOLUTION NO. 2003-14**

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA APPROVING A SUBDIVISION PLAT FOR MARSH CREEK LANDING

8. Motion to authorize the County Administrator, or his designee, to negotiate and enter into a contract under RFP No. 03-41, Design/Build New Mail Receiving Facility with Bush Construction Company, Inc. (*Attachment B*)
9. Motion to adopt **Resolution No. 2003-15**, recognizing revenue in the amount of \$59,500 and increasing the expenditure budget of the Fire District by the same amount and to transfer \$25,500 from the Fire District Fund Reserve (1230-59920) to Federal Grant Expenditures (1224-55304)

**RESOLUTION NO. 2003-15**

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA AMENDING THE FISCAL YEAR 2003 FIRE DISTRICT

**FUND BUDGET TO RECEIVE UNANTICIPATED  
REVENUE AND AUTHORIZE ITS EXPENDITURE**

10. Proofs:
- a. Proof, Notice of Special Meeting, Cash Requirement Report, SJC Board of County Commissioners, December 30, 2002
  - b. Proof, Notice of Rescheduled Meeting, Intergovernmental Committee, January 8, 2003
  - c. Proof, Notice of Canceled Meeting, SJC Board of County Commissioners, December 24, 2002
  - d. Proof, Notice to Bidders, Bid No. 03-46
  - e. Proof, Notice to Bidders, Bid No. 03-47
  - f. Proof, Certificate of Liability Insurance, Jacksonville Eighteen Construction, Inc.
  - g. Proof, Certificate of Liability Insurance, Wilford Roofing Company, Inc.
  - h. Proof, Certificate of Insurance, Dothan Security Inc., dba DSI Security Services
  - i. Proof, Certificate of Liability Insurance, Econowaste, Inc. & Econosweep, Inc.
  - j. Proof, Certificate of Liability Insurance, Century Ambulance Service, Inc.

(01/21/03 - 4 - 9:19 a.m.)

**ADDITIONS/DELETIONS TO REGULAR AGENDA**

Bosanko requested that Item #8 be pulled, due to an advertisement problem, and rescheduled for a later date.

(01/21/03 - 4 - 9:20 a.m.)

**APPROVAL OF REGULAR AGENDA**

**Motion by Jacalone, seconded by Stern, carried 5/0, to approve the Regular Agenda, as amended.**

(01/21/03 - 4 - 9:20 a.m.)

1. **CONSIDER AUTHORIZING THE BIDDING PROCESS FOR ST. JOHNS COUNTY HEALTH CENTER - FIRE ALARM SYSTEM IMPROVEMENTS**

Gene Burns, Facilities Maintenance Manager, requested permission to proceed with the bid process for the fire alarm system improvements.

**(9:21 a.m.) Motion by Jacalone, seconded by Stern, carried 5/0, to authorize bidding for improving the fire alarm system at the County Health Center and approving transfer from General Fund Reserves in the amount to be reimbursed by the Health Department.**

(01/21/03 - 4 - 9:21 a.m.)

2. **CONSIDER AN APPOINTMENT TO THE LAMP CONSERVATION BOARD**

Patsy Heiss, Assistant to the County Administrator, reported that one additional application was put in the Commissioner's mailboxes prior to the meeting.

(9:22 a.m.) Maguire clarified that Karen Taylor now resides in District #5 and therefore there is no representation for District #4. **Motion by Maguire, seconded by Jacalone, to recommend Dana Hansen.** (9:23 a.m.) *Stern made a motion to appoint Michael Adams.*

*Motion died for lack of a second.* Bryant called the vote on Hansen. **The motion carried 5/0 to appoint Hansen.**

(01/21/03 - 5 - 9:24 a.m.)

3. REPORT ON THE FINANCIAL STATE OF THE COUNTY

Joe Vonasek, Director of Management and Budget, distributed a handout to the members of the Board. He explained the use of financial indicators in relation to the financial condition of the County. He stated that the total County revenue is up, that there has been an increase in property taxes, and the County has been able to grow its' budget without substantially increasing dependence on ad valorem taxes. He reviewed the decline in millage rates, County Fund balances, and Enterprise funds. Vonasek stated the general fund balance now has two months of operating expenses and is the highest in historic levels.

(9:31 a.m.) Jacalone asked about the excess monies. (9:32 a.m.) Vonasek commented that not all of the funds in the General Fund are unallocated, and that some are obligated for various projects. Discussion followed about what is healthy for a fund balance and that the County is about average with its' current balance. (9:34 a.m.) Meiszer pointed out that many jurisdictions have to borrow money and St. Johns County has not had to in recent years. He stressed the importance of keeping adequate balances and staying away from short-term borrowing. (9:39 a.m.) Maguire asked what the policy is on reserves. Vonasek responded that there is no formal policy, but there is an obligation to maintain a balance that will carry the County through the first 90 days of the fiscal year. In response to questioning, Vonasek explained that the General Fund is a source of revenue and expense that the Board can utilize to meet public need, and if necessary, could appropriate money through a Resolution. (9:41 a.m.) Meiszer noted that the legal advice over the years has been to avoid inter-fund loans and suggested that the policy should be for each fund to have its' own reserve. (9:44 a.m.) Discussion followed regarding debt and revenue sources. It was noted that the County has not had to borrow money for operating services. (9:46 a.m.) Vonasek reviewed losses in 1997 and 1999, as well as, some of the notable accomplishments. He said the County has adopted the lowest millage rates in over 20 years. Vonasek expressed concern of increased budget requests, such as, likely expansion to the Fire Services District, an increase in State retirement rates, and a shortfall in funding transportation projects. (9:52 a.m.) Maguire opened questioning about the Fire Services District. Vonasek responded that the district includes the entire County, excluding the Corporate Limits of the City of St. Augustine. Discussion followed about funding for the Fire District. (9:54 a.m.) Jacalone noted that, over the last eight to ten years, the State has accumulated \$1.8 billion from gas taxes, which is due back to the counties. He said he was keeping track of this. (9:55 a.m.) Bryant asked Adams and Vonasek to schedule a workshop with department heads and the Commissioners to review requests and set priorities. (9:56 a.m.) In response to the State gas indexing, Meiszer said it would need to be done on a statewide basis. He also suggested that it could be mutually beneficial to reevaluate the Fire District and make it county-wide. (10:00 a.m.) Adams concurred that it should be one service and indicated he was anxious to meet with the City. Discussion followed about merging services and related taxing. (10:04 a.m.) Stern suggested a separate workshop about Fire Services and noted that Chief Hall is preparing a presentation for the Board. (10:07 a.m.) Bryant noted that the 25% surcharge on utilities outside the City limits is an item to be discussed at a meeting with the City.

(01/21/03 - 5 -10:07 a.m.)

4. CONSIDER A RESOLUTION APPROVING THE INCLUSION OF COUNTY ROAD 13 IN THE ELIGIBILITY AND DESIGNATION APPLICATIONS FOR

STATE ROAD 13 TO BE SUBMITTED TO THE FLORIDA DEPARTMENT OF  
TRANSPORTATION UNDER THE SCENIC HIGHWAYS PROGRAM

Donna Godfrey, ACIP, Senior Planner, used the overhead to display State and County Road 13. She briefed the Board on the addition of County Road 13 and explained that a series of meetings and workshops had been held prior to submission of documents to the Florida Department of Transportation (FDOT). She noted that five weekly meetings will be held between February 6<sup>th</sup> and March 13<sup>th</sup> for the community. She is waiting to hear from FDOT staff on funding.

(10:12 a.m.) Discussion followed regarding adjacent property owners' rights and/or restrictions. It was established that the project would not restrict property adjacent to the scenic highway. (10:13 a.m.) In response to questions by Maguire, Godfrey noted that the Land Use Codes and Classifications would apply as usual. (10:15 a.m.) Stern expressed concern about jeopardizing the initial application, given the time constraints and involvement of property owners. (10:16 a.m.) Godfrey reassured that they would still proceed with the designation, and noted that an organizational meeting is set for February 6<sup>th</sup>, at the Riverdale Methodist Church on County Road 13. (10:17 p.m.) Meiszer clarified that the application is to participate and benefit from a State plan and that the private property along 13 will still be regulated by the County. (Florida Scenic Highway brochure - Exhibit A.)

(10:22 a.m.) Mary Cornwell, 2652 State Road 13, Switzerland, representing the William Bartram Scenic & Historic Highway group, gave a general historical account of the area and the efforts in retaining it. She expressed support for the County.

(10:25 a.m.) **Motion by Stern, seconded by Jacalone, to approve Resolution No. 2003-16, approving the inclusion of County Road 13 in the Eligibility and Designation Application for State Road 13 to be submitted to the Florida Department of Transportation under the Scenic Highways Program.** (10:26 a.m.) Maguire wanted assurance that this is what the community wants. Godfrey noted that, in addition to the organizational meeting of February 6<sup>th</sup>, a meeting will be held in the Hastings area at the Rotary Club on January 29<sup>th</sup> for civic groups. (10:27 a.m.) Jacalone noted that there is a safety net, because this is only for eligibility and an additional application would have to be submitted to obtain the designation. (10:28 p.m.) Bryant called the vote. **Motion carried 5/0 to approve Resolution No. 2003-16.**

**RESOLUTION NO. 2003-16**

**A RESOLUTION OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS SUPPORTING THE EXISTING FLORIDA LEGISLATIVE DESIGNATION OF THE WILLIAM BARTRAM SCENIC HIGHWAY; REAFFIRMING ITS' OWN DESIGNATION OF THE CORRIDOR AS THE WILLIAM BARTRAM SCENIC AND HISTORIC HIGHWAY; AND SUPPORTING THE ADDITION OF COUNTY ROAD 13 IN BOTH THE EXISTING ELIGIBILITY APPLICATION AND THE PROPOSED DESIGNATION APPLICATION - CORRIDOR MANAGEMENT PLAN FOR STATE ROAD 13 UNDER THE FLORIDA DEPARTMENT OF TRANSPORTATION'S SCENIC HIGHWAY PROGRAM**

(01/21/03 - 6 - 10:29 a.m.)  
COMMISSIONERS' REPORTS

Commissioner Meiszer

Meiszer said he hoped that through Adams' research and recommendation, the Commission would adopt a formal policy, or procedure, with respect to dedication plaques. He suggested setting criteria, such as participation in major-capital projects and/or giving consideration to time periods. In the case of listing the Commissioners, he suggested that they be listed in order, first, by Chairman, then Vice-Chairman, and others listed either by district or alphabetically.

Commissioner Stern

(10:37 a.m.) Stern noted that she has been trying to garner interest in committee appointments within District 2. There was discussion as to whether or not there was a vacancy on the LAMP Conservation Board. It was determined that, with the new appointment, there are nine members on that Board, three being from District #3. Stern said if one of the District 3 members is willing to step down, she would appoint someone from District 2, and she reiterated that the Commission needs to look at Boards and Committees. (10:42 a.m.) Discussion followed regarding representation of Boards and Committees from the various Districts and the possibility of changing some termination dates.

Commissioner Bryant

(10:44 a.m.) Bryant referred to an unfavorable letter from the Fish and Wildlife Commission on the Incidental Take Permit Application. He noted a timely response is required and requested a consensus from the Board. (10:44 a.m.) Jacalone said Adams should direct the appropriate personnel to advise the Commissioners on the next steps. (10:45 a.m.) Bryant asked Barrow about the implications and she responded that the County's application needs to comply with Federal Law, as expeditiously as possible. She said if the County doesn't comply, they [Fish & Wildlife] would probably proceed against the County in Federal Court to seek an injunction to prevent beach driving. (10:47 a.m.) It was noted that there haven't been any documented turtle 'takes' between 1996 and 2002. It was agreed that it needed to come before the Board soon.

Commissioner Jacalone

(10:48 a.m.) Jacalone commented on appointments to Boards and Committees, noted that he sees one County and has never been too concerned about who represents which District or what Committee they serve. He said there is talent all over the County and said Commissioners would lose nominees at one time or another. In another matter, Jacalone indicated to Stephenson that he would like a response, soon, on the 'intersections' issue. He then asked Adams to schedule the Vilano Beach ramp expansion as soon as possible and Adams said it would be on the Agenda next week.

Commissioner Maguire

(10:51 a.m.) Maguire mentioned that he attended the Palm Valley Community Association meeting regarding the sign issue there and that another meeting for the opposing side has been scheduled for January 30, 2003. He stated that he supports historical designations, but didn't want any implication that boundaries were projected for future use. He said he would talk to a group on Thursday and report back to the Commission. He noted he also attended a dinner by the Ponte Vedra Friends of the Library (also attended by Bryant and Stern).

(01/21/03 - 7 - 10:55 a.m.)

COUNTY ADMINISTRATOR'S REPORT

Adams reminded the Commissioners of a joint School Board meeting scheduled for January 29, at 9:00 a.m., at the headquarters on Orange Street. He also mentioned that the Airport Authority has requested a joint meeting with the Board. They would like to have the meeting on Thursday, January 30, and the topic of discussion would be the

purchase of the Ponce Golf Course. (10:55 a.m.) Jacalone requested that the owners of the Ponce De Leon be present. (10:56 a.m.) The time was set for 9:00 a.m.

(01/21/03 - 8 - 10:56 a.m.)

COUNTY ATTORNEY'S REPORT

No Report.

(01/21/03 - 8 - 10:56 a.m.)

CLERK OF COURT'S REPORT

Cheryl Strickland gave the Board a brief update on Article 5. She noted the Governor is supposedly addressing it through his budget and will inform the Board as soon as more information becomes available.

The meeting recessed at a.m. 10:58 a.m. and reconvened at 1:39 p.m. with Jacalone, Bryant, Stern, Meiszer, Maguire, Adams, Hunt, and Deputy Clerk Lenora Newsome present.

(01/21/03 - 8 - 1:39 a.m.)

5. PUBLIC HEARING - NOTICE OF PROPOSED CHANGE (NOPC) FOR JULINGTON CREEK PLANTATION DRI 2002-04. THIS NOTICE OF PROPOSED CHANGE (NOPC) TO THE JULINGTON CREEK PLANTATION DRI RESTATED DEVELOPMENT ORDER SEEKS TO AMEND THE TOTAL UPLAND ACREAGE OF SEVERAL PARCELS, AS WELL AS, SHIFT DENSITIES BETWEEN PARCELS WHILE DECREASING THE ACTUAL NUMBER OF APPROVED RESIDENTIAL UNITS AND REDEFINE A PARCEL BOUNDARY. SPECIFICALLY, THE APPLICANT SEEKS TO AMEND THE TOTALS OF THE UPLANDS FOR THE FOLLOWING PARCELS: PARCEL 76 - FROM 22.9 ACRES TO 27.16, PARCEL 80 (WHICH NOW INCORPORATES PARCEL 77) - FROM 30.50 ACRES TO 31.1, and PARCEL 82 - FROM 136.2 ACRES TO 161.79. THE NEW TOTALS ARE SUPPORTED THROUGH THE SUBMISSION OF NEW SURVEYS FOR THE PARCELS IN QUESTION. EARLIER UPLAND INTERPRETATIONS WERE ACHIEVED THROUGH INTERPRETATIONS OF AERIAL PHOTOGRAPHY, WHICH WOULD BE LESS ACCURATE THAN A FORMAL SURVEY. PARCEL 80 HAS BEEN REQUESTED AS PART OF THIS NOPC TO BE MERGED WITH PARCEL 77. NO LAND FROM OUTSIDE THE DRI BOUNDARY HAS BEEN ADDED IN ACHIEVING THESE NEW PARCEL BOUNDARIES, OR TOTALS. THE APPLICANT ALSO SEEKS TO SHIFT DENSITIES WITHIN THE JULINGTON CREEK PLANTATION DRI. SPECIFICALLY, THE PUD WILL BE CHANGED AS PART OF THE ACCOMPANYING MAJOR MODIFICATION TO CHANGE THE DESIGNATION OF PARCEL 76 FROM MULTI-FAMILY TO SINGLE FAMILY RESIDENTIAL. WITH THIS CHANGE, THE ALLOWABLE DENSITY WILL CHANGE FROM 287 UNITS TO 96 SINGLE FAMILY UNITS. THE APPLICANT THEN PROPOSES TO SHIFT THE ALLOTTED ADDITIONAL UNITS TO PARCELS 80 AND 82. PARCEL 80 WILL GAIN 19 MORE SINGLE FAMILY UNITS FOR A TOTAL OF 76, AND PARCEL 82 WILL ADD 64 LOTS FOR A TOTAL OF 246 UNITS. THE NET LOSS IN TOTAL UNITS WITH THESE SHIFTS WILL BE 108 UNITS. PRESENTLY, JULINGTON CREEK PLANTATION HAS 6,400 APPROVED RESIDENTIAL UNITS, OF WHICH 3,316 HAVE BEEN CONSTRUCTED AS OF SEPTEMBER, 2002. NO COMMERCIAL PARCELS WILL BE AFFECTED. THE NORTHEAST FLORIDA REGIONAL PLANNING COUNCIL AND THE DEPARTMENT OF COMMUNITY AFFAIRS REVIEWED THE NOPC AND FOUND THAT THE CHANGES DO NOT CONSTITUTE A SUBSTANTIAL DEVIATION TO THE DRI. STAFF HAS NO OBJECTIONS TO



THIS NOPC AND FINDS IT CONSISTENT WITH THE COMPREHENSIVE PLAN AND APPLICABLE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND FINDS ALL DEVELOPER COMMITMENTS HAVE BEEN MET AT THIS TIME.

Proof of publication of the Notice of Public Hearing on Notice of Proposed Change, File # NOPC 2002-04, Julington Creek Plantation DRI, was received having been published in *The St. Augustine Record* on January 1, 2003.

Joseph Bornstein, Planner III, stated that this item is for the NOPC and the major modification that will follow it. He mentioned that he will be doing the presentation with most of the numbers, and since Nicole Clayton will be doing the Major Modification and most of the information is the same, she will fill in the major modification parts. He stated that this is a NOPC for Julington Creek Plantation DRI. This Notice of Proposed Change to the Julington Creek Plantation DRI Restated Development Order seeks to amend the total upland acreage of several parcels as well as shift densities between parcels while decreasing the actual number of approved residential units and redefine a parcel boundary. He mentioned that there was one typographical error correction in the Resolution in the first paragraph regarding changing *Caballos Del Mar Development of Regional Impact* to *the Julington Creek Plantation Development of Regional Impact*, Exhibit "A", and a letter from the developer to Tom Crawford dated January 14, 2003, concerning the SHIP Program, Exhibit "B". Jacalone questioned the letter. Bornstein responded that the interpretation was on the wetlands. Maguire asked Bornstein to review the affordable housing issue. Bornstein replied that there were no provisions for affordable housing when this Development Order went through for Julington Creek back in the 80's. Meiszer spoke on the statement that the aerial survey was less accurate than the conventional survey. Bornstein responded. Meiszer questioned the primary purpose of this modification. Bornstein explained the primary purpose. (1:49 p.m.) Teresa Bishop, Planning Director, commented on aerial interpretation.

(1:50 p.m.) Nicole Clayton, Planner II, spoke on Item #6. She stated that there was a correction on page 6 of the Master Development Plan Text Exhibit D; *The developer shall perform limited land clearing for horizontal infrastructure. Individual building lots shall comply with the requirements of the St. Johns County Land Development Code, Exhibit "A"*. She mentioned the changes on page 3 of 6 of the Exhibit C Master Development Plan PUD Ordinance 93-43 and amendments map; road name change for E-911 addressing, and detail on landscaping on Florida Avenue. She also mentioned that the parcels they are talking about today are projected to generate a population of 1,020 persons with 297 school age children, their access will be from Race Track Road and Flora Branch Road, central water and sewer will be provided by JEA, and this property is exempt from concurrency pursuant to Land Development Code Section 11.08.06.B, Parcel 80 and Parcel 77 will have 0.69 acres of recreation facilities, and Parcel 82 will provide a large playground area and a sand play area. These parcels will be developed in three phases over a period of ten years. The project requests a waiver to the requirement to construct a four-foot sidewalk on all new local roadways. She spoke on the Adjacent Property Owner Response Form, Exhibit "B". Discussion followed on being exempt from concurrency, the County completing a traffic count on a yearly basis, and at some point the traffic exceeding the capacity of the road. Maguire and Bryant disclosed having ex-parte communication with Ms. Drury regarding the changes. Bishop spoke on improvements presently being done to Race Track Road at U.S. 1.

(2:00 p.m.) Pam Drury, representing the applicant, clarified why the applicant was asking for the changes and explained, utilizing visual display of the site plan. She spoke on single families being within the gated community, and the surveyors flagging

the wetlands. Stern disclosed having ex-parte communication with Ms. Drury on the plans.

(2:02 p.m.) Jim Andrew, 528 Willow Oak Lane, stated from the audience, that all his questions were answered. Maguire had questions about the comment cards that were mailed out. Drury responded. (2:04 p.m.) **Motion by Jacalone, seconded by Stern, carried 5/0, to approve and enact Resolution No. 2003-17 with Findings to support that Resolution 1-4 .**

#### RESOLUTION NO. 2003-17

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, STATE OF FLORIDA, MODIFYING THE JULINGTON CREEK PLANTATION DEVELOPMENT OF REGIONAL IMPACT RESTATED DEVELOPMENT ORDER, RESOLUTION NO. 93-159 AND 2001-91, AS AMENDED; FINDING THE MODIFICATION DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE**

(01/21/03 - 10 - 2:05 p.m.)

6. PUBLIC HEARING - MAJMOD 2002-11 JULINGTON CREEK PLANTATION SUBDIVISION. THE SUBJECT PROPERTY IS LOCATED AT 950 DURBIN CREEK BLVD. AND IS LOCATED WITHIN THE JULINGTON CREEK PLANTATION PUD/DRI. THE APPLICANT HAS REQUESTED MODIFICATIONS TO THE ORIGINAL DEVELOPMENT PLAN FOR PARCELS 76, 77, 80 AND 82. PARCEL 76 WAS ORIGINALLY DESIGNATED AS MULTI-FAMILY WITH A MAXIMUM DENSITY OF 287 UNITS. THE APPLICANT REQUESTS THAT PARCEL 76 BE REDESIGNATED FOR SINGLE FAMILY DWELLINGS WITH A MAXIMUM DENSITY OF 96 UNITS. THE APPLICANT HAS FURTHER REQUESTED THAT SOME OF THE ORIGINAL DENSITY FROM PARCEL 76 BE DISTRIBUTED TO OTHER PARCELS. PARCEL 80 WOULD RECEIVE AN ADDITIONAL 19 SINGLE FAMILY UNITS FOR A MAXIMUM TOTAL OF 76 UNITS. PARCEL 82 WOULD RECEIVE AN ADDITIONAL 64 SINGLE FAMILY UNITS FOR A MAXIMUM TOTAL OF 246 UNITS. THE REQUESTS WOULD RESULT IN A NET DECREASE IN 108 DWELLING UNITS.

Proof of publication of Notice of Public Hearing on Notice of Major Modification, File # MAJMOD 2002-11, Julington Creek Plantation PUD, was received having been published in *The St. Augustine Record* on January 1, 2003.

*This item was discussed with Item 5.*

(2:05 p.m.) **Motion by Stern, seconded by Meiszer, carried 5/0, to enact Ordinance No. 2003-4, known as MAJMOD 2002-11, Julington Creek Plantation adopting Findings of Fact contained in the packet 1-6 to support the motion, including the new text, the sidewalk waiver, the name change and details of the landscaping.**

#### ORDINANCE NO. 2003-4

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE JULINGTON CREEK PLANTATION PUD, ORDINANCE NUMBER 93-43, AS**

**AMENDED, MAKING FINDINGS OF FACT;  
REQUIRING RECORDATION; AND PROVIDING FOR  
AN EFFECTIVE DATE**

(01/21/03 - 11 - 2:06 p.m.)

7. PUBLIC HEARING - AMENDMENTS OF THE PONTE VEDRA ZONING DISTRICT REGULATIONS, ORDINANCE 2000-63. THIS IS A PROPOSED ORDINANCE TO AMEND THE PONTE VEDRA ZONING DISTRICT REGULATIONS ESTABLISHING REQUIREMENTS FOR THE PONTE VEDRA ZONING DISTRICT AND THE PONTE VEDRA OVERLAY. THESE CHANGES ARE TO FURTHER JUSTIFY THE PONTE VEDRA ZONING DISTRICT REGULATIONS WITH THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE. THE MAJOR CHANGES PROPOSED ARE: ILLUMINATION CRITERIA FOR GROUND STYLE SIGNAGE IN THE PONTE VEDRA OVERLAY DISTRICT, THE ADDITION OF TWO ALTERNATE POSITIONS FOR THE ARCHITECTURAL REVIEW COMMITTEE IN THE PONTE VEDRA OVERLAY DISTRICT, THE ADDITION OF A NON-ZONING VARIANCE PROCESS FOR SUCH ITEMS AS ENVIRONMENTAL BUFFERING AND OVERLAY CRITERIA, CHANGE REFERENCES TO "FLORIDA STANDARD BUILDING CODE", ADDRESS PARKING ON ROAD RIGHTS-OF-WAY AND CLARIFY THE PONTE VEDRA ZONING AND ADJUSTMENT BOARDS DUTIES AS DEFINED BY FLORIDA LAW. THIS IS THE SECOND OF THE TWO REQUIRED PUBLIC HEARINGS, THE FIRST PUBLIC HEARING WAS HELD JANUARY 14, 2003 AT 5:00 P.M.

Proof of publication of Notice of Public Hearing on SJC BBC/Ordinance/Regulations Affecting Land Use, was received having been published in *The St. Augustine Record* on January 4 and 7, 2003.

Danielle Mayoros, Planner II, reviewed this item. She distributed a statement labeled First Choice, Exhibit "A". She read the statement for the record; *No parking except on access drives shall be allowed in the right-of-way of Ponte Vedra Boulevard (CR 203) without specific, written authorization of the County, ratified or issued after the effective date of this Ordinance. Parking of vehicles for the purposes of lawn maintenance, delivery or other maintenance and repair service shall be allowed for the limited, reasonable duration of time necessary for the services provided.* She stated that in the future, Staff is going to change the classification of Corona and Solana roads down to minor collector roads. Jacalone stated that this clarification is all about the intent of the BCC and asked if the Attorney has an opinion on it. Hunt stated that he has reviewed it and it meets the Board's requirements and they intend to put it in the form of an Ordinance sometime in the future, so they could separate it from the Land Use Code. Mayoros mentioned that the statement she read, replaces #11 on page 50.

(2:11 p.m.) Bruce Kendeigh, 240 Redfish Creek Drive, spoke in support of on-beach driving, and requested that the beach not be closed to public traffic. Bryant mentioned that the Board received a response back from the FWC on the application for an ITP. Jacalone stated that he would like to see that no one park cars on the Blvd. for parties without proper permission from the County.

(2:14 p.m.) Ebbie Le Master, 135 Ponte Vedra Blvd., spoke on the change in zoning not affecting the parking. Hunt replied it did not affect the parking because there was no regulation or Zoning Ordinance at the time the Ponte Vedra Inn took shape and for that purpose the County has not yet ratified it. Le Master requested clarification on the church having a benefit a couple times a year and parking on the Blvd. He suggested not making it too difficult for the church to use. Bryant disclosed having ex-parte

communication with Jack Pope. (2:17 p.m.) **Motion by Maguire, seconded by Jacalone, carried 5/0, to enact Ordinance No. 2003-5 amending the Ponte Vedra Zoning District Regulations, as stated, and the First Choice provision inserted on page 50.**

(2:19 p.m.) Jack Pope, Growth Management, utilizing visual display, presented a site plan, Exhibit "B". He stated that property was donated by Jay and Paula McGarvey for making a soft turn around. Adjacent to that property, are two vacant parcels for the County to consider. Jacalone remarked that he was impressed that the additional lots had been identified. Bryant directed Staff to carry this forward in an expeditious manner before it gets out of the Countys hands.

#### **ORDINANCE 2003-5**

**AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, AMENDING, READOPTING AND RESTATING THE PONTE VEDRA DISTRICT REGULATIONS PREVIOUSLY ADOPTED AND OR AMENDED BY ST. JOHNS COUNTY ORDINANCES 98-9, 98-39, 99-20, 99-43 AND 2000-63: GENERALLY PROVIDING DEFINITIONS; PROVIDING PONTE VEDRA ZONING DISTRICTS AND BOUNDARIES, AN APPROXIMATE BOUNDARY LIST MAP AND SPECIFIC BOUNDARY DESCRIPTIONS FOR THE PONTE VEDRA ZONING DISTRICT; PROVIDING DISTRICTS AND BOUNDARIES FOR SINGLE FAMILY RESIDENTIAL, MULTIPLE FAMILY RESIDENTIAL, COMMERCIAL, RECREATIONAL AND UTILITY DISTRICTS AND PROVIDING LAND USE REGULATIONS AND LIMITATIONS IN R-1, R-2, R-2-A, R-3, R-4, R-5 SINGLE AND MULTI FAMILY, COMMERCIAL, RECREATIONAL AND UTILITY ZONING DISTRICTS; PROVIDING PERMITTED USES, MINIMUM DIMENSIONS, BUILDING SEPARATIONS, MINIMUM YARD SIZES, MAXIMUM LENGTH PARALLEL TO A PUBLIC ROAD, MAXIMUM BUILDING HEIGHT, MAXIMUM PARKING, AND LIMITATIONS ON PARKING OF COMMERCIAL VEHICLES; PROVIDING GENERAL PROVISIONS INCLUDING LIMITATIONS FOR NON-CONFORMING STRUCTURES AND USES; PROVIDING THAT DEED COVENANTS SHALL NOT BE ABROGATED BUT THAT THESE REGULATIONS SHALL PREVAIL; PROVIDING LIMITS AND REQUIREMENTS FOR DEVELOPMENT PLANS AND THEIR SUBMISSION; PROVIDING FOR SUBDIVISIONS; PROVIDING PLANNED UNIT DEVELOPMENT REQUIREMENTS; PROVIDING GENERAL REQUIREMENTS FOR BUFFER AREAS, CORNER LOTS, OCEAN-FRONT LOTS, BUILDING AND LAND HEIGHTS, TOWERS AND ANTENNAE, ATTACHED STRUCTURES, ACCESSORY STRUCTURES, MAXIMUM LOT COVERAGE, FENCES AND WALLS, LAGOON BULKHEADS, SWIMMING POOLS/SPAS, PONTE VEDRA OVERLAY DISTRICT, PRIVATE ROADWAYS AND ACCESS EASEMENTS; PROHIBITED USES, OFF-STREET PARKING AND LOADING WITH LOCATION OF FACILITIES, DESIGN STANDARDS, OFF-STREET PARKING, MINIMUM**

REQUIREMENTS AND GENERAL PROVISIONS; PROVIDING FOR NON-CONFORMING DEVELOPMENTS; PROVIDING FOR SIGNS, NUMBER AND SIZE OF SIGNS PERMITTED IN ALL DISTRICTS, EXEMPTED SIGNS, PROHIBITED SIGNS, REMOVAL OF NON-CONFORMING SIGNS, SIGN PROVISIONS OF THE OVERLAY DISTRICT, OTHER SIGN PROVISIONS; PROVIDING FOR THE REVIEW OF PLANS INCLUDING PERMIT AND REVIEW REQUIREMENTS, PONTE VEDRA DISTRICT PLANNING ADVISOR, AND REVIEW PROCEDURES; PROVIDING ADMINISTRATIVE AND LEGAL PROVISIONS INCLUDING THE EFFECTIVE DATE, THE PONTE VEDRA ZONING AND ADJUSTMENT BOARD ADMINISTRATION; PROVIDING PROVISIONS FOR INTERPRETATION, AMENDMENT, VIOLATIONS, ENFORCEMENT AND PENALTIES, MAPS, VALIDITY, REZONING LANDS, ZONING VARIANCES, NON-ZONING VARIANCES, APPEALS AND RECOMMENDATIONS; NEW CIRCUMSTANCES, FEES, AND VESTED RIGHTS

(01/21/03 - 13 - 9:19 a.m.)

8. PUBLIC HEARING - CLARIFICATION OF ORDINANCE NO. 2002-54, PERTAINING TO INCORPORATION OF ATTACHMENTS AND EFFECTIVE DATE. ORDINANCE NO. 2002-54 BECAME EFFECTIVE ON DECEMBER 10, 2002, IN WHICH THE CLERK'S OFFICE INDICATED THAT THE EFFECTIVE DATE (SECTION 4) OF THE ORDINANCE DID NOT REFLECT THIS TIME PERIOD. UPON FURTHER REVIEW BY PLANNING STAFF AND THE COUNTY ATTORNEYS OFFICE IT WAS DISCOVERED THAT THE EFFECTIVE DATE LANGUAGE USED IN THE ORDINANCE WAS LANGUAGE DESIGNED FOR SMALL SCALE AMENDMENTS. IN ADDITION, THE COUNTY ATTORNEY DETERMINED THAT ORDINANCE NO. 2002-54 WAS DIFFICULT TO UNDERSTAND WITH RESPECT TO THE INCORPORATION OF THE ATTACHMENTS WHICH ARE GOAL A-2 AND RELATED POLICIES, NORTHWEST SECTOR PLAN OVERLAY MAP, AND TRAFFIC CIRCULATION PLAN 2000-2015. THE ATTACHED ORDINANCE REVISES THE EFFECTIVE DATE LANGUAGE AND CLARIFIES THE INCORPORATION OF THE ATTACHMENTS. THE PROPOSED ORDINANCE DOES NOT IN ANY WAY REVISE GOAL A-2, THE OVERLAY MAP OR THE TRAFFIC CIRCULATION PLAN

*This item was pulled from the Agenda and postponed until a later date.*

(2:24 p.m.) **Motion by Jacalone, seconded Maguire, carried 5/0, to adjourn the meeting.** With there being no further business to come before the Board, the meeting adjourned at 2:24 p.m.

REPORTS:

1. St. Johns Board of County Commissioners Check Register, Check No. 329346-329649 (01/14/03)
2. St. Johns Board of County Commissioners Check Register, Check No. 32965 (01/15/03)

CORRESPONDENCE:

1. Letter dated January 9, 2003, to Mrs. Liz Cloud, Bureau of Administration Code, regarding filing St. Johns County Ordinance No. 2003-1
2. Letter dated January 16, 2003, to Mrs. Liz Cloud, Bureau of Administration Code, regarding filing St. Johns County Ordinance Nos. 2003-2 and 2003-3

Approved \_\_\_\_\_ February 4 \_\_\_\_\_, 2003

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: James E. Bryant  
James E. Bryant, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Yvonne King  
Deputy Clerk

