

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
FEBRUARY 17, 2015  
9:00 A.M.**

Proceedings of a regular meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Present: Rachael Bennett, District 5, Chair  
Jeb S. Smith, District 2, Vice Chair  
William A. McClure, District 3  
John H. Morris, District 4  
Michael Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Sindy Wiseman, Deputy Clerk

Also present: Paolo Soria, Assistant County Attorney

(02/17/15 - 1 - 9:00 a.m.)

CALL TO ORDER

Bennett called the meeting to order.

(02/17/15 - 1 - 9:02 a.m.)

ROLL CALL

The clerk called the roll: all board members were present.

(02/17/15 - 1 - 9:03 a.m.)

INVOCATION

Jerry Cameron, Assistant County Administrator, gave the invocation.

(02/17/15 - 1 - 9:04 a.m.)

PLEDGE OF ALLEGIANCE

Bennett led the Pledge of Allegiance.

(02/17/15 - 1 - 9:05 a.m.)

SPECIAL PRESENTATION RECOGNIZING OUTGOING COMMISSIONER CYNDI STEVENSON

Wanchick introduced a video, *Exhibit A*, he presented for Commissioner Cyndi Stevenson. Stevenson said it was a privilege and an honor to have served the people. Wanchick presented Stevenson with a St. Johns County tote bag full of things to make her a successful representative and a photograph of the County Administration Building signed by staff.

(9:20 a.m.) Jeff Prevatt, Assistant Fire Rescue Chief, presented a plaque to Stevenson for her 10 years of service and continued support of St. Johns County Fire Rescue.

(9:22 a.m.) Art May, SJSO Division Director, *Exhibit B*, presented Stevenson with a plaque of appreciation and showed a video from Sheriff Shoar.

(9:21 a.m.) McClure entered the meeting.

(9:25 a.m.) Bill Dudley, Veterans Administration, presented Stevenson with a framed letter of appreciation from the Veterans Administration and a framed American Flag.

(9:29 a.m.) Stevenson thanked everyone in the County for their team efforts for the good of the community and noted how blessed the community was.

(02/17/15 - 2 - 9:34 a.m.)

PUBLIC COMMENT

Ellen Whitmer, 1178 Natures Hammock Road S., read a letter she sent to JEA regarding their pension agreement, in opposition of any payment to the police and fire funds, *Exhibit A*.

(9:36 a.m.) Andrea Anthony, 313 N. Shipwreck Ave., requested the public be informed as to the state of the County's assets and liabilities regarding pension funds that were unfunded. Wanchick noted that the Comprehensive Annual Financial Report, budget, and prior budgets were available on line.

(9:38 a.m.) Morris noted that the asset value was \$1.4 billion, the debt level was \$205 million, and asset value to debt was covered seven times over. Wanchick said that several years ago the commission created an irrevocable trust for retirement and post employee benefits.

(9:39 a.m.) Tom Reynolds, 880 A1A Beach Blvd., commented on the needs of the library system, suggested having commission meetings in the evening and allowing Skyping during commission meetings, and said he supported Item 11.

(9:42 a.m.) BJ Kalaidi, 8 Newcomb St., spoke about the St. Augustine Shipyard Project, *Exhibit B*, and spoke in opposition of building an aquatic center.

(02/17/15 - 2 - 9:45 a.m.)

DELETIONS TO CONSENT AGENDA

Bennett noted there was a red folder modification for Consent Item 10. McCormack requested approval of the modified version of Consent Item 14, from the February 3, 2015, meeting.

(02/17/15 - 2 - 9:46 a.m.)

APPROVAL OF CONSENT AGENDA

**Motion by McClure, seconded by Morris, carried 4/0, to approve the Consent Agenda, as amended.**

1. Motion to adopt **Resolution No. 2015-29**, approving the terms, conditions, and requirements of the Agreement between St. Johns County, Florida, and SMA Behavioral Health Services, Inc.; and authorizing the county administrator, or designee, to execute the Agreement on behalf of the County

RESOLUTION NO. 2015-29

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF AN AGREEMENT BETWEEN ST. JOHNS COUNTY, FLORIDA, AND SMA BEHAVIORAL HEALTH SERVICES, INC.; AND AUTHORIZING THE CHAIR OF THE BOARD OF COUNTY COMMISSIONERS TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY

2. Motion to adopt **Resolution No. 2015-30**, recognizing unanticipated revenue for General Fund Library Donations (0001-36608) up to the amount of \$8,433 and appropriating to Library Services Donation Expenditure (0078-55208) for FY 2015

RESOLUTION 2015-30

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AMENDING THE FISCAL YEAR 2015 GENERAL FUND REVENUE AND LIBRARY EXPENDITURES BUDGETS TO INCLUDE CERTAIN UNANTICIPATED REVENUE AND AUTHORIZE ITS EXPENDITURE BY THE LIBRARY SYSTEM

3. Motion to adopt **Resolution No. 2015-31**, accepting a Special Warranty Deed for additional right-of-way, for Avenue "B", a platted unopened County Road located in Ponte Vedra; and authorizing the Board Chair to join in the execution of the deed

RESOLUTION 2015-31

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A SPECIAL WARRANTY DEED FOR ADDITIONAL RIGHT-OF-WAY, FOR AVENUE "B", A PLATTED UNOPENED COUNTY ROAD LOCATED IN PONTE VEDRA; AND AUTHORIZING THE BOARD CHAIR TO JOIN IN THE EXECUTION OF THE DEED

4. Motion to adopt **Resolution No. 2015-32**, accepting an Easement for Utilities for water and sewer service to Marshall Creek DRI, Unit EV-7A/EV-8A

RESOLUTION 2015-32

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES FOR WATER AND SEWER SERVICE TO MARSHALL CREEK DRI, UNIT EV-7A/EV-8A

5. Motion to adopt **Resolution No. 2015-33**, approving the terms and authorizing the county administrator, or designee, to execute a Lease Agreement with SMA Behavioral Health Services, Inc., for space in the new Health and Human Services Center

**RESOLUTION 2015-33**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE A LEASE AGREEMENT WITH SMA BEHAVIORAL HEALTH SERVICES, INC., FOR SPACE IN THE NEW HEALTH AND HUMAN SERVICES CENTER**

6. Motion to adopt **Resolution No. 2015-34**, approving the terms and conditions of a Purchase and Sale Agreement of Easement required for drainage improvements on the southwest corner of Pacetti Road and Silo Road; and authorizing the county administrator, or designee, to execute the agreement on behalf of the County

**RESOLUTION 2015-34**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A PURCHASE AND SALE AGREEMENT OF EASEMENT REQUIRED FOR DRAINAGE IMPROVEMENTS ON THE SOUTHWEST CORNER OF PACETTI ROAD AND SILO ROAD; AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE COUNTY**

7. Motion to adopt **Resolution No. 2015-35**, approving the final plat for Durbin Crossing Village Center, Unit 3

**RESOLUTION NO. 2015-35**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR DURBIN CROSSING VILLAGE CENTER, UNIT 3**

8. Motion to adopt **Resolution No. 2015-36**, approving the final plat for The Plantation at Ponte Vedra, Unit Thirteen

**RESOLUTION NO. 2015-36**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR THE PLANTATION AT PONTE VEDRA, UNIT THIRTEEN**

9. Motion to adopt **Resolution No. 2015-37**, approving the final plat for Twenty Mile Village at Nocatee, Phase 1

**RESOLUTION NO. 2015-37**

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING A PLAT FOR TWENTY MILE VILLAGE AT NOCATEE, PHASE 1**

10. Motion to adopt **Resolution No. 2015-38**, authorizing the county administrator, or his designee, to award Bid No. 15-30 to the responsive lowest bidder, Hub City Ford, and to enter into an agreement on behalf of the County, for the purchase of four 2015 16,500 GVWR Extended Cab Trucks, 4X2 with Service Body and 4,000 lb. Crane with 26,000 GCWR at a price of \$239,156

**RESOLUTION 2015-38**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 15-30; AND TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF FOUR 2015 16,500 GVWR EXTENDED CAB TRUCKS, 4X2 WITH SERVICE BODY AND 4,000 LB. CRANE WITH 26,000 GCWR (TRANSMISSION AND DISTRIBUTION DIVISIONS)**

11. Motion to adopt **Resolution No. 2015-39**, authorizing the county administrator, or his designee, to award Bid No. 15-28; and to issue a purchase order for the purchase of four 2015 16,500 GVWR Extended Cab Trucks, 4X2 with Service Body and 4,000 lb. Crane with 26,000 GCWR from Hub City Ford at a purchase price of \$238,748

**RESOLUTION 2015-39**

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO AWARD BID NO. 15-28; AND TO EXECUTE A PURCHASE ORDER FOR THE PURCHASE OF FOUR 2015 16,500 GCWR EXTENDED CAB TRUCKS, 4X2 WITH SERVICE BODY AND 4,000 LB. CRANE WITH 26,000 GCWR (LIFT STATION DIVISIONS)**

12. Motion to Adopt **Resolution No. 2015-40**, creating the St. Johns County Citizens Advisory Task Force

**RESOLUTION NO. 2015-40**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, CREATING A ST. JOHNS COUNTY CITIZENS ADVISORY TASK FORCE (CATF); PROVIDING FOR APPOINTMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

13. Motion to approve the Cash Requirement Report
- Approval of Minutes - BCC Regular 01/20/2015
  - Approval of Minutes - BCC Special 01/27/2015

(02/17/15 - 6 - 9:47 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

McCormack requested to add an item regarding the Revocable License with the Veterans Administration. *Consensus was given by the Board to add the item to the evening agenda.*

(02/17/15 - 6 - 9:49 a.m.)

APPROVAL OF REGULAR AGENDA

**Motion by Smith, seconded by McClure, carried 4/0, to approve the Regular Agenda, as amended.**

(02/17/15 - 6 - 9:49 a.m.)

1. CONSIDER A RESOLUTION IN SUPPORT OF THE PROPOSED NOMINATION FOR THE "EUBALAENA-OCULINA NATIONAL MARINE SANCTUARY". ON SEPTEMBER 2, 2014, THE FRIENDS OF MATANZAS, A NOT-FOR-PROFIT GROUP, SUBMITTED AN APPLICATION TO THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) TO DESIGNATE A PORTION OF THE ATLANTIC OCEAN LYING OFFSHORE OF NORTHEAST FLORIDA AS THE "EUBALAENA-OCULINA NATIONAL MARINE SANCTUARY". ON OCTOBER 30, 2014, NOAA DETERMINED THAT THE APPLICATION "IS NOT SUFFICIENT" AS IT DOES NOT "ADEQUATELY IDENTIFY A BROAD COMMUNITY SUPPORT." NOAA DEFINES COMMUNITY SUPPORT AS SECURING DOCUMENTS TO DEMONSTRATE SUPPORT FROM INDIVIDUALS, STAKEHOLDER GROUPS, LOCAL, STATE AND FEDERAL GOVERNMENTS, ORGANIZATIONS THAT DEPEND ON THE RESOURCES (FISHING, DIVING, BOATERS, ETC.), TOURISM ORGANIZATIONS, AND OTHERS THAT MAY HAVE A VESTED INTEREST. THE FRIENDS OF MATANZAS ARE IN THE PROCESS OF GATHERING THE ADDITIONAL DOCUMENTS OF SUPPORT WITH INTENT ON RESUBMITTING THE APPLICATION TO NOAA. THIS RESOLUTION BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS WILL BE ONE OF THE DESIRED DOCUMENTS FOR A SUFFICIENT APPLICATION IN ORDER FOR THIS AREA TO BE PLACED ON THE PENDING SANCTUARY INVENTORY

Bennett reviewed background information of the proposed item.

(9:50 a.m.) Jan Brewer, Environmental Division Manager, gave the PowerPoint presentation. She said that NOAA stated that the application was deficient and required additional community support, preferably from local, State or Federal government officials. She spoke about the process of creating a sanctuary designation and said they had a letter of support from the City of St Augustine.

(9:55 a.m.) Pat Hamilton, Vice-President of the Friends of Matanzas, spoke about protecting the water sheds of the Matanzas basin and how grouper eggs, and the life cycle of grouper and other species regarding the nursery of the estuaries. He said designating a sanctuary would help protect the marine life and that the location would be within Federal waters. Hamilton suggested that local residents form a stakeholders group, to be a voice in the management decisions of the Federal waters that affect St. Johns County. Discussion ensued on preventative measures to protect the marine life. Smith asked if there were other options to accomplish what he was trying to do. Hamilton responded that the sanctuary was the only option that would prevent oil and gas drilling. Morris asked if he had received any letters of support since the application was deferred.

(10:08 a.m.) Marcella Matthaei, 6433 Madison St., explained that originally the request was to include all of the Oculina bank and the proposed increased critical habitat for the North Atlantic Right Whale. She said they had decreased the boundaries and were in the process of gathering more letters of support. Discussion ensued on the management plan.

(10:26 a.m.) The following constituents spoke in opposition of the sanctuary designation, voicing their concerns for the fishing and tourism community.

- Captain Robert Johnson, Jody Lynn Charters, 804 Shore Drive
- Jim Arpaia, 3144 Kings Road
- Kim Kendall, Blackhawk Drive
- Jimmy Hall, Ormond Beach
- Bob Smith, 309 Summercove Circle

The following constituents spoke in support of the sanctuary designation, voicing their opinions for the designation.

- Mark Martindale, Director Whitney Marine Laboratory St. Augustine and Seahorse Key Marine Laboratory University of Florida, 5399 Riverview Dr.
- Neil Armingeon, Matanzas Riverkeeper, 201 Owens Avenue
- Bill Hamilton, Southern Horticulture
- John Hankinson, 9150 Melon Court
- Sarah Bailey, 2202 Bishop Estates Road

Bennett asked Brewer if an existing oil rig would be able to remain if there were a designation. Brewer said the oil rig would be grandfathered in.

(10:56 a.m.) McClure stated adding a sanctuary may not be the proper way to go.

(11:01 a.m.) Smith thanked the public for their comments. He also spoke on the behalf of Melvin McQuaig and voiced concerns on the effects to the restaurant industry.

(11:02 a.m.) Morris questioned Hamilton about an email he received indicating that buried in the Monterey Bay National Marine Sanctuary was an emergency provision that could prohibit any and all activities by the County. Hamilton clarified that each national marine sanctuary was unique and had rules individual to that sanctuary.

(11:03 a.m.) Bennett voiced her concerns with having confidence in the Federal Government and requested postponing the item until a complete application could be presented; Morris concurred. Bennett said there needed to be continued discussion with the applicant and the user groups. Hamilton agreed to the continuance.

**(11:12 a.m.) The nomination for the "Eubalaena-Oculina National Marine Sanctuary" was continued to a date uncertain.**

The meeting recessed at 11:12 a.m. and reconvened at 11:25 a.m.

(02/17/15 - 7 - 11:25 a.m.)

DISTRICT 5

2. PUBLIC HEARING - LMA 2014-03, ST. JOHNS COUNTY HISTORIC LANDMARK DESIGNATION OF THE "ALLEN D. NEASE HOUSE", LOCATED AT 3171 COASTAL HIGHWAY. ST. JOHNS COUNTY LAND DEVELOPMENT CODE SECTION 3.01.03, KNOWN AS DESIGNATION OF A ST. JOHNS COUNTY LANDMARK, APPLIES COUNTY-WIDE AND ESTABLISHES PROCEDURES FOR APPLICATIONS FOR DESIGNATION OF PROPERTIES AS A HISTORIC LANDMARK. THIS PROGRAM RECOGNIZES THE VALUE OF

HISTORIC RESOURCES THROUGHOUT ST. JOHNS COUNTY IN INCREASING PROPERTY VALUES, QUALITY OF LIFE, LOCAL JOBS, AND COMMUNITY EDUCATION. FOLLOWING REVIEW BY THE ST. JOHNS COUNTY CULTURAL RESOURCES REVIEW BOARD (CRRB), THE APPLICATION GOES TO THE COUNTY COMMISSION FOR DESIGNATION BY ORDER. THE CURRENT APPLICATION WAS RECOMMENDED FOR LANDMARK APPROVAL, BY UNANIMOUS VOTE, BY THE CRRB ON JANUARY 5, 2015

Proof of publication of the notice of public hearing on LMA 2014-03, Nease House, was received, having been published in *The St. Augustine Record* on February 2, 2015.

Robin Moore, Historic Resources Coordinator, gave the PowerPoint presentation for Items 2, 3 and 4. He explained the process for a property to be designated as a landmark and highlighted facts about each of the properties. He said the Cultural Resource Review Board recommended all three designations, by a unanimous vote, and said that landmark status would assist the County in maintaining the properties. He also said the designation would allow the County to apply for grant funding.

(11:34 a.m.) McClure questioned Moore on the funding.

(11:38 a.m.) Beverly Fleming, a/k/a Granny B, 590 Deerfield Rd., spoke in support of the landmark designations and on the importance of students learning the history of the county.

(11:40 a.m.) Sarah Bailey, 2202 Bishop Estates Rd., spoke in support of the landmark designations.

(11:44 a.m.) Ellen Whitmer, 1178 Natures Hammock Road S., spoke in support of the landmark designations.

(11:45 a.m.) Becky Leynes, President/Treasurer Alpine Groves Park, said that the Friends of Alpine Groves Park became incorporated in October 2014. She also spoke in support of the landmark designation.

(11:46 a.m.) Karen Remaley, 1519 SR 13, spoke in support of the Stetson Kennedy landmark designation.

(11:47 a.m.) Nancy Redfern, 1126 Fruit Cove Rd., spoke in support of the landmark designations.

(11:49 a.m.) **Motion by Bennett, seconded by Morris, carried 4/0, to approve LMA 2014-03, granting St. Johns County Historic Landmark designation to the "Allen D. Nease House," located at 3171 Coastal Highway, adopting findings of fact 1-5 to support the motion.**

(02/17/15 - 8 - 11:25 a.m.)

DISTRICT 1

3. PUBLIC HEARING - LMA 2014-04, ST. JOHNS COUNTY HISTORIC LANDMARK DESIGNATION OF "ALPINE GROVE PARK", LOCATED AT 610 SWISS LANE. ST. JOHNS COUNTY LAND DEVELOPMENT CODE SECTION 3.01.03, KNOWN AS DESIGNATION OF A ST. JOHNS COUNTY LANDMARK, APPLIES COUNTY-WIDE AND ESTABLISHES PROCEDURES FOR APPLICATION FOR DESIGNATION OF PROPERTIES AS A HISTORIC LANDMARK. THIS PROGRAM RECOGNIZES THE VALUE OF HISTORIC RESOURCES THROUGHOUT ST. JOHNS COUNTY IN INCREASING PROPERTY VALUES, QUALITY OF LIFE, LOCAL JOBS, AND COMMUNITY EDUCATION. FOLLOWING REVIEW BY THE ST. JOHNS COUNTY



CULTURAL RESOURCES REVIEW BOARD (CRRB), THE APPLICATION GOES TO THE COUNTY COMMISSION FOR DESIGNATION BY ORDER. THE CURRENT APPLICATION WAS RECOMMENDED FOR LANDMARK APPROVAL, BY UNANIMOUS VOTE, BY THE CRRB ON JANUARY 5, 2015

Proof of publication of the notice of public hearing on LMA 2014-04, Alpine Grove, was received, having been published in *The St. Augustine Record* on February 2, 2015.

*Discussion occurred with Item 2.*

**(11:50 a.m.) Motion by Bennett, seconded by Morris, carried 4/0, to approve LMA 2014-04, granting St. Johns County Historic Landmark designation to "Alpine Grove Park," located at 610 Swiss Lane, adopting findings of fact 1-5 to support the motion.**

(02/17/15 - 9 - 11:25 a.m.)

DISTRICT 1

4. PUBLIC HEARING - LMA 2014-05, ST. JOHNS COUNTY HISTORIC LANDMARK DESIGNATION OF THE "W. STETSON KENNEDY HOUSE", LOCATED AT 1523 STATE ROAD 13. ST. JOHNS COUNTY LAND DEVELOPMENT CODE SECTION 3.01.03, KNOWN AS DESIGNATION OF A ST. JOHNS COUNTY LANDMARK, APPLIES COUNTY-WIDE AND ESTABLISHES PROCEDURES FOR APPLICATION FOR DESIGNATION OF PROPERTIES AS A HISTORIC LANDMARK. THIS PROGRAM RECOGNIZES THE VALUE OF HISTORIC RESOURCES THROUGHOUT ST. JOHNS COUNTY IN INCREASING PROPERTY VALUES, QUALITY OF LIFE, LOCAL JOBS, AND COMMUNITY EDUCATION. FOLLOWING REVIEW BY THE ST. JOHNS COUNTY CULTURAL RESOURCES REVIEW BOARD (CRRB), THE APPLICATION GOES TO THE COUNTY COMMISSION FOR DESIGNATION BY ORDER. THE CURRENT APPLICATION WAS RECOMMENDED FOR LANDMARK APPROVAL, BY UNANIMOUS VOTE, BY THE CRRB ON JANUARY 5, 2015. ATTACHED IS A PROPOSED COUNTY ORDER FOR BCC APPROVAL, A STAFF REPORT INCLUDING LEGAL DOCUMENTS AND THE REVIEWED APPLICATION

Proof of publication of the notice of public hearing on LMA 2014-05, Kennedy, was received, having been published in *The St. Augustine Record* on February 2, 2015.

*Discussion occurred with Item 2.*

**(11:50 a.m.) Motion by McClure, seconded by Morris, carried 4/0, to approve LMA 2014-05, granting St. Johns County Historic Landmark designation to the "W. Stetson Kennedy House," located at 1523 State Road 13, adopting findings of fact 1-5 to support the motion.**

(02/17/15 - 9 - 11:51 a.m.)

DISTRICT 3

5. PUBLIC HEARING - ZADMAPL 2014-02 - APPEAL OF A DECISION BY THE PLANNING AND ZONING AGENCY OF ZVAR 2013-19 5800, A1A SOUTH, PURSUANT TO LAND DEVELOPMENT CODE SECTION 9.07.03. THIS IS AN APPEAL FILED PURSUANT TO LAND DEVELOPMENT CODE SECTION 9.07.03 APPEALS FROM DECISIONS OF THE PLANNING AND ZONING AGENCY (PZA) FILED BY SALLY HOWES, OWNER OF SUBJECT PROPERTY. THE PZA HEARD THE ZONING VARIANCE REQUEST ORIGINALLY AT THE NOVEMBER 21, 2013, REGULARLY SCHEDULED MEETING. AFTER MUCH DISCUSSION, THE ITEM WAS CONTINUED WITH THE AGENCY'S REQUEST TO REDESIGN. THE APPLICATION WAS RESCHEDULED AND HEARD AT THE NOVEMBER 6, 2014, REGULARLY SCHEDULED PZA MEETING AT WHICH TIME THE APPLICATION WAS DENIED (MOTION BY MR. KOPPENHAFFER, SECOND BY MR. WAINWRIGHT - MOTIONED

CARRIED 6/1 WITH MR. WOODARD DISSENTING). MOTION WAS ALSO MADE AND APPROVED TO WAIVE THE ONE YEAR REQUIREMENT TO FILE AGAIN (SECTION 10.04.02.A.3). ON DECEMBER 19, 2014, SALLY HOWES, THE PROPERTY OWNER, FILED AN APPEAL IN A TIMELY MANNER AS PRESCRIBED BY THE LAND DEVELOPMENT CODE, REQUESTING THAT THE BOARD OF COUNTY COMMISSIONERS REVERSE THE DECISION RENDERED BY THE PZA AND APPROVE ZVAR 2013-19

Proof of publication of the notice of public hearing on ZADMAPL 2014-02, Appeal Hearing, was received, having been published in *The St. Augustine Record* on February 2, 2015.

Marie Colee, Assistant Program Manager, gave the PowerPoint presentation. She reviewed the requirements of the Land Development Code setbacks for the property and said the adjacent neighbors felt the plan could be redesigned without a variance. She said the agency denied the request, as submitted, with a 6 to 1 vote.

(11:57 a.m.) Bennett noted that the reason for the 20 foot setbacks was to keep vehicles from hanging out in the street. She asked for clarification on which lot was considered the first front yard and which was the second front yard. Colee responded that the shorter of the two lots was first.

(11:59 a.m.) Joel Schmidt and Sally Howes, 1423 San Juan St., spoke about the required retaining walls, *Exhibit A*.

(12:06 p.m.) McClure asked about the angle of the house. Schmidt responded that the proposed variance was to prevent having to build a nine foot retaining wall. Discussion ensued on the retaining wall and the angle of the house.

(12:15 p.m.) Charlie Zullig, 5796 Rudolph Ave., spoke in opposition of the variance and showed two drawings showing different angles of the house, *Exhibit A*. McCormack asked Zullig who prepared his drawings. Zullig responded that he had prepared the drawings, not a professional.

(12:19 p.m.) Bennett questioned Colee on the Residential General setbacks of the Land Development Code.

(12:21 p.m.) Lee Trusket, 31 Minnie St., spoke in opposition of the proposed variance.

(12:22 p.m.) Brad Nelson, Planning and Zoning Agency member, 214 Edgewater Branch Dr., explained that when the plan was denied in 2013, the applicants were asked to come back with a modified plan and a topographical map, and when they came back in 2014 they did not make the requested modifications.

(12:23 p.m.) BJ Kalaidi, 8 Newcomb St., spoke in opposition of the proposed variance.

(12:25 p.m.) Schmidt reiterated that allowing the variance would be better than a nine foot wall.

(12:27 p.m.) McClure spoke about LDC consistency and the angle of the home.

**(12:29 p.m.) Motion by McClure, seconded by Morris, carried 4/0, to deny ZADMAPL 2014-02, appeal to ZVAR 2013-09, 5800 A1A South, upholding a decision of the Planning and Zoning Agency and deny the reduction of the required second front yard setback adjacent to Minnie Street from twenty feet to fifteen feet, specifically located on property at 5800 A1A South, subject to the 4 findings of fact.**

(02/17/15 - 11 - 12:30 p.m.)

6. PUBLIC HEARING - SECOND AND FINAL READING, CHAPTER 1 OF THE FLORIDA BUILDING CODE. THIS LOCAL CHAPTER 1 OF THE FLORIDA BUILDING CODE IS AN ADMINISTRATIVE CHAPTER. IT PROVIDES FOR THE BUILDING SERVICES DIVISION, PROVIDES FOR THE POWERS AND AUTHORITY OF THE BUILDING OFFICIAL, ADOPTS THE CURRENT PROPERTY SAFETY CODE, SYNCHRONIZES THE LOCAL FLOOD ORDINANCE WITH THE FBC, AND MAINTAINS FLOOD STANDARDS. IT WAS DEVELOPED USING THE STATE OF FLORIDA BUILDING ASSOCIATION MODEL CHAPTER 1 ORDINANCE AND REFLECTS LOCAL EXISTING PRACTICES

Proof of publication of the notice of public hearing on Flood Ordinance/Building Code Chapter 1, published January 27, 2015, and February 7, 2015, in *The St. Augustine Record*.

James Schock, P.E., C.B.O., C.F.M., Floodplain Manager, gave the PowerPoint presentation on Items 6 and 7.

(12:31 p.m.) Smith said he appreciated Mr. Schock and Mr. White's efforts to maintain stability with values and with the tax base in the County. He also recognized the importance of what they had accomplished for the County's values and people.

(12:33 p.m.) **Motion by Bennett, seconded by McClure, carried 4/0, to enact Ordinance No. 2015-8, adopting Florida Building Code Administrative Section, Chapter 1.**

#### ORDINANCE NO. 2015-8

**AN ORDINANCE BY THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AN ADMINISTRATIVE SECTION TO THE FLORIDA BUILDING CODE, CHAPTER 1 SCOPE AND ADMINISTRATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

(02/17/15 - 11 - 12:30 p.m.)

7. PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS FOR ARTICLES III AND XII. THIS AGENDA ITEM REPEALS AND REPLACES PORTIONS OF ARTICLE III AND ALL OF ARTICLE XII OF THE LAND DEVELOPMENT CODE. THESE CHANGES ARE NECESSARY TO REMAIN IN GOOD STANDING WITH THE NATIONAL FLOOD INSURANCE PROGRAM AND TO MAINTAIN INSURANCE DISCOUNTS FOR THE CITIZENS OF ST. JOHNS COUNTY THAT ARE PROPAGATED THROUGH THE COMMUNITY RATING SYSTEM PROGRAM. THE AMENDMENTS ARE EXPLAINED IN THE ATTACHED STAFF REPORT AND THROUGH THE PROPOSED TEXT OF THE ORDINANCE. THIS ORDINANCE IS BASED ON THE STATE OF FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (DEM) MODEL FLOOD PLAIN ORDINANCE, WHICH WORDING HAS BEEN APPROVED BY FEMA AND VETTED BY THE FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT CONSULTANT TO ASSURE THE WORDING OF THIS ORDINANCE COMPLIES WITH FEMA REQUIREMENTS

Proof of publication of the notice of public hearing on the Flood Ordinance was published February 10, 2015, in *The St. Augustine Record*.

*Discussion occurred with Item 6.*

Motion by Bennett, seconded by McClure, carried 4/0, to enact Ordinance No. 2015-9, amending Articles III and XII to the Land Development Code finding the modifications consistent with Florida Law and St. Johns County Comprehensive Plan.

ORDINANCE NO. 2015-9

AN ORDINANCE OF ST. JOHNS COUNTY, FLORIDA, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 99-51; REPEALING AND REPLACING ARTICLE III, PART 3.03.00, OF THE LAND DEVELOPMENT CODE; ADOPTING A NEW ARTICLE III, PART 3.03.00; ADOPTING FLOOD HAZARD MAPS; DESIGNATING A FLOODPLAIN ADMINSTRATOR; ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; REPEALING AND REPLACING ARTICLE XII, DEFINITIONS, OF THE LAND DEVELOPMENT CODE; PROVIDING FOR APPLICABILITY; SEVERABILITY; AND AN EFFECTIVE DATE

The meeting recessed at 12:33 p.m. and reconvened at 1:30 p.m., with all four commissioners, Wanchick, Locklear, McCormack, Soria, and Deputy Clerk Natasha McGee present.

(1:34 p.m.) McCormack left the meeting.

(02/17/15 - 12 - 1:34 p.m.)

DISTRICT 1

8. PUBLIC HEARING, COMPAMD 2013-06, BANNON LAKES. THIS IS AN ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT, 2013-06, KNOWN AS BANNON LAKES, A REQUEST TO REVISE EXISTING COMPREHENSIVE PLAN TEXT POLICY A.1.11.1.(H)(8)(F), PROVIDING FOR A MAXIMUM CAP OF 999 RESIDENTIAL DWELLING UNITS, 105,000 SQUARE FEET OF COMMERCIAL AND 15,000 SQUARE FEET OF OFFICE. IN ADDITION, TEXT HAS BEEN PROVIDED TO PRESERVE AND MAINTAIN 180 ACRE WETLAND CONSERVATION EASEMENT IN FAVOR OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, AS ESTABLISHED IN THE FLORIDA STATUES SECTION 704.06, FOR PROPERTY DESIGNATED MIXED USE ON THE FUTURE LAND USE MAP. THIS SITE CONTAINS 580 ACRES AND IS LOCATED ON THE NORTH SIDE OF INTERNATIONAL GOLF PARKWAY JUST EAST OF THE I-95 INTERCHANGE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, BY A 7-0 VOTE, AT THEIR JANUARY 15, 2015, MEETING. PLEASE REFER TO THE ATTACHED STAFF REPORT FOR PROJECT DETAILS

Proof of publication of the notice of public hearing on COMPAMD 2013-06, Bannan Lakes, was received, having been published in *The St. Augustine Record* on February 2, 2015.

*Items 8 and 9 were presented together.*

Caitlin Cerame, Planner, presented the details of COMPAMD 2013-06 and MAJMOD 2013-09, via PowerPoint, noting the requested waivers and adjacent property owner concerns regarding transportation impacts to Parkland Trail from the development of

Bannon Lakes. She stated the adjacent property owner had withdrawn the objection, indicating they had met with the applicant and concerns had been met.

(1:44 p.m.) Bennett, Morris, and Smith declared ex parte communication with the applicants, Thomas Dodson and Art Lancaster, and their representative, Ellen Avery-Smith.

(1:44 p.m.) Ellen Avery-Smith, Rogers Towers, 100 Whetstone Place, representing the applicant, gave a PowerPoint presentation on COMPAMD 2013-06 and MAJMOD 2013-09. She noted sidewalk and bike lane language and the right-of-way dedication of the dangerous curve on International Golf Parkway (IGP) at Twelve Mile Swamp.

(1:52 p.m.) Discussion ensued on bicycle access through the St. Johns River Water Management District's land, allowable uses, the Development of Regional Impact (DRI) threshold, school concurrency, and transportation impacts.

**(2:05 p.m.) Motion by Bennett, seconded by Smith, carried 4/0, to enact Ordinance No. 2015-10, known as COMPAMD 2013-06, Bannon Lakes, adopting 3 findings of fact to support the motion.**

#### ORDINANCE NO. 2015-10

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO REVISE THE COMPREHENSIVE PLAN TEXT POLICY OF A.1.11.1(H)(8)(F) AND PROVIDE FOR A MAXIMUM OF 999 RESIDENTIAL UNITS, 105,000 SQUARE FEET OF COMMERCIAL SPACE AND 15,000 SQUARE FEET OF OFFICE SPACE, AND ADD TEXT LANGUAGE TO PRESERVE AND MAINTAIN A 180 ACRE WETLAND CONSERVATION EASEMENT IN FAVOR OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, AS ESTABLISHED IN THE FLORIDA STATUTES, SECTION 704.06 FOR PROPERTY DESIGNATED MIXED USE CONTAINING 580 ACRES, LOCATED ON NORTH SIDE OF INTERNATIONAL GOLF PARKWAY JUST EAST OF I-95 INTERCHANGE; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(02/17/15 - 13 - 1:34 p.m.)

DISTRICT 1

9. PUBLIC HEARING, MAJMOD 2013-09, BANNON LAKES. THIS IS AN ADOPTION HEARING FOR MAJOR MODIFICATION, 2013-09, KNOWN AS BANNON LAKES. THE REQUEST IS TO RENAME AND MODIFY THE PREVIOUSLY APPROVED NINE MILE GANG PLANNED UNIT DEVELOPMENT (PUD) TO ALLOW A MAXIMUM CAP OF 999 RESIDENTIAL UNITS, 105,000 SQUARE FEET OF COMMERCIAL AND 15,000 SQUARE FEET OF OFFICE SPACE ON APPROXIMATELY 580 ACRES, AND MAINTAIN A 180-ACRE CONSERVATION EASEMENT. THE SUBJECT PROPERTY IS LOCATED ON INTERNATIONAL GOLF PARKWAY AND EAST OF THE I-95 INTERCHANGE. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, BY A 7-0 VOTE, AT THEIR JANUARY 15, 2015, MEETING. PLEASE REFER TO THE ATTACHED STAFF REPORT FOR PROJECT DETAILS

Proof of publication of the notice of public hearing on MAJMOD 2013-09, Bannan Lakes was received, having been published in *The St. Augustine Record* on February 2, 2015.

*Discussion occurred with item 8.*

**(2:05 p.m.) Motion by Bennett, second by Smith, carried 4/0, to enact Ordinance No. 2015-11, known as MAJMOD 2013-09, Bannan Lakes, adopting 6 findings of fact to support the motion.**

#### **ORDINANCE NO. 2015-11**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE NINE MILE GANG PUD, ORDINANCE NO. 2011-41, AS AMENDED; MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE**

(02/17/15 - 14 - 2:06 p.m.)

DISTRICT 5

10. PUBLIC HEARING, MAJMOD 2014-16, THE FOUNTAINS AT ST. AUGUSTINE. THIS IS AN ADOPTION HEARING FOR MAJOR MODIFICATION 2014-16, KNOWN AS THE FOUNTAINS AT ST. AUGUSTINE, TO MODIFY THE PREVIOUSLY APPROVED FLORIDIAN AT ST. AUGUSTINE PLANNED UNIT DEVELOPMENT (PUD); ADD AN ADDITIONAL 18.7 ACRES OF LAND TO THE PUD; REMOVE MULTI-FAMILY AND OFFICE USES; AND, ALLOW FOR A MOTORHOME VACATION RESORT WITH 114 SPACES WITH ASSOCIATED COMMERCIAL AND RECREATIONAL AMENITIES. THE SUBJECT PROPERTY IS SPECIFICALLY LOCATED AT 3960 INMAN ROAD. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL, BY A 7-0 VOTE, AT THEIR JANUARY 15, 2015, MEETING. PLEASE REFER TO THE STAFF REPORT FOR ADDITIONAL PROJECT DETAILS

Proof of publication of the notice of public hearing on MAJMOD 2014-16, The Fountains at St. Augustine, was received, having been published in *The St. Augustine Record* on February 2, 2015.

Bennett, Morris, and Smith declared ex parte communication with the applicant Tommy Hammond, President of the Devcon Group, and the applicant's representative Susan Bloodworth.

(2:06 p.m.) Caitlin Cerame, Planner, presented the details of MAJMOD 2014-16, The Fountains at St. Augustine, via PowerPoint, noting adjacent property owner notifications.

(2:13 p.m.) Applicant Tommy Hammond, President of the Devcon Group, 153 Bear Pen Road, gave an overview of the project and presented a video on The Fountains of St. Augustine, *Exhibit A*.

(2:16 p.m.) McCormack entered the meeting.

(2:20 p.m.) Discussion ensued on the commonality of the proposed resort to other parts of the country; gun range compatibility concerns including noise, environmental, and safety concerns; project funding; security gate/security guard; minimum/maximum stay periods; outlet mall connectivity; wetland buffers including the construction of decks and wildlife observation stations; and impact fees.

(2:28 p.m.) Suzanne Konchan, Director of Growth Management, provided additional information on the impact fees.

(2:30 p.m.) Discussion continued on road improvements and gun range compatibility concerns. McCormack asked Hammond if the gun range was sufficiently compatible to the proposed project to warrant approval, to which Hammond responded yes. Hammond noted that the gun range disclaimer had been added to the sales literature and that the existing Floridian PUD allowed 236 condo units and The Fountains of St. Augustine allowed 114 units.

(2:33 p.m.) Discussion between the Board and Susan Bloodworth, 81 King Street, Suite A, representing the applicant, continued on setbacks.

(2:34 p.m.) James Acosta, Treasurer of the Fraternal Order of Police (FOP) and on behalf of the FOP members, 5050 Inman Road, spoke in favor of the construction of a sound barrier.

(2:35 p.m.) Jim Arpaia, 3144 Kings Road, spoke in favor of the proposed project.

(2:36 p.m.) **Motion by Bennett, seconded by Morris, to enact Ordinance No. 2015-12, known as MAJMOD 2014-16, The Fountains at St. Augustine, based upon 6 findings of fact to support the motion.** Soria proposed the following addition to the motion: *with the additional proffer by the applicant of a sound attenuating barrier adjacent to the existing gun range if the gun range had not re-located.* The motion carried 4/0.

#### ORDINANCE NO. 2015-12

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, APPROVING A MAJOR MODIFICATION TO THE FLORIDIAN AT ST. AUGUSTINE PLANNED UNIT DEVELOPMENT, ORDINANCE NO. 2006-136, AS AMENDED; ADDING AND REZONING LANDS FROM OPEN RURAL (OR) TO PLANNED UNIT DEVELOPMENT (PUD); MAKING FINDINGS OF FACT; PROVIDING A SAVINGS CLAUSE; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

The meeting recessed at 2:38 p.m. and reconvened at 2:51 p.m., with Jerry Cameron, Assistant County Attorney present.

(02/17/15 - 15 - 2:51 p.m.)

#### 11. IDENTIFY A PREFERRED OPTION FOR BALANCING REVENUES WITH COMMUNITY EXPECTATIONS

Wanchick introduced the item and gave a PowerPoint presentation on budget strategies and options for potential new revenue sources, including: 1) declining consideration of any new revenue sources, 2) exploring a sales tax as the primary new revenue source, or 3) enacting new revenues sources, such as a gas tax or stormwater fee.

(2:57 p.m.) Bennett noted that the item was not part of the annual budget hearing process. Wanchick noted that the direction the Board gave today would be translated into the budget directions that would be given to departments to prepare budgets.

(2:58 p.m.) Discussion ensued on non-essential and essential programs/services, exploring a sales tax increase as the primary new revenue source, growth in the County, the current sales tax and quality of life, and the cost and advantages of mail in ballots.

(3:07 p.m.) Andrea Anthony, 313 N. Shipwreck Ave., spoke in opposition of a sales tax initiative.

(3:10 p.m.) Sarah Bailey, 2202 Bishop Estates Rd., spoke in favor of a sales tax initiative.

(3:12 p.m.) Kim Kendall, 5012 Blackhawk Dr., spoke in opposition of a sales tax initiative and questioned if the Board had a backup plan.

(3:16 p.m.) Jim Arpaia, 3144 Kings Rd., spoke in opposition of a sales tax initiative.

(3:18 p.m.) Bob Smith, 309 Summercove Circle, spoke in opposition of a sales tax initiative.

(3:21 p.m.) Bill McCormick, 9224 July Lane, spoke in favor of a sales tax initiative.

(3:25 p.m.) BJ Kalaidi, 8 Newcomb St., spoke in opposition of a sales tax initiative.

(3:27 p.m.) McClure reviewed a PowerPoint presentation on additional revenue options, *Exhibit A*. He noted he did not support a sales tax initiative. Discussion ensued on non-essential and essential programs/services.

(3:52 p.m.) Morris spoke in favor of exploring the sales tax initiative.

(4:00 p.m.) Wanchick clarified non-essential and essential programs/services, addressed public comment, and spoke on the proposed potential new revenue sources.

(4:11 p.m.) Smith spoke on the proposed sales tax initiative and spoke in favor of Option 1: Allocating funds from non-essential to essential programs/services, noting the possibility of the future exploration of a sales tax initiative.

(4:20 p.m.) Cameron left the meeting.

(4:24 p.m.) **Motion by McClure, seconded by Smith, failed 2/2, with McClure and Smith in favor and Bennett and Morris dissenting, to decline the exploration of a sales tax as a primary new revenue source and explore other revenue options that are user based, such as a gas tax or stormwater fee, and to direct staff to come back with [options].**

(4:26 p.m.) Bennett said that she did not want to impose a tax on people; that it was up to the people to vote if they wanted to impose a new tax on themselves.

(4:26 p.m.) **Motion by Bennett, seconded by Morris, to take Option 2.** Discussion ensued on exploring the options, and getting public input on what they felt were essential and non-essential services. **Bennett proposed the following additional language to her motion: to explore the feasibility of a new revenue source.**

(4:34 p.m.) Wanchick suggested using professional pollsters to conduct a study to ask the community its preferences. Discussion ensued.

(4:39 p.m.) Bennett proposed modifying her motion to address funding for the study, but Wanchick requested that the Board allow him to work out of department line items and not allocate any additional money at this time. **The motion carried 3/1, with McClure dissenting.**

(7:20 p.m.) Subsequently, Wanchick clarified that the Board authorized him to put a blue ribbon panel in place for Regular Agenda Item 11.



(4:41 p.m.) Bennett presented four business items:

1) The current Northeast Florida Regional Transportation Commission (RTC) Bylaws. She explained that the County Commission would appoint one member of the commission to serve on the RTC Board for a four year term, noting that if the appointee was not reelected he or she would continue to serve on the RCT Board for the remainder of the term and that under the current Bylaws the Board had no right to appoint a current commissioner. *She requested consensus from the Board to pursue a revision of the RTC Bylaws, specifying that the appointed member be a current commissioner. Consensus was given;*

2) A County Deed between St. Johns County, Florida, and the St. Augustine Lighthouse and Museum, Inc. She spoke on the use of the property, neighborhood traffic concerns, and the reverter clause in the deed, which stated: in the event the property was not operated for community, cultural and/or historical use by the grantee for the public, the property shall automatically revert back to the grantor. *She requested consensus from the Board to direct the county attorney to send a letter to the City of St. Augustine, outlining the reverter clause, stating that the Board fully intended to use the reverter clause should it become necessary. Consensus was given;*

3) The Florida Association of Counties (FAC) Board of Directors vacancy, District 6. *She requested Board consensus to designate the chair as the temporary appointee to the vacancy.* McClure requested to be appointed for the temporary vacancy. BJ Kalaidi 8 Newcomb Street, questioned the Board on why McClure couldn't be designated as the temporary appointed member. *Consensus was given;* and

4) The 2015 Florida Association of Counties Annual Conference. *She requested Board consensus to send Chris Holley a letter stating that Glenn Hastings, Tourist Development Council's (TDC) Executive Director, would be the point of contact, regarding the conference. Consensus was given.*

The meeting recessed at 4:48 p.m. and reconvened at 5:01 p.m., with Commissioners Bennett, Smith, Morris, and McClure; County Administrator Michael Wanchick, Attorney Patrick McCormack, and Deputy Clerk Pam Halterman in attendance.

(02/17/15 - 17 - 5:05 p.m.)

12. PUBLIC HEARING - 2015 AMENDMENTS TO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN. THIS IS AN ADOPTION HEARING FOR A SERIES OF COMPREHENSIVE PLAN AMENDMENTS TO THE LAND USE ELEMENT TEXT OF THE 2025 COMPREHENSIVE PLAN. THE AMENDMENTS CAN BE GENERALLY CATEGORIZED AS CHANGES MADE TO: REFLECT CURRENT STATE LAW; MODIFY OUTDATED TIMING STANDARDS; CLARIFY POLICIES OR CHARTS; AND CHANGE POLICY TO REFLECT CURRENT BCC GOALS. THE ATTACHED STAFF REPORT EXPLAINS THE HIGHLIGHTS OF THE CHANGES, AND THE TEXT OF THE FUTURE LAND USE ELEMENT SHOWS THE TEXT TO BE DELETED AND ADDED USING BLACKLINE METHODS SO THAT THE CHANGES ARE EASILY IDENTIFIED. THE BOARD TRANSMITTED THESE AMENDMENTS TO THE STATE FOR REVIEW ON MARCH 18, 2014. SUBSEQUENT PUBLIC WORKSHOPS WERE HELD BY STAFF, AS WERE MEETINGS BY THE PLANNING AND ZONING AGENCY, THE CULTURAL RESOURCES AND REVIEW BOARD, AND THE NORTH COASTAL DESIGN REVIEW BOARD. ACTING IN THEIR AUTHORITY AS THE OFFICIAL LOCAL PLANNING AGENCY OF THE COUNTY, THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL ON A VOTE OF 6-0 ON JANUARY 15, 2015

Proof of publication of the notice of public hearing on 2015 Comp Plan Amendments, was received, having been published in *The St. Augustine Record* on December 31, 2014.

*Items 12 and 13 were presented together.*

(02/17/15 - 18 - 5:05 p.m.)

13. PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS FOR ARTICLES II, III, IV, V, VI, VII, IX, X AND XII. THIS IS THE FINAL HEARING IN A THREE-PART SERIES TO CONSIDER CHANGES TO NINE (9) ARTICLES OF THE LAND DEVELOPMENT CODE. THIS DRAFT ALSO IMPLEMENTS COMPREHENSIVE PLAN AMENDMENT PROPOSED CHANGES RELATING TO THE SCENIC AND DEVELOPMENT EDGES IN THE NORTHWEST SECTOR, AND IMPLEMENTATION OF AN ECONOMIC REDEVELOPMENT RESIDENTIAL UNIT EXCHANGE PROGRAM WITHIN THE VILANO BEACH TOWN CENTER. THIS SERIES OF CHANGES ALSO CREATES A SPECIAL USE PERMIT CATEGORY FOR LARGE PLACES OF ASSEMBLY AND MODIFIES ASSOCIATED USES; ENSURES OVERLAY REVIEW FOR ALL NON-SINGLE AND TWO-FAMILY DEVELOPMENT WITHIN OVERLAY DISTRICTS; PROVIDES TREE BANK FUND CLARIFICATIONS; CREATES AN OPTIONAL PRELIMINARY SUBDIVISION PLAN REVIEW PROCESS; CLARIFIES "WATERFRONT YARD" BOUNDARIES AND SETBACK PROVISIONS; AMENDS PUD PHASING LANGUAGE; MODIFIES SIGN PROVISIONS RELATING TO PUBLIC ENTITIES AND GATED COMMUNITIES; ELIMINATES THE SIGN ABATEMENT REQUIREMENT; AND, CLARIFIES ADMINISTRATION AND ENFORCEMENT OF THE LAND DEVELOPMENT CODE. THIS SERIES ALSO ADDRESSES AND REVISES VARIOUS OTHER SECTIONS FOR CLARITY AND/OR FLEXIBILITY. THESE CHANGES WERE CONSIDERED ORIGINALLY FOR FIRST READING BY THE BOARD ON JUNE 3, 2014. DUE TO SIGNIFICANT CHANGES TO THE PROPOSED ORDINANCE, THEY WERE BROUGHT BACK TO THE BOARD OF COUNTY COMMISSIONERS ON DECEMBER 16, 2014 FOR FIRST READING. ON JANUARY 15, 2015 THE PLANNING AND ZONING AGENCY VOTED UNANIMOUSLY TO RECOMMEND APPROVAL OF THESE AMENDMENTS TO THE BOARD OF COUNTY COMMISSIONERS

Proof of publication of the notice of public hearing on Land Development Code Amendments was received, having been published in *The St. Augustine Record* on February 9, 2015.

Suzanne Konchan, Growth Management Director, gave the presentation. She reviewed elements of the 2015 Comprehensive Land Use proposed amendments, which included West Augustine, Northwest sector, gated communities, development edges, commercial scenic edges, Vilano Beach Town Center, density caps, quality buffers, green development, minimum residential unit size, waivers, non-zoning variance, transfer of development rights, public input, and corrected map for county owned property known as Fiddler's Green. She advised that the PZA and staff recommended approval of the proposed amendments.

(5:19 p.m.) McClure asked for clarification on setback buffer size and implementation. Konchan affirmed that the change in buffer size would begin after adoption of the ordinance.

(5:31 p.m.) Joseph Cearley, Special Projects Manager, gave the presentation. He reviewed the amendments to the Land Development Code, which included adding a special use permit for large places of assembly with associated criteria, special use category and minimum design standards, waiver requests specifics, overlay districts,

PUD phasing, unified sign plan, and landscaping. He stated that PZA and staff recommended approval of the proposed changes.

(5:42 p.m.) In response to an inquiry from Bennett regarding the tree bank fund, Konchan stated that payment into the fund helped to mitigate the reducing of natural features of a property. Bennett suggested that adding natural access and trails element back into the LDC would help educate and give residents access to natural landscaping.

(5:44 p.m.) McCormack affirmed that a benefit of access and trails was to allow the public to enjoy natural areas. Smith asked for the history in regards to why the board had requested removal of that element. Konchan stated that it was an attempt to clarify the use of the Tree Bank Fund to replace, as directly as possible, the replanting of the eliminated canopy with a development. McClure requested that, for less confusion, staff review their presentation in the same order as the PowerPoint presentation.

(5:50 p.m.) Bennett asked for public comments only on the Northwest sector changes.

The following citizens spoke in opposition to the proposed setback changes:

- \* Bill McCormick, 9224 July Lane
- \* Phyllis Abbatiello, 1133 River Birch Road
- \* Ellen Whitmer, 1178 Nature's Hammock Road South
- \* Al Abbatiello, 1133 River Birch Road
- \* Sarah Bailey, 2202 Bishop Estates Road
- \* Diane Battles, 631 Sweetwater Branch Lane
- \* Fred Hall, 1609 Rebecca Court

Those citizens offered the following reasons for the board to deny the proposed changes:

- \* Northwest sector plan was specifically developed to retain the 75 foot setbacks
- \* Must retain the scenic quality of the area through larger setbacks
- \* Retain the architectural and historical scenic views
- \* Area already congested and crowded
- \* Involved setbacks were calculated on an average
- \* Flexibility already existed in the Comprehensive Plan
- \* 50,000 new homes previously approved to be built in the area
- \* Extremely heavy traffic exist in the area
- \* Lessening the scenic edge takes away the scenic view
- \* Desire to preserve the rural character of the community
- \* Mature trees preserve the water quality compared to young trees

The following citizens spoke in favor of the proposed changes:

- Beth Breeding, 10175 Fortune Parkway, Jacksonville
- Jeff Combs, 151 Sawgrass Corners Drive

Those citizens offered the following reasons to approve the proposed changes:

- Area in need of services for residents in the area
- Changes would help increase commercial development
- Better visual quality of the buffer
- Businesses thrive on drive-by traffic
- Residents want service related businesses in the area

The following citizens spoke in favor of the Vilano Town Center item:

- Sally O'Hara, 3101 1st Street
- Dylan Cadwalader, 173 Spanish Marsh Drive
- Fred Ashad, 2741 Racetrack Road
- Randall Glen Brazeal, 337 Sawmill Lane

- Karen Bentz, 55 Ava Way
- Crawford Boyd, 3048 4th Street
- Vivian Browning, 115 Vilano Road

Those citizens offered the following reasons for the board to approve the proposed changes:

- Vilano Beach Main Street Board of Directors supported the proposed changes
- Changes would assist in spurring development
- Aid in restoring historic properties
- A mix of residential and commercial was necessary for the community
- Exchange of units program would allow transfers to residential property
- Sunset Celebrations would continue to grow
- Transfer of development rights a plus for the town center properties

The following citizens spoke in opposition to the Vilano proposed changes:

- Rene Tomasino, 2741 Harbor Court
- Maria Rivero, 17 Corunna Street
- Tawnia Sherry, 2720 Harbor Court
- Mickey Day, 1070 Bella Vista Blvd

Those citizens offered the following reasons to deny the Vilano proposed changes:

- Increased traffic in the area
- Visitors to Vilano illegally park on private property and in private driveways
- Bridge traffic was a nightmare
- New roundabout at San Marco and May Street would create more traffic
- Restaurants were full making it difficult for residents to eat out

(6:48 p.m.) In response to an inquiry from McClure, Konchan stated that development would adhere to the three-story height, setbacks, and floor area ration requirements. Additionally, she pointed out that the Vilano Community Redevelopment area was improved with on-street parking and storm water drainage by the county reserving concurrency for the build-out for the Vilano Town Center, which included traffic, density, and residential and non-residential development. She noted that the Florida Department of Transportation had been studying intersection improvements at May Street and San Marco Avenue, and San Carlos and San Marco Avenues. She stated that the State was holding public meetings for resident input and changes to the two intersections would provide traffic relief to both the Vilano bridge and the beachside areas. She clarified that scenic edge on William Bartram Scenic Highway would be allowed to remain.

(6:52 p.m.) McClure spoke on Vilano and the Transfer Development Rights (TDR) elements of the changes. McCormack clarified that there were no proposed changes from the text in the agenda packet for Item 12. Discussion ensued in regards to the thirty-five foot setbacks and maintaining a rural character.

(7:01 p.m.) Morris suggested that economics played a significant role in commercial development. He stated that the enhanced landscaping was much more appealing to both residents and commercial developers.

Discussion ensued regarding the creation of an overlay district for the West Augustine area.

**(7:05 p.m.) Motion by Morris, seconded by Smith, carried 4/0, to enact Ordinance No. 2015-13, adopting Amendments to the Future Land Use Element of the Comprehensive Plan, adopting findings of fact 1-3 to support the motion.**

ORDINANCE NO. 2015-13

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO AMEND THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES, AMENDING THE LAND USE ELEMENT; SPECIFICALLY AMENDING GOAL A.1 FUTURE LAND USE, GOAL A.2 NORTHWEST SECTOR, AND GOAL A.3 TOWN CENTER; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(7:06 p.m.) McClure voiced that he was not comfortable with the development phasing change from 5 to a 10-year timeframe on PUD's. Konchan spoke on the history of development phasing and the recommended changes to the Code.

(7:12 p.m.) **Motion by Bennett, seconded by Smith, carried 4/0, to enact Ordinance No. 2015-14, amending Articles II, III, IV, V, VI, VII, IX, X and XII of the St. Johns County Land Development Code, Ordinance No. 99-51, as previously amended, finding the modifications consistent with Florida Law and the St. Johns County Comprehensive Plan, also to include the exemption for large places of assembly for County owned and operated properties and irrigation equipment incidental to the enhancement project, access and trails.**

ORDINANCE NO. 2015-14

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING ARTICLE II ZONING DISTRICTS AND SPECIAL USES; ARTICLE III SPECIAL DISTRICTS; ARTICLE IV NATURAL RESOURCES; ARTICLE V DEVELOPMENT OPTIONS; ARTICLE VI DESIGN STANDARDS AND IMPROVEMENT REQUIREMENTS; ARTICLE VII SIGNS; ARTICLE IX ADMINISTRATION; ARTICLE X INTERPRETATIONS EQUITABLE RELIEF, AND ENFORCEMENT; AND ARTICLE XII DEFINITIONS OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE, ORDINANCE NO. 99-51, AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: ARTICLE II, SPECIFICALLY PART 2.03.00 SPECIAL USES, ADDING NEW SECTION 2.03.55, LARGE PLACE OF ASSEMBLY; ARTICLE III SPECIFICALLY PART 3.06.00 PALM VALLEY OVERLAY DISTRICT, PART 3.07.00 SOUTH ANASTASIA OVERLAY DISTRICT, PART 3.08.00 MID-ANASTASIA OVERLAY DISTRICT, PART 3.09.00 NORTH COASTAL OVERLAY DISTRICT, AND PART 3.10.00 NORTH COASTAL OVERLAY DISTRICT: VILANO BEACH TOWN CENTER OVERLAY, IMPLEMENTING THE ECONOMIC REDEVELOPMENT RESIDENTIAL UNITS EXCHANGE PROGRAM; ARTICLE IV NATURAL RESOURCES, SPECIFICALLY PART 4.01.00 NATURAL RESOURCES; ARTICLE V DEVELOPMENT OPTIONS SPECIFICALLY PART 5.01.00 SUBDIVISION AND PART 5.03.00 PLANNED UNIT DEVELOPMENT (PUD)

DISTRICTS; ARTICLE VI, SPECIFICALLY PART 6.01.00 LOT WIDTH AREA AND YARD REQUIREMENTS, AND PART 6.06.00 LANDSCAPING AND BUFFERING REQUIREMENTS, ADDING NORTHWEST SECTOR LANDSCAPE AND BUFFERING STANDARDS; ARTICLE VII, SPECIFICALLY PART 7.03.00 SPECIAL USE SIGNS PART 7.08.00 PROHIBITED SIGNS, AND PART 7.09.00 NON CONFORMING SIGNS; ARTICLE IX ADMINISTRATION, SPECIFICALLY PART 9.00.00 ADDING NEW SECTION 9.00.00 TITLE ISSUES OR IMPEDIMENTS AND PART 9.06.00 HEARINGS; ARTICLE X, SPECIFICALLY PART 10.01.00 INTERPRETATIONS OF THIS CODE; AND ARTICLE XII DEFINITIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR INCLUSION AND CODIFICATION INTO THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

(02/17/15 - 22 - 7:14 p.m.)

#### 14. VETERANS ADMINISTRATION REVOCABLE LICENSE

Regina Ross, Assistant County Attorney, briefed the Board on the Veterans Administration (VA) revocable license, which would allow the VA to remain on the property until construction of their interim space. She noted that the VA would continue to operate for the next six months at provided space at the HHS building. She reviewed the rental rate, which included a holdover fee and management fee of 20% of operational costs reimbursement. Cameron stated that the County Attorney's as well as the Land Management staff had provided wonderful assistance during the past four years on the VA issue. He pointed out that the agreement allowed no interruption of services to the Veterans in the county and protected the financial interest of the county. McCormack noted that the Lowes Company had been party to the discussions. He thanked Ross and MaryAnn Blount for their service. He advised that the agreement was best for all involved.

(7:19 p.m.) Bill McCormick, 9224 July Lane, spoke on the VA issue.

**(7:20 p.m.) Motion by McClure, seconded by Morris, carried 4/0, to approve Resolution No. 2015-41, approving the terms of the Veterans Administration Revocable License agreement in substantially the form attached and authorizing the County Administrator, or designee, to execute said revocable license.**

(02/17/15 - 22 - 7:20 p.m.)

#### COUNTY ADMINISTRATOR REPORT

Wanchick noted that the Legislative Delegation meeting would be held on February 25, 2015, from 6 to 8 p.m.

(02/17/15 - 22 - 7:21 p.m.)

#### COUNTY ATTORNEY'S REPORT

McCormack noted that an error had been made during the February 3, 2015, board meeting concerning the resolution number for Item 9, which should have read Resolution No. 2015-28. The board acknowledged the correct resolution number.

McCormack stated that the JEA and pension issue was still active and asked the Board to authorize the Chair to send an updated letter of concern. *The Board gave consensus.*

He noted that the State had reviewed Beaches Electric and asked the Board for consensus for the Chair to write a letter pertaining to issues that State Auditor had found. *The Board gave consensus.*


With there being no further business to come before the Board, Bennett adjourned the meeting at 7:26 p.m.

REPORTS:

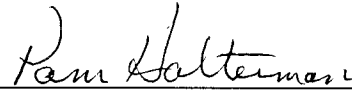
1. St. Johns County Board of County Commissioners, Check Register, Check Nos. 516671-516829, totaling \$331,577.51 (02/03/15)
2. St. Johns County Board of County Commissioners, Voucher Register, Voucher Nos. 19704-19747, totaling \$1,125,356.80 (02/03/15)
3. St. Johns County Board of County Commissioners, Check Register, Check Nos. 516830-516866, totaling \$73,517.40 (02/04/15)
4. St. Johns County Board of County Commissioners, Voucher Register, Voucher Nos. 19748-19758, totaling \$11,803.63 (02/04/15)
5. St. Johns County Board of County Commissioners, Check Register, Check Nos. 516867-516879, totaling \$40,246.37 (02/05/15)
6. St. Johns County Board of County Commissioners, Voucher Register, Voucher Nos. 19759-19760, totaling \$450 (02/05/15)
7. St. Johns County Board of County Commissioners, Voucher Register, Voucher Nos. 19761-19762, totaling \$11,309.48 (02/05/15)
8. St. Johns County Board of County Commissioners, Check Register, Check Nos. 516880-516883, totaling \$169,499.17 (02/09/15)
9. St. Johns County Board of County Commissioners, Check Register, Check Nos. 516884-517127, totaling \$911,599.59 (02/10/15)
10. St. Johns County Board of County Commissioners, Voucher Register, Voucher Nos. 19763-19799, totaling \$450,840.86 (02/10/15)
11. St. Johns County Board of County Commissioners, Check Register, Check Nos. 517128-517130, totaling \$3,768 (02/11/15)
12. St. Johns County Board of County Commissioners, Voucher Register, Voucher Nos. 19800-19809, totaling \$10,448 (02/11/15)

Approved \_\_\_April 21\_\_\_\_\_, 2015

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By:  \_\_\_\_\_  
Priscilla L. Bennett, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By:  \_\_\_\_\_  
Deputy Clerk

