

**MINUTES OF MEETING  
BOARD OF COUNTY COMMISSIONERS  
ST. JOHNS COUNTY, FLORIDA  
FEBRUARY 5, 2019  
9:00 A.M.**

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

Present: Paul M. Waldron, District 3, Chair  
Jeb S. Smith, District 2, Vice Chair  
James K. Johns, District 1  
Henry Dean, District 5  
Jeremiah R. Blocker, District 4  
Michael Wanchick, County Administrator  
Patrick McCormack, County Attorney  
Natasha McGee, Deputy Clerk

Also present: Darrell Locklear, Assistant County Administrator; Joy Andrews, Assistant County Administrator; Paolo Soria, Senior Assistant County Attorney; and Regina Ross, Deputy County Attorney

(02/05/19 - 1 - 9:00 a.m.)  
CALL TO ORDER

Waldron called the meeting to order.

(02/05/19 - 1 - 9:00 a.m.)  
ROLL CALL

The clerk called the roll, and all Board members were present.

(02/05/19 - 1 - 9:00 a.m.)  
INVOCATION

Pastor Jeff Gatlin, Freedom Church, gave the invocation.

(02/05/19 - 1 - 9:01 a.m.)  
PLEDGE OF ALLEGIANCE

Waldron led the Pledge of Allegiance.

(02/05/19 - 1 - 9:02 a.m.)  
PUBLIC COMMENT

Michelle Colee, Volunteer Coordinator with Haven Hospice, 2497 US-1 South, spoke on advanced care planning program opportunities with Haven Hospice.

(9:05 a.m.) BJ Kalaidi, 8 Newcomb Street, referenced the new foam soap dispensers, located at the St. Johns County Administration building, and requested that the same dispensers be placed in the main library restroom facilities.

(9:07 a.m.) Ed Slavin, P.O. Box 3084, congratulated Commissioner Waldron on winning Best County Commissioner of the *Folio Weekly's* Best of St. Augustine 2019 poll; spoke in opposition of the addition of proposed Regular Agenda Item 1A; and spoke on the recent death of a private citizen, who was conducting an independent investigation related to the Michelle O'Connell investigation, noting that he wrote the Governor and requested the removal of Sheriff Shoar, pursuant to Article 4, Section 7, of the Florida Constitution.

(02/05/19 - 2 - 9:10 a.m.)

#### DELETIONS TO CONSENT AGENDA

Johns questioned the funding for Consent Agenda Item 10. Locklear responded that the request was budgeted.

(02/05/19 - 2 - 9:11 a.m.)

#### APPROVAL OF CONSENT AGENDA

**Motion by Smith, seconded by Johns, carried 5/0, to approve the Consent Agenda, as submitted.**

1. Motion to approve the Cash Requirement Report
2. Motion to approve the North Creek PUD School Concurrency Proportionate Share Mitigation Agreement (CONSCA 2018-06)
3. Motion to approve IFAM 2018-01 and authorize the county administrator to execute the Agreement Terminating Project Family Concurrency and Impact Fee Credit Agreement, finding that the termination of PFS AGREE 2017-02 is consistent with Article XI of the Land Development Code, as amended
4. Motion to adopt **Resolution No. 2019-32**, authorizing the county administrator to execute the Impact Fee Credit Agreement, with Property Management Support, Inc., as Trustee of St. Johns Parkway Land Trust, u/t/a (IFA 2018-02), with a total road impact fee credit of \$1,600,000

#### RESOLUTION NO. 2019-32

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE AN IMPACT FEE CREDIT AGREEMENT, WITH PROPERTY MANAGEMENT SUPPORT, INC., AS TRUSTEE OF ST. JOHNS PARKWAY LAND TRUST, UNDER TRUST AGREEMENT (U/T/A), DATED AUGUST 13, 2014**

5. Motion to adopt **Resolution No. 2019-33**, accepting a deed of dedication for right-of-way along County Road 2209, in connection with The Shoppes at St. Johns Parkway

#### RESOLUTION NO. 2019-33

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A DEED OF DEDICATION FOR RIGHT-OF-WAY ALONG COUNTY ROAD 2209, IN CONNECTION WITH THE SHOPPES AT ST. JOHNS PARKWAY**

6. Motion to adopt **Resolution No. 2019-34**, accepting a Final Release of Lien, Warranty, Easement for Utilities, Special Warranty Deed, and Bill of Sale and Schedule of Values, conveying all personal property associated with the sewer system to serve Dolphin Cove, located off A1A North

**RESOLUTION NO. 2019-34**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING A FINAL RELEASE OF LIEN, WARRANTY, EASEMENT FOR UTILITIES, SPECIAL WARRANTY DEED, AND BILL OF SALE AND SCHEDULE OF VALUES, CONVEYING ALL PERSONAL PROPERTY ASSOCIATED WITH THE SEWER SYSTEM TO SERVE DOLPHIN COVE, LOCATED OFF A1A NORTH**

7. Motion to adopt **Resolution No. 2019-35**, approving the terms and authorizing the county administrator, or designee, to execute a Lease Agreement, with The First Tee of North Florida, Inc., for space at the St. Johns County Golf Club, Elkton, Florida

**RESOLUTION NO. 2019-35**

**A RESOLUTION BY 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 THE FIRST TEE OF NORTH FLORIDA, INC., FOR SPACE AT THE ST. JOHNS COUNTY GOLF CLUB, ELKTON, FLORIDA**

8. Motion to adopt **Resolution No. 2019-36**, accepting an Easement for Utilities and Access for the relocation and construction of a lift station site and sewer lines, located off A1A Beach Boulevard, St. Augustine Beach

**RESOLUTION NO. 2019-36**

**A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, ACCEPTING AN EASEMENT FOR UTILITIES AND ACCESS FOR THE RELOCATION AND CONSTRUCTION OF A LIFT STATION SITE AND SEWER LINES, LOCATED OFF A1A BEACH BOULEVARD, ST. AUGUSTINE BEACH**

9. Motion to adopt **Resolution No. 2019-37**, approving the terms, provisions, conditions, and requirements of a Construction Agreement, with the School Board of St. Johns County, Florida, to complete the Ray Road turn lane improvements; authorizing the county administrator, or his designee, to execute the Construction Agreement; amending the Fiscal Year (FY) 2019 Transportation Trust Fund budget to receive unanticipated revenue; and authorizing expenditure of unanticipated revenue by the Public Works Department

RESOLUTION NO. 2019-37

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, APPROVING THE TERMS, PROVISIONS, CONDITIONS, AND REQUIREMENTS OF A CONSTRUCTION AGREEMENT BETWEEN THE COUNTY AND THE SCHOOL BOARD OF ST. JOHNS COUNTY, FLORIDA; AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE THE CONSTRUCTION AGREEMENT ON BEHALF OF THE COUNTY; AMENDING THE FISCAL YEAR 2019 TRANSPORTATION TRUST FUND BUDGET TO RECEIVE UNANTICIPATED REVENUE; AND AUTHORIZING EXPENDITURE OF THE UNANTICIPATED REVENUE BY THE ST. JOHNS COUNTY PUBLIC WORKS DEPARTMENT

10. Motion to adopt **Resolution No. 2019-38**, authorizing the county administrator, or his designee, to piggyback the Florida Department of Transportation Public Transit Office's Contract No. TRIPS-17-CA-CBS, substantially in the same form as attached, for the purchase of four new champion cutaway transit vehicles (Buses) from Creative Bus Sales, Inc., for a total purchase price of \$335,880

RESOLUTION NO. 2019-38

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO PURCHASE AND TO EXECUTE A PURCHASE ORDER FOR FOUR REPLACEMENT CHAMPION CUTAWAY TRANSIT VEHICLES (BUSES) TO BE USED IN THE ST. JOHNS COUNTY COUNCIL ON AGING

11. Proofs:
  - a. Proof: Request for Bids, Bid No. 19-27, Remington Forest Drive Drainage Improvements, published on December 10, 2018, and December 17, 2018, in *The St. Augustine Record*
  - b. Proof: Request for Bids, Bid No. 19-28, Bartram Trail Branch Library Fire Sprinkler Replacement, published on December 10, 2018, and December 17, 2018, in *The St. Augustine Record*
  - c. Proof: Notice of Meeting, Annual Ethics Training for the Board of County Commissioners, held on December 20, 2018, published on December 14, 2018, in *The St. Augustine Record*
  - d. Proof: Notice of Intent, Adoption of a resolution on the vacation of certain streets, alleyways, easements, or roads on a portion of St. Augustine South Drive, published on December 26, 2018, in *The St. Augustine Record*

(02/05/19 - 4 - 9:11 a.m.)

ADDITIONS/DELETIONS TO REGULAR AGENDA

Wanchick requested to add Regular Agenda Item 1A: St. Johns County Florida Special Obligation Refunding and Improvement Revenue Bonds, Series 2019.

(02/05/19 - 5 - 9:12 a.m.)  
APPROVAL OF REGULAR AGENDA

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

(02/05/19 - 5 - 9:12 a.m.)

1A. ST. JOHNS COUNTY FLORIDA SPECIAL OBLIGATION REFUNDING AND IMPROVEMENT REVENUE BONDS, SERIES 2019

Jesse Dunn, Director, Office of Management and Budget, presented details of the request, via PowerPoint. He reviewed financing options, including internal and external financing. He also noted a draft inter-local agreement, with the Sheriff's Office, outlining how the BCC would be reimbursed for all principal and interest.

(9:23 a.m.) Ed Slavin, P.O. Box 3084, requested that the item be continued.

(9:27 a.m.) Denver Cook, 266 Topsail Drive, spoke on internal financing; and community needs.

(9:30 a.m.) Smith spoke in support of internal financing, with an incremental approach up to \$8 million.

(9:32 a.m.) Blocker referenced news articles, *Exhibit A*, with regard to local crime, and questioned Commander Jason Sheffield, St. Johns County Sheriff's Office, on the reduction of five full-time equivalents (FTE). Sheffield responded that the new facility would allow the Sheriff's Office to achieve personnel efficiencies and that the FTE reductions would be to support personnel.

(9:35 a.m.) Johns asked Sheffield to provide a summary of the proposed facilities and construction timeline. Discussion ensued on staging funding in coordination with the staging of construction; financing the project; and efficiency and cost savings with regard to the construction, with additional comments provided by Bill Freeman, St. Johns County Construction Services. Wanchick provided additional comments on the ownership of the proposed law enforcement training facility.

(9:42 a.m.) Dean spoke in support of internal financing.

**(9:47 a.m.) Motion by Dean, seconded by Smith, carried 5/0, to adopt Resolution No. 2019-31, authorizing the issuance of the St. Johns County, Florida, Special Obligation Refunding and Improvement Revenue Bonds, Series 2019, in an aggregate principal amount not exceeding \$15,000,000; and authorizing the chair to execute all documents necessary to close the transaction.**

#### RESOLUTION NO. 2019- 31

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$15,000,000, IN AGGREGATE PRINCIPAL AMOUNT OF ST. JOHNS COUNTY, FLORIDA, SPECIAL OBLIGATION REFUNDING REVENUE BONDS, SERIES 2019, IN ORDER TO REFUND ALL OR A PORTION OF THE COUNTY'S OUTSTANDING SALES TAX REVENUE AND REFUNDING BOND, SERIES 2009, IN ORDER TO ACHIEVE DEBT SERVICE SAVINGS FOR THE COUNTY; COVENANTING TO BUDGET AND APPROPRIATE

CERTAIN LEGALLY AVAILABLE NON-AD VALOREM REVENUES TO PAY DEBT SERVICE ON THE BONDS; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF BONDS ISSUED HEREUNDER; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH BONDS ISSUED HEREUNDER; AUTHORIZING THE AWARDING OF SAID BONDS PURSUANT TO A PUBLIC BID; DELEGATING CERTAIN AUTHORITY TO THE COUNTY ADMINISTRATOR FOR THE AWARD OF THE BONDS AND THE APPROVAL OF THE TERMS AND DETAILS OF SAID BONDS; AUTHORIZING THE PUBLICATION OF A NOTICE OF SALE FOR THE BONDS OR A SUMMARY THEREOF; APPOINTING THE PAYING AGENT AND REGISTRAR FOR SAID BONDS; AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND THE EXECUTION AND DELIVERY OF AN OFFICIAL STATEMENT WITH RESPECT TO SUCH BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW DEPOSIT AGREEMENT AND THE APPOINTMENT OF AN ESCROW AGENT THERETO; AUTHORIZING THE EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE, WITH RESPECT TO THE BONDS, AND THE APPOINTMENT OF A DISSEMINATION AGENT THERETO; AND PROVIDING FOR AN EFFECTIVE DATE FOR THIS RESOLUTION

(9:48 a.m.) Motion by Dean, seconded by Blocker, carried 4/1, with Smith dissenting, to appropriate from reserves to a Public Safety Construction Fund, a reserve advance of \$5 million from General Fund Reserves, \$5 million from Utility Services Reserves, and \$5 million from Solid Waste Reserves, for a term not to exceed 30 years, at an average interest rate based upon the previous year's average interest rate from the State Board of Administration (SBA) Florida Prime; and to authorize the chair to execute an interlocal agreement, in substantially the same form and format as attached hereto, between the Board of County Commissioners and the St. Johns County Sheriff's Office regarding development and operation of the proposed law enforcement training facility.

(9:50 a.m.) Ross left the meeting.

(02/05/19 - 6 - 9:50 a.m.)

1. PUBLIC HEARING, REZ 2018-12, 6256 COSTANERO ROAD. A REQUEST TO REZONE APPROXIMATELY .23 ACRES FROM COMMERCIAL, NEIGHBORHOOD (CN) TO RESIDENTIAL, MANUFACTURED/MOBILE HOME OR SINGLE FAMILY (RMH(S)). THE PLANNING AND ZONING AGENCY (PZA) HEARD THE APPLICATION DURING THEIR REGULARLY SCHEDULED PUBLIC HEARING ON DECEMBER 20, 2018, AND VOTED 5-0 TO RECOMMEND APPROVAL. THERE WAS NO DISCUSSION OR PUBLIC COMMENT

Proof of publication of the notice of public hearing on REZ 2018-12, 6256 Costanero Road, was received, having been published in *The St. Augustine Record* on December 4, 2018.

Justin Kelly, Planner, presented details of the request, via PowerPoint.

(9:52 a.m.) Applicant Greg Cerrato, 650 North Wilderness Trail, introduced himself for the record and stated he was available for questions.

(9:53 a.m.) Motion by Smith, seconded by Dean, carried 5/0, to enact Ordinance No. 2019-8, REZ 2018-12, 6256 Costanero Road, based upon four findings of fact, as provided in the staff report.

#### ORDINANCE NO. 2019-8

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS, AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL NEIGHBORHOOD (CN) TO RESIDENTIAL, MANUFACTURED/MOBILE HOME OR SINGLE-FAMILY (RMH(S)); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(9:53 a.m.) Andrews left the meeting.

(02/05/19 - 7 - 9:53 a.m.)

2. PUBLIC HEARING, REZ 2018-16, CLARK-HANKS PROPERTY (3025 3RD STREET). REQUEST TO REZONE APPROXIMATELY 0.55 ACRES OF LAND, FROM COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL SINGLE-FAMILY (RS-3), TO ACCOMMODATE CONSTRUCTION OF A SINGLE-FAMILY HOME, LOCATED AT 3025 3RD STREET. THE PLANNING AND ZONING AGENCY (PZA) HEARD THE APPLICATION DURING THEIR REGULARLY SCHEDULED PUBLIC HEARING ON DECEMBER 20, 2018, AND VOTED 5-0 TO RECOMMEND APPROVAL. THERE WAS NO DISCUSSION OR PUBLIC COMMENT

Proof of publication of the notice of public hearing on REZ 2018-16, Clark-Hanks Property, was received, having been published in *The St. Augustine Record* on November 30, 2018.

Casey Dendor, Planner, presented details of the request, via PowerPoint.

(9:56 a.m.) Applicant Deborah Hanks, 2740 Loja Street, summarized the request.

(9:58 a.m.) Johns questioned Soria on the land use designation (conservation easement). Soria responded that the Vesting Rights Determination Letter recognized the existing legal use that pre-dated the Comprehensive Plan and recognized the one existing dwelling unit. He noted that the Comprehensive Plan recognized legal non-conforming uses.

(9:59 a.m.) Motion by Dean, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-9, REZ 2018-16, Clark-Hanks Property, request to rezone approximately 0.55 acres of land, from Commercial Highway Tourist (CHT) to Residential Single-Family (RS-3), located at 3025 3rd Street, based upon four findings of fact.

#### ORDINANCE NO. 2019-9

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS, AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF COMMERCIAL HIGHWAY TOURIST (CHT) TO RESIDENTIAL SINGLE-FAMILY (RS-3); MAKING FINDINGS OF FACT;

**REQUIRING RECORDATION; AND PROVIDING AN  
EFFECTIVE DATE**

(02/05/19 - 8 - 10:00 a.m.)

3. PUBLIC HEARING, REZ 2018-13, SMYRNA READY MIX CONCRETE BATCH PLANT. REQUEST TO REZONE APPROXIMATELY 3.53 ACRES OF LAND FROM INDUSTRIAL WAREHOUSE (IW), WITH CONDITIONS, TO HEAVY INDUSTRIAL (HI), WITH CONDITIONS, TO ALLOW FOR A CONCRETE READY MIX BATCH PLANT, LOCATED WEST OF US HIGHWAY 1 NORTH AND SOUTH OF INTERNATIONAL GOLF PARKWAY. THE PLANNING AND ZONING AGENCY (PZA) HEARD THE REQUEST AT THEIR REGULARLY SCHEDULED PUBLIC HEARING ON DECEMBER 20, 2018, AND VOTED 5-0 TO RECOMMEND APPROVAL. DISCUSSION RESULTED IN ONE ADDED CONDITION TO THE REZONING: TO LIMIT THE USES ON THE PROPERTY BY PROHIBITING USES THAT WOULD BE INCOMPATIBLE WITH THE SURROUNDING AREA (I.E., SLAUGHTERHOUSES, ANIMAL PROCESSING, CHEMICAL AND FERTILIZING PLANTS, POWER PLANTS, AND PETROLEUM REFINING)

Proof of publication of the notice of public hearing on REZ 2018-13, Smyrna Ready Mix Concrete Batch Plant, was received, having been published in *The St. Augustine Record* on November 30, 2018.

Casey Dendor, Planner, presented details of the request, via PowerPoint.

(10:03 a.m.) Sid Ansbacher, 780 North Ponce de Leon Boulevard, representing the applicant, provided the land use and zoning history on the subject project.

(10:04 a.m.) Ed Slavin, P.O. Box, requested for the record that the subject property be prohibited to build an asphalt production plant. He also requested the disclosure of beneficial owners and property investors.

(10:07 a.m.) Ansbacher stated the applicant had no objection to an additional condition that would prohibit building of an asphalt production plant. He also disclosed beneficial owners of the subject property.

(10:08 a.m.) Blocker asked Ansbacher to provide details with regard to environmental concerns.

**(10:09 a.m.) Motion by Dean, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-10, REZ 2018-13, Smyrna Ready Mix Concrete Batch Plant, a request to rezone approximately 3.53 acres of land from Industrial Warehouse (IW), with conditions, to Heavy Industrial (HI), with conditions, based upon four findings of fact.**

**ORDINANCE NO. 2019-10**

**AN ORDINANCE OF THE COUNTY OF ST. JOHNS,  
STATE OF FLORIDA, REZONING LANDS, AS  
DESCRIBED HEREINAFTER, FROM THE PRESENT  
ZONING CLASSIFICATION OF INDUSTRIAL  
WAREHOUSE (IW) TO HEAVY INDUSTRIAL (HI), WITH  
CONDITIONS; MAKING FINDS OF FACT; REQUIRING  
RECORDATION; AND PROVIDING AN EFFECTIVE  
DATE**



(Regular Agenda Items 4, 5, and 6 were presented together.)

(02/05/19 - 9 - 10:10 a.m.)

4. PUBLIC HEARING, CPA(SS) 2018-05, PELLICER CREEK OUTPOST. REQUEST FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE MAP DESIGNATION OF APPROXIMATELY 9.61 ACRES OF LAND, LESS THE COASTAL HIGH HAZARD AREA (CHHA), FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-A (RES-A) AND INCLUDE A TEXTUAL POLICY LIMITATION OF FOUR DWELLING UNITS, LOCATED AT 10260 US-1 SOUTH. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS AMENDMENT, WITH A 6-0 VOTE, AT THE DECEMBER 6, 2018, MEETING

Proof of publication of the notice of public hearing on CPA(SS) 2018-05, Pellicer Creek Outpost, was received, having been published in *The St. Augustine Record* on November 21, 2018.

Ex parte communications: Smith disclosed ex parte communications with Gabe Pellicer not related to the property, and that he received an email from the applicant's representative Karen Taylor; Dean, Johns, and Blocker disclosed receiving an email from Taylor regarding Regular Agenda Items 4, 5, and 6; Waldron disclosed that he met with Taylor and Pellicer, received an email from Taylor, spoke to Robert Mathis, adjoining neighbor, regarding project details, noting that he had no proposed project concerns, and that he spoke with Frankie Pacetti, via phone, regarding project details, noting that she had no project concerns.

(10:12 a.m.) Beverly Frazier, Senior Supervising Planner, presented details of the request, via PowerPoint.

(10:16 a.m.) Karen Taylor, 77 Saragossa Street, representing the applicant, disclosed beneficial owners. She also presented details of the request, via PowerPoint. She noted the text amendment.

(10:22 a.m.) **Motion by Waldron, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-11, approving CPA(SS) 2018-05, Pellicer Creek Outpost, subject to four findings of fact.**

#### ORDINANCE NO. 2019-11

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2025 COMPREHENSIVE PLAN, ORDINANCE NO. 2010-38, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-A (RES-A) AND ADD A TEXTUAL POLICY TO LIMIT RESIDENTIAL DWELLING UNITS TO FOUR, FOR APPROXIMATELY 9.6 ACRES OF LAND, LESS THE COASTAL HIGH HAZARD AREA, LOCATED ON US HIGHWAY 1 SOUTH; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE

(02/05/19 - 9 - 10:10 a.m.)

5. PUBLIC HEARING, REZ 2018-08, PELLICER CREEK OUTPOST. REQUEST TO REZONE APPROXIMATELY 25.3 ACRES OF LAND FROM AN EXPIRED PLANNED UNIT DEVELOPMENT (PUD) TO OPEN RURAL (OR) TO UTILIZE THE PROPERTY FOR RESIDENTIAL AND AGRICULTURAL USES, LOCATED

AT 10260 US HIGHWAY 1 SOUTH. THIS REZONING REQUEST IS COMPANION TO APPLICATION CPA(SS) 2018-05, TO AMEND THE FUTURE LAND USE MAP FOR 9.6 ACRES OF THE PROPERTY FROM RURAL SILVICULTURE (R/S) TO RESIDENTIAL-A (RES-A), WITH A TEXTUAL POLICY TO ALLOW A MAXIMUM OF FOUR DWELLING UNITS. THE PLANNING AND ZONING AGENCY RECOMMENDED APPROVAL OF THIS REZONING, WITH A 6-0 VOTE, AT THE DECEMBER 6, 2018, MEETING

Proof of publication of the notice of public hearing on REZ 2018-08, Pellicer Creek Outpost, was received, having been published in *The St. Augustine Record* on November 21, 2018.

Discussion occurred with Regular Agenda Item 4.

(10:23 a.m.) **Motion by Waldron, seconded by Smith, carried 5/0, to enact Ordinance No. 2019-12, approving REZ 2018-08, Pellicer Creek Outpost, based upon four findings of fact.**

#### ORDINANCE NO. 2019-12

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, REZONING LANDS, AS DESCRIBED HEREINAFTER, FROM THE PRESENT ZONING CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD) TO OPEN RURAL (OR); MAKING FINDINGS OF FACT; REQUIRING RECORDATION; AND PROVIDING AN EFFECTIVE DATE

(02/05/19 - 10 - 10:10 a.m.)

6. PUBLIC HEARING, NZVAR 2018-10, PELLICER CREEK OUTPOST. REQUEST FOR NON-ZONING VARIANCE TO LAND DEVELOPMENT CODE, SECTION 5.01.01.C, TO ALLOW RELIEF FROM THE REQUIREMENTS TO FILE A SUBDIVISION PLAT. THIS APPLICATION IS COMPANION TO CPA (SS) 2018-05, AND REZ 2018-08, PELLICER CREEK OUTPOST

Proof of publication of the notice of public hearing on NZVAR 2018-10, Pellicer Creek Outpost, was received, having been published in *The St. Augustine Record* on January 21, 2019.

Discussion occurred with Regular Agenda Item 4.

(10:24 a.m.) **Motion by Waldron, seconded by Smith, carried 5/0, to approve NZVAR 2018-10, Pellicer Creek Outpost, request for a Non-Zoning Variance to Land Development Code, Section 5.01.01.C.1, to allow relief from the requirements to file a subdivision plat, based on six findings and subject to six conditions, as listed in the staff report.**

(02/05/19 - 10 - 10:24 a.m.)

7. PUBLIC HEARING, PLNAPPL 2018-07, AND PLNAPPL 2018-08, HICKS ELKTON BORROW PIT SPECIAL USE PERMIT. REQUESTS FROM MARK ATKINS, ON BEHALF OF NORTH FLORIDA BICYCLE CLUB, AND DALE AND MOLLY JACKSON, ADJACENT PROPERTY OWNERS, TO APPEAL THE APPROVAL OF SPECIAL USE PERMIT FOR HICKS ELKTON BORROW PIT (SUPMAJ 2018-12) BY THE PLANNING AND ZONING AGENCY. THE APPROVAL PERMITS DEVELOPMENT OF A 35-ACRE EXCAVATION SITE ON

A 124-ACRE PARCEL OF LAND IN OPEN RURAL (OR) ZONING SUBJECT TO THE CRITERIA OF SECTION 2.03.10 AND SECTION 6.04.09 OF THE LAND DEVELOPMENT CODE. THE SPECIAL USE PERMIT WAS APPROVED BY THE PLANNING AND ZONING AGENCY, WITH A 5-2 VOTE, AT THE NOVEMBER 1, 2018, MEETING, WITH MR. WOODWARD AND MR. ALAIMO DISSENTING

Proof of publication of the notice of public hearing on PLNAPPL 2018-07, Hicks Elkton Borrow Pit Special Use Permit, and PLNAPPL 2018-08, Hicks Elkton Borrow Pit Special Use Permit, were received, having been published in *The St. Augustine Record* on January 21, 2019.

Ex parte communications: Dean received phone calls from Ed Paucek and Bill Harris who both spoke in favor of the application; and received an email, with a PDF presentation, from Appellant Mark Atkins. Smith received email correspondence from Atkins; additional email correspondence from multiple members of the public, *Exhibit A*; had a meeting with Kelly Hicks and Trey Fazio on August 28, 2018, regarding intent to pursue the special use permit; received a phone call from Hicks on January 23, 2019, to discuss the appeal; received a phone call from Dale Jackson on February 21, 2018, on Jackson's adjoining property drainage; received an additional phone call from Jackson on January 31, 2019, regarding Mr. Jackson's membership to the St. Johns County Contractors Licensing Review Board, his purchase of property on County Road 305, his family, the time duration of the borrow pit, protection of the water, his desire to apply for a Consumptive Use Permit, the installation of the berm; his desire to have the pit fenced, the effects of the pit to his property, his concerns with the use of the 12 acres, east of his property, building a home on his property, and the amount of money spent to settle with Mr. Hicks. He also received a text from Jim Alvarez on February 1, 2019, with regard to the project. Blocker received Exhibit A correspondence, additional emails supporting and opposing, and met with the Hick's regarding project details and anticipated safety precautions. Johns received a phone call from Andrew Jackson, on behalf of the Dale and Molly Jackson, regarding concerns on stormwater discharge, and water table impacts. Johns stated that he referred Jackson to staff for specific details related to his clients concerns. He also received an uncounted number of emails supporting and opposing the application; and stated that he spoke to the original applicant; however, had no documentation of the conversation. Waldron received Exhibit A correspondence; met with Hicks on January 23, 2019, regarding project details, and anticipated safety precautions; met with Mr. and Mrs. Hicks (Shawna), Hunter Faulkner, on behalf of Mr. and Mrs. Hicks, and Rob Matthews on January 31, 2019, regarding access availability to the 12 acres, and access to County Road 207. He received a phone call from Lee Sims, Sims Trucking, Inc., regarding project details.

(10:30 a.m.) McCormack briefed the Board on the proposed hearing template, *Exhibit B*.

(10:32 a.m.) Beverly Frazier, Senior Supervising Planner, presented details of the requests, via PowerPoint.

(10:38 a.m.) Andrew Jackson, Jackson Law Group, 1301 Plantation Island Drive, Suite 304, representing the Appellants Dale and Molly Jackson, owners of the property located at 5580 County Road 305, Elkton, Florida, cross-examined Frazier. Brad Bulthuis, Assistant County Attorney, assisted Frazier during cross-examination. Soria provided additional comments on St. Johns County compliance with regard to the property owner on record.

Jackson entered the following documents for the record:

- Site Plan map, *Jackson Composite Exhibit 1*
- St. Johns County Development Review Application for a Special Use Permit, *Jackson Composite Exhibit 2*
- Planning and Zoning Order, *Jackson Composite Exhibit 3*

(10:47 a.m.) Appellant Mark Atkins, 733 Blue Seas Court, on behalf of the North Florida Bicycle Club, referenced a Florida Department of Environmental Protection (FDEP) letter with regard to obtaining prior approval from the Division of Recreation and Parks (DRP), as the land manager, to cross the trail, *North Florida Bicycle Club Composite Exhibit 1*, and cross-examined Frazier.

(10:50 a.m.) A. Jackson and Dale and Molly Jackson, 229 East New England Drive, Elkton, Florida, presented testimony and evidence (case-in-chief) with regard to their project concerns. M. Jackson requested the following conditions:

- a Consumptive Use Permit
- the 12 acres east of the Jackson's property not be developed
- Berm height of a dump truck (15 feet)
- a fence along where the properties border
- the conditions be in place and in writing before the pit could operate and to remain in place for the duration of the pit

A. Jackson entered the following documents for the record:

- Photograph and Site Plan Aerial map illustrating boundaries, *Jackson Composite Exhibit 4*
- Special Warranty Deed and Site Plan map, *Jackson Composite Exhibit 5*

(11:02 a.m.) Atkins presented testimony and evidence (case-in-chief), via PowerPoint, *North Florida Bicycle Club Composite Exhibit 2*.

(11:13 a.m.) Hunter Faulkner, Bartlett and Faulkner, P.A., 822 A1A North, representing Appellee Hicks Trucking and Fill, LLC, presented testimony and evidence, via PowerPoint, *Hicks Composite Exhibit 1*.

(11:32 a.m.) A. Jackson presented various documents, *Exhibit C*, and cross-examined Faulkner and Rob Matthews, Engineer, Matthews Design Group, Inc., 7 Waldo Street.

(11:35 a.m.) McCormack noted that the Board could not render a decision to approve or deny based on another governmental entities permit.

(11:40 a.m.) Atkins cross-examined Faulkner and Matthews.

(11:45 a.m.) Herb Hiller, 321 North Clara Avenue, Deland, Florida, St. Johns River to Sea Loop Alliance, stated his concern for pedestrian bicyclist safety on the trail due to debris accumulation on the proposed project's access crossing.

(11:48 a.m.) Nancy Quatrano, 4625 Cedar Ford Boulevard, stated her concern for public safety on the trail due to increased traffic.

(11:51 a.m.) Bob Mahoney, 100 Warwick Street East Palatka, Florida, stated his concern for public safety on the trail due to increased traffic.

(11:52 a.m.) Malinda Peeples, 6231 Armstrong Road, stated her concern for public safety on the trail due to increased traffic.

(11:54 a.m.) Ed Slavin, P.O. Box 3084, spoke in opposition of the Special Use Permit with regard to public safety.

(11:57 a.m.) Mitch Kilpatrick, 1165 Woodlawn Road, spoke in support of the Special Use Permit.

(12:00 p.m.) Suzanne Konchan, Director of Growth Management, provided staff rebuttal with regard to the FDEP letter referenced by Atkins; the Comprehensive Plan Land Use Category: Mining and Excavation; and safety access onto State Road 207.

(12:03 p.m.) A. Jackson provided rebuttal with regard to the land owner of record; hydrology concerns; and incompatible use.

(12:06 p.m.) Atkins provided rebuttal with regard to public safety on the trail due to increased traffic and debris accumulation on the proposed project's access crossing.

(12:09 p.m.) Faulkner provided rebuttal with regard to the St. Johns County Water Management District's permit; safety access onto State Road 207; setbacks and buffers; land owner of record; broom/sweeper truck operations; surface of the trail; trail users responsibilities of other trail users; and comments regarding the relocation of the trail due to safety concerns.

(12:12 p.m.) The Board questioned appellant representatives, appellants, appellee representatives, appellees, and members of staff (Konchan, Locklear) on various aspects of testimonies and presented evidence. Additionally, Board members expressed their positions on the Special Use Permit and added conditions.

The Board recessed the meeting at 1:30 p.m. and reconvened at 1:37 p.m.

(1:38 p.m.) McCormack noted the following agreed upon conditions between the parties:

- *[Hicks Trucking and Fill, LLC,] shall coordinate, with the Florida Department of Transportation (FDOT) to install enhanced caution signage and/or flashing lights at the [River to Sea multi-use trail crossing for increased safety. The final signage plan shall be submitted to Growth Management staff for review and approval by the County Administrator.]*
- *[Condition No. 14 of the Special Use Permit is amended to read: "Development of Phase II will include construction of an earthen berm, a minimum of 11 feet in height and 400 feet in length, south of the excavation site, to reduce possible noise and visual impacts to the adjacent property."]*
- *[The approval of the Special Use Permit for the borrow pit operation is limited to the northern parcels (PIN 140280-0000 AND pin 140290-0000), as described within the SUPMAJ 2018-12 application materials and submittal documents. No part of the borrow pit operation shall be located in southern 12 acre parcel that is located east of the Jason's property (PIN 140280-0020).]*
- *[Hick Trucking and Fill, LLC, shall apply for a Consumptive Use Permit (CUP), with the St. Johns River Water Management District (SJRWMD), as applicable, should the maximum groundwater removal rate exceed 500,000 gallons per day to ensure protection of groundwater resources.]*
- *[Hicks Trucking and Fill, LLC, shall install adequate fencing between the borrow pit operation perimeter and the Jackson's property (PIN 140280-0020), within the upland areas to supplement berm construction, to limit access for increased security.]*

(1:44 p.m.) McCormack noted that the representations would be implemented as conditions to the approval and that the application was now presented to the Board for approval or denial.

**(1:44 a.m.) Motion by Smith, seconded by Johns, carried 5/0, to deny PLNAPPL 2018-07, and PLNAPPL 2018-08, Hicks Elkton Borrow Pit (SUPMAJ 2018-12), UPHOLDING the decision of the Planning and Zoning Agency for approval of the Special Use Permit, subject to the criteria of Section 2.03.10 and Section 6.04.09 of the Land Development Code, subject to four findings of fact, and subject to the representations**

**made at the conclusion of the hearing pertaining to caution signage; the future Consumptive Use Permit; the berm height, length and location, and fencing.**

(1:46 p.m.) McGee left the meeting and Deputy Clerk Crystal Smith entered the meeting.

(02/05/19 - 14 - 1:46 p.m.)

8. PUBLIC HEARING, COMPAMD 2018-09, MILL CREEK FOREST (TRANSMITTAL). TRANSMITTAL HEARING FOR COMPAMD 2018-09, KNOWN AS MILL CREEK FOREST, A COMPREHENSIVE PLAN AMENDMENT TO AMEND THE FUTURE LAND USE MAP FROM RURAL/SILVICULTURE (R/S) TO RESIDENTIAL-B, WITH A TEXT AMENDMENT LIMITING THE NUMBER OF RESIDENTIAL UNITS TO A MAXIMUM OF 305 SINGLE-FAMILY DWELLING UNITS. THE SUBJECT PROPERTY FRONTS ALONG GREENBRIAR ROAD, EAST OF LONGLEAF PINE PARKWAY, IN THE VICINITY OF 601 GREENBRIAR ROAD. ON MAY 2, 2018, THE MAJORITY OF BOARD OF COUNTY COMMISSIONERS VOTED TO DENY ADOPTION. THIS IS A NEW APPLICATION TO REQUEST A COMPREHENSIVE PLAN AMENDMENT. PLEASE SEE GROWTH MANAGEMENT DEPARTMENT STAFF REPORT FOR PROJECT HISTORY AND DETAILS. THE PLANNING AND ZONING AGENCY HELD A PUBLIC HEARING ON DECEMBER 6, 2018, AND VOTED 3-2 IN FAVOR OF RECOMMENDING TRANSMITTAL OF COMPAMD 2018-09, MILL CREEK FOREST

Proof of publication of the notice of public hearing on COMPAMD 2018-09, Mill Creek Forest (Transmittal), was received, having been published in *The St. Augustine Record* on November 21, 2018.

(1:47 p.m.) Cynthia A. May, Senior Planner, presented the details of the requested amendment, via PowerPoint.

(1:54 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main Street, applicant's representative, provided details of the proposed project, via PowerPoint. He reviewed the details of the proposed development, the location, the surrounding development, and the history of the project.

(2:10 p.m.) Ed Slavin, PO Box 3084, spoke on his concerns with not knowing who the project's investors were.

(2:14 p.m.) Smith asked for a status update on the build-out and transportation improvements for Shearwater-Ashford Mills. Phong Nguyen, Transportation Development Division Manager, responded that the development currently had about 900 platted units. Their four-laning commitment would be triggered when they reached 1,101 units. It was projected that they would reach that number in early 2020, depending on market conditions. Discussion ensued on impact fees, deficient roadway segments, emergency access and interconnectivity, the waivers that would be requested in the PUD, and the timeline for future improvements to Veterans Parkway by Rivertown. Burnett said that the project had a one, ten-year build out phase.

(2:29 p.m.) Suzanne Konchan, Growth Management, stated that there were approximately 50,000 platted, but unbuilt, PUD lots in the county. Discussion followed on the proposed taxable value of the homes in the project, how much of the right-of-way dedication was wetlands and the value of that dedication.

**(2:37 p.m.) Motion by Johns, seconded by Blocker, to transmit COMPAMD 2018-09, Mill Creek Forest, based on four findings of fact. Subsequently, the motion carried 3/2, with Smith and Waldron dissenting.**

(2:37 p.m.) Smith stated that he had reservations, despite some of the development's positive aspects, due to the amount of unbuilt inventory and the adverse impacts to existing residents. Johns commented on maintaining free-flowing roadways in the northeast area of the county.

(02/05/19 - 15 - 2:47 p.m.)

9. PUBLIC HEARING, COMPAMD 2016-06, MINORCAN MILL (TRANSMITTAL). TRANSMITTAL HEARING FOR COMPAMD 2016-06, MINORCAN MILL, A COMPREHENSIVE PLAN AMENDMENT TO AMEND 58.24 ACRES ON THE FUTURE LAND USE MAP FROM AGRICULTURAL INTENSIVE (AI) TO RESIDENTIAL-B (RES-B), WITH A TEXT AMENDMENT LIMITING THE MAXIMUM NUMBER OF SINGLE-FAMILY RESIDENTIAL UNITS TO 125. THE PLANNING AND ZONING AGENCY HELD A PUBLIC HEARING ON DECEMBER 6, 2018, AND VOTED 3-2 IN FAVOR OF RECOMMENDING DENIAL OF TRANSMITTAL OF COMPAMD 2016-06, MINORCAN MILL

Proof of publication of the notice of public hearing on COMPAMD 2016-06, Minorcan Mill (Transmittal), was received, having been published in *The St. Augustine Record* on November 21, 2018.

Cynthia A. May, Senior Planner, presented the details of the item, via PowerPoint.

(2:54 p.m.) Doug Burnett, St. Johns Law Group, 104 Sea Grove Main St., representing the applicant, presented additional information on the project's location, proposed road and school impact fee amounts and other economic impacts, and information on traffic concurrency and school capacity, via PowerPoint.

(3:08 p.m.) Ed Slavin, PO Box 3084, questioned who the project's investors were and asked the Board to reject the project due to school capacity and traffic concerns.

(3:11 p.m.) Blocker stated he was concerned with the traffic impact to State Roads 16 and 16A. Burnett commented on the proportionate fair share and impact fees the project would generate.

(3:14 p.m.) Phong Nguyen, Transportation Development Division Manager, addressed the deficient segments on SR 16, from IGP to the west entrance of the mall, stating there were two approved projects committed to four-laning SR 16, but that left approximately two miles of "uncommitted" improvements to be done. Discussion ensued on traffic capacity in the area surrounding the project and the planned waiver requests.

(3:24 p.m.) Dean said he supported well planned, well financed projects that brought more to the county than they took away.

**(3:26 p.m.) Motion by Dean, seconded by Johns, failed 2/3, with Waldron, Blocker, and Smith dissenting, to approve transmittal of COMPAMD 2016-06, Minorcan Mill, based on four findings of fact.**

**(3:27 p.m.) Motion by Smith, seconded by Waldron, to deny transmittal of COMPAMD 2016-06, Minorcan Mill, based on four findings of fact. Subsequently, the motion failed 2/3, with Blocker, Dean, and Johns dissenting.**

(3:27 p.m.) Chris Ward, 161 Hampton Court Dr., Suite 1, requested that the Board consider sending the project back to the Planning and Zoning Agency, to allow them to work out the traffic concurrency issues. He felt some of the issues could be addressed through long-range planning.

(3:34 p.m.) **Motion by Dean, seconded by Blocker, carried 5/0, to remand the project [COMPAMD 2016-06, Minorcan Mill (transmittal)] back to the Planning and Zoning Agency for further consideration, with staff providing the concerns articulated by the Board.**

(3:34 p.m.) The St. Johns County Board of County Commissioners' meeting was recessed, and the St. Johns County Community Redevelopment Agency (CRA) was convened.

Rebecca Lavie, Assistant County Attorney, entered the meeting; Soria left the meeting at 3:34 p.m.

(02/05/19 - 16 - 3:34 p.m.)

10. AGREEMENT BETWEEN THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY (CRA) AND VILANO BEACH MAIN STREET, INC., THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS, BY THE ADOPTION OF ITS RESOLUTION NO. 2002-184, ESTABLISHED THE BOUNDARIES OF THE VILANO BEACH COMMUNITY REDEVELOPMENT AREA, AND, BY THE ADOPTION OF ITS RESOLUTION NO. 2002-208, INCORPORATED THE BOUNDARY AREAS OF THE VILANO BEACH COMMUNITY REDEVELOPMENT AREA INTO THE CRA. THE VILANO BEACH MAIN STREET, INC., (VBMS), IS A NOT-FOR-PROFIT ORGANIZATION DEDICATED TO ENHANCING, PROMOTING, AND PRESERVING THE HISTORIC CHARACTER AND ECONOMIC VITALITY OF THE VILANO BEACH TOWN CENTER BY IMPLEMENTING THE NATIONAL MAIN STREET PROGRAM. ON JANUARY 11, 2018, THE VBMS REQUESTED FUNDING FROM THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY TO CONTINUE ITS EFFORTS AS A RECOGNIZED FLORIDA MAIN STREET COMMUNITY. THIS FUNDING REQUEST WAS APPROVED AS PART OF THE ADOPTION OF THE FISCAL YEAR 2019 BUDGET, WHICH WAS ADOPTED ON SEPTEMBER 20, 2018. THIS AGENDA ITEM IS A SUB-RECIPIENT AGREEMENT BETWEEN THE COUNTY AND VBMS, IN AN AMOUNT NOT TO EXCEED \$10,000, FOR THE PURPOSE OF PROVIDING SERVICES IN SUPPORT OF ECONOMIC DEVELOPMENT WITHIN THE VILANO BEACH COMMUNITY REDEVELOPMENT AREA, AS RECOMMENDED BY THE JULY 31, 2007, MARKET ANALYSIS, PREPARED BY THOMAS POINT AND ASSOCIATES. A MOTION TO APPROVE THIS SUB-RECIPIENT AGREEMENT IS NECESSARY

Joseph Cone, Housing and Community Services Manager, provided details of the funding request.

(3:36 p.m.) Vivian Browning, 30 Beachcomber Way, President of Vilano Main Street, explained the purpose and duties of the CRA. She requested funding, \$10,000 annually, to assist the CRA with completing its duties and deliverables. She outlined the millions of dollars of taxable property that was added to the tax roll as a result of the CRA's efforts.

(3:43 p.m.) Sacha Martin, 133 Coastal Hollow Circle, spoke on the CRA's record of success with making residential and commercial improvements and supporting the quality of life in the community. She asked the Agency to continue to support the CRA's efforts.

(3:45 p.m.) Denver Cook, 266 Topsail Dr., spoke on the great work done by the county's CRAs and urged the agency to support the funding request.

(3:46 p.m.) **Motion by Dean, seconded by Johns, to adopt CRA Resolution No. 2019-1, approving the terms, provisions, and conditions of the contract between the St. Johns County Community Redevelopment Agency and Vilano Beach Main Street, Inc., in an amount not to exceed \$10,000, for the purpose of providing services in support of**



economic development within the Vilano Beach Community Redevelopment Area; and authorizing the county administrator, or his designee, to execute the contract, substantially in the same form as attached, on behalf of the St. Johns County Community Redevelopment Agency. The motion carried 5/0.

**CRA RESOLUTION NO. 2019-1**

**A RESOLUTION OF THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY APPROVING THE TERMS, PROVISIONS, AND CONDITIONS OF AN AGREEMENT BETWEEN THE ST. JOHNS COUNTY COMMUNITY REDEVELOPMENT AGENCY AND VILANO BEACH MAIN STREET, INC., AND AUTHORIZING THE COUNTY ADMINISTRATOR, OR HIS DESIGNEE, TO EXECUTE THE AGREEMENT ON BEHALF OF THE AGENCY**

(3:50 p.m.) The St. Johns County Community Redevelopment Agency meeting adjourned; and the Board of County Commissioners' meeting reconvened.

(02/05/19 - 17 - 3:51 p.m.)

11. LDC DISCUSSION ITEM: VACATION RENTALS. DURING RECENT BOARD OF COUNTY COMMISSIONERS' MEETINGS, SEVERAL MEMBERS OF THE GENERAL PUBLIC EXPRESSED CONCERN REGARDING SHORT TERM VACATION RENTALS (VACATION RENTALS). FOR THIS DISCUSSION, VACATION RENTALS ARE THE RENTAL, OFTEN FOR LESS THAN A WEEK, OF A SINGLE-FAMILY RESIDENTIAL DWELLING UNIT NOT FOR PERMANENT RESIDENCE, BUT FOR VACATION LODGINGS. DUE TO THE STRONG PRE-EMPTION BY THE STATE, LOCAL GOVERNMENTS WITHOUT SHORT-TERM RENTAL REGULATION IN PLACE PRIOR TO JUNE 1, 2011, HAVE HAD THEIR ZONING AUTHORITY STRIPPED AND ARE NOW SEEING VACATION RENTALS COMPLETELY OVERTAKING RESIDENTIAL NEIGHBORHOODS. STAFF CONDUCTED A COMMUNITY MEETING ON OCTOBER 9, 2018. THIS DISCUSSION ITEM WILL SUMMARIZE STAFF'S FINDINGS AND RESEARCH AND THE RESULTS OF THE COMMUNITY MEETINGS AND SURVEY REGARDING VACATION RENTALS

Paolo Soria, Senior Assistant County Attorney, explained that the County's land development regulations did not directly address short-term vacation rentals and the difficulties in regulating such rentals, via PowerPoint.

(3:54 p.m.) Joe Cearley, Special Projects Manager for Growth Management, reviewed the results of the community survey and community workshop, via PowerPoint. He gave information on how other jurisdictions handled short-term rentals.

(4:00 p.m.) Charles Delony, 5530 Atlantic View, supported regulating short-term rentals and commercial entity signage in residential neighborhoods.

(4:03 p.m.) Dennis Hanks, Florida Vacation Rental Management Association, stated that his organization focused on education, compliance and services related to the rental industry. He felt that some of the proposed regulations were flawed and could result in a drop in TTD collections.

(4:06 p.m.) Steve Milo, 561 Ponte Vedra Blvd., said he owned and managed many rental properties throughout the state, and that he supported reasonable and consistent regulation, that was not over burdensome.

(4:10 p.m.) Winfield Scott Hartman II, 3831 Palm Street, resident and rental property owner, did not support overregulation.

(4:11 p.m.) Christina Candler, TurnKey Vacation Rentals, 320 High Tide Dr., supported commonsense regulation that would be easy to follow and enforce. She stated that vacation rentals supported the local economy.

(4:14 p.m.) Leslie Shapiro, 4942 Atlantic View, said that she respected the rights of private homeowners to lawfully rent out their rooms, but that sometimes occupancy was too high in larger homes, on small lots, in residential neighborhoods. She feared the rentals would drive residents out of their neighborhoods.

(4:16 p.m.) Vivian Browning, 30 Beachcomber Way, real estate broker, explained that homeowners had the right to rent their properties. She provided a report, by the National Association of Realtors, on vacation rentals, *Exhibit A*.

(4:20 p.m.) Ed Slavin, PO Box 3084, supported the rights of homeowners to rent their homes, but was concerned about the effects of short-term rental homes on their communities.

(4:23 p.m.) Sacha Martin, 133 Coastal Hollow Circle, praised staff's efforts in preparing an effective, reasonable ordinance, but she was concerned that not all rental owners would register their properties.

(4:25 p.m.) Dean commended staff for their outstanding work. He said he supported short-term rentals and reasonable, enforceable regulation that dealt with parking, occupancy, noise and trash; he did not support a \$1,000 registration fee.

**(4:28 p.m.) Motion by Blocker, seconded by Waldron, to direct staff to draft an ordinance regulating short-term vacation rentals, and to solicit any public comment necessary, for the drafting of the ordinance. Subsequently, the motion carried 5/0.**

(4:29 p.m.) Smith said he wanted more information on the costs associated with enforcing the ordinance, that he did not support redundant regulation, and did not want to infringe on anyone's property rights. He suggested focusing on the affected areas - the code enforcement complaint "hot spots" - and considering certain exemptions, i.e. condominiums. Waldron said he wanted to keep any associated fees as low as possible; discussion ensued.

(02/05/19 - 18 - 4:36 p.m.)  
COMMISSIONERS' REPORTS

#### Commissioner Johns

(4:36 p.m.) Johns reported that he received notice that Governor DeSantis was restoring funds to the Sadowski State and Local Housing Trust Fund and that Senator Rubio had reached out to Staff regarding hurricane recovery funding. He received a thank you note from Rob Mas, in appreciation for a series of classes put on by the Parks and Recreation department.

#### Commissioner Blocker

(4:39 p.m.) Blocker suggested holding a workshop to address growth and infrastructure. He spoke on receiving an email related to a cost-sharing opportunity with the Army Corp of Engineers; developing a beach program and looking into a national park and seashore. He requested the Board look into the issue of unregulated hallucinogenic drugs, like Kratom; discussion followed.

(4:46 p.m.) Denver Cook, 266 Topsail Dr., spoke on a town hall meeting, held last year, that addressed the opioid epidemic. The meeting led to the creation of a taskforce that looked into addiction, and related issues, in the county. He supported the Board adding an agenda item to discuss the opioid crisis.

(4:47 p.m.) *Consensus was given from the Board to add an agenda item regarding the use of opioids in the County to an upcoming meeting.*

#### Commissioner Dean

(4:49 p.m.) Dean said he was attending the National Technical Conference on Beach Restoration and Renourishment, at the Embassy Suites, in St. Augustine Beach.

#### Commissioner Smith

(4:50 p.m.) Smith gave an agricultural report. He thanked Gary England for his leadership, and reported that David Dinkins was working on a food innovation center at the East Palatka farmers' market. He encouraged the public to attend the Florida State Fair in Tampa, beginning February 7. He read an excerpt from *Florida Trend, Exhibit A*, regarding the PGA of America receiving large incentives to leave Florida and move to Frisco, Texas.

#### Commissioner Waldron

(4:54 p.m.) Waldron suggested extending the public notification distance for land development changes. He requested the Board discuss the timing and costs of right-of-way acquisition, including the appraisal process.

(02/05/19 - 19 - 4:58 p.m.)

#### COUNTY ADMINISTRATOR'S REPORT

(4:58 p.m.) Wanchick said that economic incentives were necessary for attracting big business. He requested that when commissioners receive email complaints or correspondence, they forward them to administration. He requested Board authorization to make Katie Diaz the permanent director of Facilities Management.

(5:01 p.m.) Ed Slavin, PO Box 3084, supported making Katie Diaz the permanent director of Facilities Management.

(5:01 p.m.) **Motion by Blocker, seconded by Smith, carried 5/0, to make Katie Diaz the permanent director of Facilities Management.**

(5:02 p.m.) Locklear said the district Army Corps of Engineers' office had requested a local government letter of support for the initial feasibility study for the north Ponte Vedra shoreline area. *Board consensus was given to send a local government letter of support to the Army Corps of Engineers, regarding the initial feasibility study for north Ponte Vedra.*

(02/05/19 - 19 - 5:03 p.m.)

#### COUNTY ATTORNEY'S REPORT

(5:03 p.m.) McCormack explained that a resident had partially filled in a County retention pond on Hawk Crest Drive. He said that his office might need to file for injunctive relief to protect the County's interest in the drainage pond/easement.

(02/05/19 - 19 - 5:05 p.m.)

#### CLERK OF COURT'S REPORT

No report.

(02/05/19 - 20 - 5:05 p.m.)

ADJOURN

With there being no further business to come before the Board, Waldron adjourned the meeting at 5:05 p.m.

REPORTS:

1. St. Johns County Board of County Commissioners Check Register, Check Nos. 565081-565253, totaling \$2,393,574.98 and Voucher Register, Voucher Nos. 41015-41095, totaling \$1,099,236.13 (01/15/19)
2. St. Johns County Board of County Commissioners Check Register, Check Nos. 565254-565259, totaling \$136,712.71 (01/15/19)
3. St. Johns County Board of County Commissioners Check Register, Check Nos. 565260-565344, totaling \$52,622.60 and Voucher Register, Voucher Nos. 41096-41222, totaling \$88,248.97 (01/16/19)
4. St. Johns County Board of County Commissioners Check Register, Check Nos. 565345-565350, totaling \$5,202 and Voucher Register, Voucher Nos. 41223-41227, totaling \$3,221 (01/16/19)
5. St. Johns County Board of County Commissioners Check Register, Check Nos. 565351-565368, totaling \$47,392.97 and Voucher Register, Voucher Nos. 41228-41230, totaling \$755.11 (01/17/19)
6. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 41231-41232, totaling \$8,484.97 (01/17/19)
7. St. Johns County Board of County Commissioners Check Register, Check No. 565369, totaling \$11.50 (01/18/19)
8. St. Johns County Board of County Commissioners Check Register, Check Nos. 565370-565547, totaling \$1,113,490.10 and Voucher Register, Voucher Nos. 41233-41314, totaling \$3,034,507.34 (01/22/19)
9. St. Johns County Board of County Commissioners Check Register, Check Nos. 565548-565561, totaling \$247,247.73 (01/29/19)
10. St. Johns County Board of County Commissioners Check Register, Check Nos. 565562-565700, totaling \$1,416,259.11 and Voucher Register, Voucher Nos. 41315-41394, totaling \$596,112.95 (01/29/19)
11. St. Johns County Board of County Commissioners Check Register, Check No. 565701, totaling \$38,054.08 (01/31/19)
12. St. Johns County Board of County Commissioners Check Register, Check Nos. 565702-565711, totaling \$3,715.22 and Voucher Register, Voucher Nos. 41395-41397, totaling \$755.11 (02/01/19)
13. St. Johns County Board of County Commissioners Voucher Register, Voucher Nos. 41398-41399, totaling \$8,484.97 (02/01/19)

CORRESPONDENCE:

There was none.

Approved \_\_\_\_\_April 16\_\_\_\_\_, 2019

BOARD OF COUNTY COMMISSIONERS  
OF ST. JOHNS COUNTY, FLORIDA

By: Paul M. Waldron  
Paul M. Waldron, Chair

ATTEST: HUNTER S. CONRAD, CLERK

By: Pam Halterman  
Deputy Clerk

