



**Minutes of Meeting
Board of County Commissioners
St. Johns County, Florida
Special Meeting
County Administration Building
500 San Sebastian View
St. Augustine, Florida 32084
September 28, 2026 - 9:00 a.m.**

CALL TO ORDER

Commissioner Murphy called the special meeting to order at 9:00 am.

Present: Clay Murphy, District 3, Chair
Ann Taylor, District 5, Vice Chair
Christian Whitehurst, District 1
Sarah Arnold, District 2
Krista Joseph, District 4

Staff Present: Joy Andrews, County Administrator
Brad Bradley, Deputy County Administrator
Jesse Dunn, Deputy County Administrator
Sarah Taylor, Assistant County Administrator
Rich Komando, County Attorney
Kealey West, Deputy County Attorney
Randy Beck, Deputy Clerk
Crystal Smith, Deputy Clerk

ROLL CALL

The clerk called the roll.

INVOCATION

Chaplain Curtis Taylor, Fire Rescue Lieutenant, gave the invocation.

PLEDGE OF ALLEGIANCE

Joe McDermott, Sergeant Major, United States Army, led the Pledge of Allegiance.

ADDITIONS/DELECTIONS TO THE SPECIAL AGENDA

There were none.

APPROVAL OF THE SPECIAL AGENDA

Motion by Taylor, seconded by Arnold, carried 5/0, to approve the Special Meeting Agenda, as submitted.

Yea: Taylor, Arnold, Murphy, Whitehurst, Joseph

Nay: None

- 1 Reconsideration - ENCERT 2026-05, Heritage Development East. The Board originally heard the application for Agricultural Enclave Certification on August 19, 2026. At the meeting, a motion to deny certification failed, followed by a motion to approve the certification carried 3-2, with Commissioner Joseph and Commissioner Taylor dissenting. On September 15, 2026, during Commissioner comments, a motion was made by Commissioner Whitehurst to schedule a special meeting to bring back the item for reconsideration. The Application requests Agricultural Enclave Certification pursuant to Sections 163.3162 and 163.3164, Florida Statutes. This certification request includes approximately 615.41 acres and is located directly east of Interstate 95 and south of State Road 207

Special Agenda Items 1 and 2 were discussed together.

Whitehurst explained why he brought the item back for discussion and reconsideration.

Motion by Joseph to censure Commissioner Whitehurst. Motion failed for lack of second.

Taylor spoke on statutory definitions and requested clarification on how to establish an urban service area. Jacob Smith, Growth Management, explained the difference between an urban service area and development area boundaries. Kealey West, Deputy County Attorney, read the definition for Florida Statute 163.3164 into the record.

Whitehurst asked whether an agricultural enclave property had to be within an urban service area. West explained that it depended on the perimeter calculation used. Discussion ensued on the urban service area requirements, the definition of an agricultural enclave, and the perimeter used for agricultural enclaves.

Public Comment:

Michelle Santuono provided further information on the urban service area and spoke on Rural Silviculture and AI (Exhibit A).

Kerry Gustavson spoke on consistency in applying the law to the Urban Service Area (Exhibit B).

Kim Harrison commended Commissioner Whitehurst and Taylor and encouraged the Board to look further into the information presented.

Kelly Simmons expressed concerns about water shortage and the potential impacts of development (Exhibit C).

Suzanna Pavelle raised infrastructure concerns about agricultural enclaves.

Dan Palmer spoke about his concerns with overdevelopment.

Jenny Palmer spoke against the agricultural enclaves and encouraged the Board to deny it.

Lesha Corrigan raised infrastructure concerns about overdevelopment.

Sharon Hershel questioned whether the Florida Sunshine and Administrative Procedure Laws had been considered.

Kaylee McHone spoke on the importance of following the law for the urban service area.

Sam Stage spoke on concerns about water shortage due to the size of the development.

Connie Mullen raised concerns about overdevelopment and water supply.

Linda Rice spoke about the commissioners serving the public in accordance with the law.

Ed Slavin agreed with Commissioners Whitehurst and Taylor and expressed concerns about being unable to obtain a copy of a prohibition document.

Ryan Connelly spoke on his concerns about water supply and land conservation.

Michael McDonald spoke about concerns with resources and jobs related to new land development and the low water table.

Sabrina Clark spoke on her concerns about land and wildlife conservation.

Joseph Robertson encouraged the Board to follow the spirit of the law.

Chris Farrell expressed concerns about the thoroughness of the Board's review of Agricultural Enclave applications.

Tom Reynolds commended Commissioner Taylor and raised concerns about water supply.

Kim Williams expressed concerns about the proposed development area.

BJ Kalaidi spoke about the need to respect residents and the public speakers.

Chris Walsh spoke on basic common sense and following the law.

Robert Walters, Attorney Representative for Heritage Development East, provided rebuttal and explained statutory definitions.

Joseph asked whether the applicant would pay for the services needed for the development. Discussion ensued.

Motion by Taylor, seconded by Joseph, carried 3/2, with Murphy and Whitehurst dissenting, to deny ENCERT 2026-05 and ENCERT 2026-06, stating that the applicant has not carried its burden under section 163.3164, and the property is not surrounded by a legally established urban service area, which is an area identified in the comprehensive plan with facilities in place or in the capital improvements elements, reliance on the development area boundary as provided or planned or is a functional equivalent of an urban service area does not meet that standard; staff separately found that the services were not adequate for the site, and unlike Ordinance No. 2015-4 for Durbin Creek, no Ordinance, Comprehensive Plan Provision, or Future Land Use Map Designation established an urban service area; the certification was not authorized; and directed the County Attorney to prepare the final written order, with findings of fact and conclusions of the law.

Yea: Taylor, Joseph, Arnold
Nay: Murphy, Whitehurst

2. Reconsideration - ENCERT 2026-06, Heritage Development West. The Board originally heard the application for Agricultural Enclave Certification on August 19, 2026. At the meeting, a motion to approve the certification carried 3-2, with Commissioner Joseph and Commissioner Taylor dissenting. On September 15, 2026, during Commissioner comments, a motion was made by Commissioner Whitehurst to schedule a special meeting to bring back the item for reconsideration. The Application requests Agricultural Enclave Certification pursuant to Sections 163.3162 and 163.3164, Florida Statutes. This certification request includes approximately 551 acres and is located west of Interstate 95 and south of State Road 207

Discussion occurred during Special Agenda Item 1.

With there being no further business to come before the Board, the meeting adjourned at 10:37 a.m.

Approved October 20, 2026

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Clay Murphy
Clay Murphy, Chair

ATTEST: BRANDON J. PATTY,
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By: Brandon J. Patty
Deputy Clerk



St. Johns County 2025 Comprehensive Plan:

Policy A.1.2.7

"The County shall encourage urban and suburban growth in Development Areas where public facilities and services exist.

Development Areas are those areas designated on the Future Land Use Map, that depict the overall future growth pattern of the County. Areas designated R/S and A-I are not Development Areas. Comprehensive Plan amendments to add development areas shall be discouraged unless the applicant demonstrates the amendment provides economic development, job creation, preservation of the natural environment, or other public benefit."

EXHIBIT A

BCC 9.28.26

Agenda Item No. 1 #2

Presenter: Michelle Santuono

**St. Johns County
2025 Comprehensive Plan:**

A.1.2.9 "The County shall investigate the designation of an Urban Service Area (USA) and/or Transportation Concurrency Exemption Area (TCEA), as allowed by Florida Statutes, in areas where found appropriate."

2025-Complete-Comprehensive-Plan

2025 St. Johns County Comprehensive Plan

Durbin Creek National provision

(18) The property known as Durbin Creek National (COMPAMD 2019-000005), a 1,624-acre parcel (the "Property"), has existing Future Land Use Designations of Intensive Commercial and Rural/Silviculture pursuant to St. Johns County Ordinance No. 2000-68. The portions of the Durbin Creek National Property designated Intensive Commercial shall be developed with a mixture of Commercial/Shopping Center, Office, Hospital, Hotel and Residential uses. The portion of the Property with a future land use designation of Rural/Silviculture is part of the 1,500-foot Durbin Creek corridor (measured 750 feet from the center line of Durbin Creek). The timber rights for this area will expire in 2025 and upon expiration, the Rural/Silviculture future land use area will become conservation area through a Comprehensive Plan Amendment, conservation easement or similar mechanism. The Property is included in the Durbin Creek National Urban Service Area boundary, as depicted on the St. Johns County Future Land Use Map, pursuant to Section 163.3164(51), Florida Statutes, and shall be exempt from development of regional impact review pursuant to Section 380.0651(3)(c)3, Florida Statutes. The Property is also subject to a Development Agreement between Durbin Creek National, LLC and St. Johns County dated February 3, 2015, as may be amended, which Development Agreement sets forth details related to development of the Property and related transportation, school and parks/recreation mitigation. Because the Property contains predominantly non-residential uses, scenic edges provided pursuant to Comprehensive Plan Policy A.2.1.4 along the rights-of-way for State Road 9B, West Peyton Parkway and East Peyton Parkway shall be a minimum of 10 feet for non-residential uses and a minimum of 30 feet/average of 30 feet for residential uses. Scenic edges adjacent to Race Track Road right-of-way shall be 30 feet for residential and non-residential uses. Durbin Creek National, LLC has dedicated public rights-of-way for State Road 9B, Race Track Road, West Peyton Parkway and East Peyton Parkway, which rights-of-way contain landscaped areas of a minimum width of 40 feet along the outsides

PASCO COUNTY



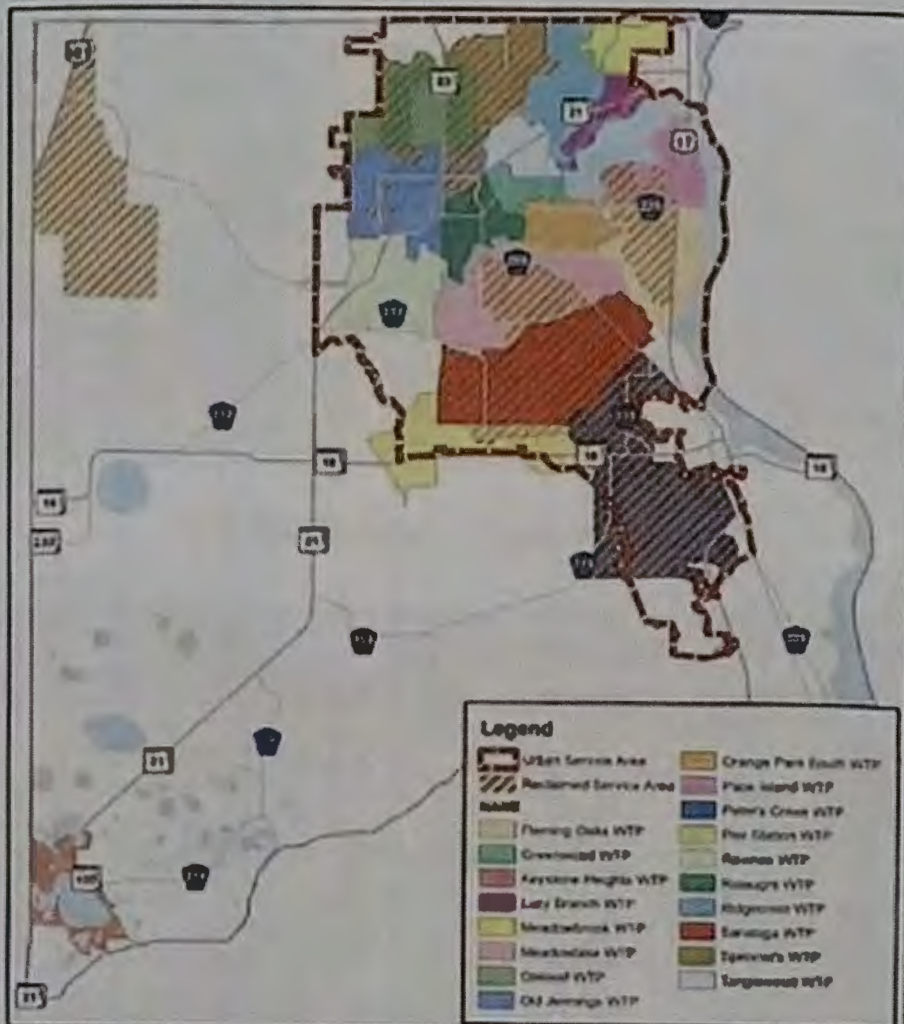
PASCO COUNTY



VS St Johns County



Figure 12 - Centralized Water Service Area Map



Comprehensive Plan

CLAY COUNTY
FLORIDA



Centralized Water
Service Area

Source: Clay County Utility Authority (2004)

Scale: 1 inch = 1 mile

This information is provided for informational purposes only. It is not intended to be used as a basis for any legal action or as a substitute for professional advice. The user assumes all liability for any use of this information.



Duval County 2045 Comprehensive Plan

“Urban Service Districts” — The territory of the consolidated government is divided into a general services district and five urban services districts.

The first Urban Services District initially consisted of the former City of Jacksonville boundaries as of October 1, 1968; the second is Jacksonville Beach; the third is Atlantic Beach; the fourth is Neptune Beach; and the fifth is Baldwin.

CONSISTENCY in
applying a law ensures
that similar cases are
treated alike, fostering
fairness and
predictability within the
legal system.

This principle is crucial
for maintain **PUBLIC**
TRUST and upholding
Judicial Decisions

EXHIBIT B

BCC 9.28.26

Agenda Item No. 1&2

Presenter: Kerry Gustavson

SJC should follow the letter of the law sb686, the exact words of the text. SJC should not assume or infer anything. We must seek strict compliance, NOT ignore parts of the law or exercise a more liberal interpretation of the text of the Statute.

(ixd) Nothing within this subsection relating to agricultural enclaves shall preempt or replace any protection currently existing for any property located within the boundaries of any of the following areas:

1. The Wekiva Study Area, as described in s. 369.316, or
2. The Everglades Protection Area, as defined in s. 373.4592(2).
3. Any area of critical state concern, as designated in s. 380.055, s. 380.0551, s. 380.0552, s. 380.0553, or s. 380.0555.
4. Any portion of a property encumbered by a recorded conservation easement as defined in s. 704.05.
5. A military installation or range identified in s. 163.3175(2).

Section 2. Subsection (4) of section 163.3164, Florida Statutes, is amended to read:

163.3164 Community Planning Act; definitions.—As used in this act:

(4) "Agricultural enclave" means an unincorporated, undeveloped parcel or parcels that, as of January 1, 2025:

(a) Are owned or controlled by a single person or entity;

(b) Have been in continuous use for bona fide agricultural purposes, as defined by s. 193.461, for a period of 5 years before prior to the date of any comprehensive plan amendment or development application;

(c) Are surrounded on at least 75 percent of their its perimeter by:

a.1. A parcel or parcels Property that have existing industrial, commercial, or residential development; or

b.2. A parcel or parcels Property that the local government has designated, in the local government's comprehensive plan, zoning map, and future land use map, as land that is to be developed for industrial, commercial, or residential purposes, and at least 50 75 percent of such parcel or parcels property is existing industrial, commercial, or residential development; or

c. A combination of an interstate highway and a parcel or parcels that are within an urban service district, area, or line and that the local government has designated in the local government's future land use map as land that is to be developed for industrial, commercial, or residential purposes.

2. Do not exceed 700 acres and are surrounded on at least 50 percent of their perimeter by a parcel or parcels that the local government has designated on the local government's future land use map as land that is to be developed for industrial, commercial, or residential purposes; and the

CODING: Words stricken are deletions; words underlined are additions.

N Palm Valley
→

Heriberto
→

Not a Portland Parcel

we only have one Urban Service district or Area

Dubbin

35

ST. JOHNS COUNTY
ST. AUGUSTINE, FLORIDA

BOARD OF COUNTY COMMISSIONERS

District 1 - Cynli Stevenson
District 2 - Job Smith, Vice Chair
District 3 - William (Bill) A. McClure
District 4 - Jay Morris
District 5 - Rachel L. Bennett, Chair



REGULAR MEETING AGENDA

County Auditor
300 San Sebastian View

Michael D. Wozniak, County Administrator
Patrick F. McCormick, County Attorney

Tuesday, February 3, 2015 9:00 a.m.

Please be sure all cellular devices are silenced for the duration of the County Commission Meeting

REGULAR MEETING

- ♦ Call to Order by Chair
- ♦ Roll Call by the Clerk of the Court
- ♦ Invocation
- ♦ Pledge of Allegiance
- ♦ Recognition of County Employee Johnny Daniels who is retiring with almost 36 years of service to St. Johns County
- ♦ Public Comment
- ♦ Deletions to Consent Agenda
- ♦ Approval of Consent Agenda
- ♦ Additions/Deletions to Regular Agenda
- ♦ Approval of Regular Agenda

Presenter - Suzanne Konehan, Growth Management Department

- District 1**
1. **Public Hearing - COMPAMD 2014-07 Durbin Creek National, LLC.** This is an adoption hearing for Comprehensive Plan Amendment 2014-07, known as Durbin Creek National, LLC, to change the land use designation on approximately five acres of land from Rural/Silviculture (R/S) to Intensive Commercial (IC); designate those five acres plus an additional approximately 1,619 acres of land, for a total of 1,624 acres, as an Urban Service Area, pursuant to Section 163.3164 (50), Florida Statutes; provide a Text Policy establishing the general development rights for the property; and, adopt an update to the Capital Improvement Schedule. The property is located on the south side of Race Track Road, and east and west of I-95. The Planning and Zoning Agency recommended approval on a vote of 7-0 on January 15, 2015. The Board discussed the item January 20, 2015, and continued the hearing to February 3, 2015 for final consideration. The only material changed from January 20th is the revised text policy presented at the hearing by the applicant which sets the scenic edge at 30' for the portions of the site within the Northwest Sector. Staff will continue to work with the applicant to potentially refine the language prior to the final hearing.

Clearing land & land's capacity to absorb
store + release water into aquifer + ↑
stormwater runoff = ↑ sewage capacity^{vol +}

Stage III water shortage

undervalued parcels support entire ecosystems -
we rely on eco-tourism

EXHIBIT C

BCC 9.28.26

Agenda Item No. 1 & 2

Presenter: Kelly Simmons