

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL/SILVICULTURAL (R/S) TO RURAL COMMERCIAL (RC) FOR THE PROPERTY LOCATED ON US 1 SOUTH APPROXIMATELY THREE-FOURTHS OF A MILE SOUTH OF THE US 1 AND I-95 INTERSECTION, CONTAINING APPROXIMATELY 6.38 ACRES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, Chapter 125 and 163, Florida Statutes provide for the Board of County Commissioners to prepare, implement and enforce Comprehensive Plans and Land Development regulations for the control of development within the County;

WHEREAS, Section 163.3184, 163.3187 and 163.3189 Florida Statutes provide the process for the adoption of Comprehensive Plan amendments;

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA:

SECTION 1. The St. Johns County Comprehensive Plan is amended to change the Future Land Use Map designation from **Rural/Silviculture (R/S) to Rural Commercial (RC)** for the property located on US 1 South approximately three-fourths of a mile south of the US 1 and I-95 intersection, containing approximately 6.38 acres of land, as shown on **EXHIBITS A AND B**, based upon the following Findings of Fact:

- (a) The amendment was fully considered after public hearing pursuant to legal notice duly published as required by Law.
- (b) The amendment is consistent with the State Comprehensive Plan, the Northeast Florida Strategic Regional Policy Plan and Rule 9J-5, Florida Administrative Code.
- (c) The amendment is consistent with the applicable sections of the St. Johns County Comprehensive Plan and the Land Development Code.

SECTION 2. The remaining portions of the St. Johns County Comprehensive Plan, Ordinance No. 2000-34, as amended and the 2015 Future Land Use Map, as amended, which are not in conflict with the provisions of this ordinance, shall remain in full force and effect.

SECTION 3. Should any section, subsection, sentence, clause, phrase or portion of this ordinance be held invalid or unconstitutional by any court of competent jurisdiction, such

portions shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions.

SECTION 4. This ordinance shall take effect 31 days after adoption. If challenged within 30 days after adoption, this ordinance shall not become effective until the state land planning agency or Administration Commission issues a final order determining the adopted small scale amendment is in compliance.

SECTION 5. This ordinance shall be recorded in a book of land use regulation ordinances kept and maintained by the Clerk of Court in accordance with Section 125.68, Florida Statutes.

PASSED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA, THIS 2nd **DAY OF** February **2010.**

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

BY: Ron Sanchez
Ron Sanchez, Chair

Rendition Date: February 4, 2010

ATTEST: Cheryl Strickland, Clerk

BY: Yvonne King
Deputy Clerk

Effective Date: March 30, 2010



EXHIBIT A
From RURAL SILVICULTURE
To RURAL COMMERCIAL

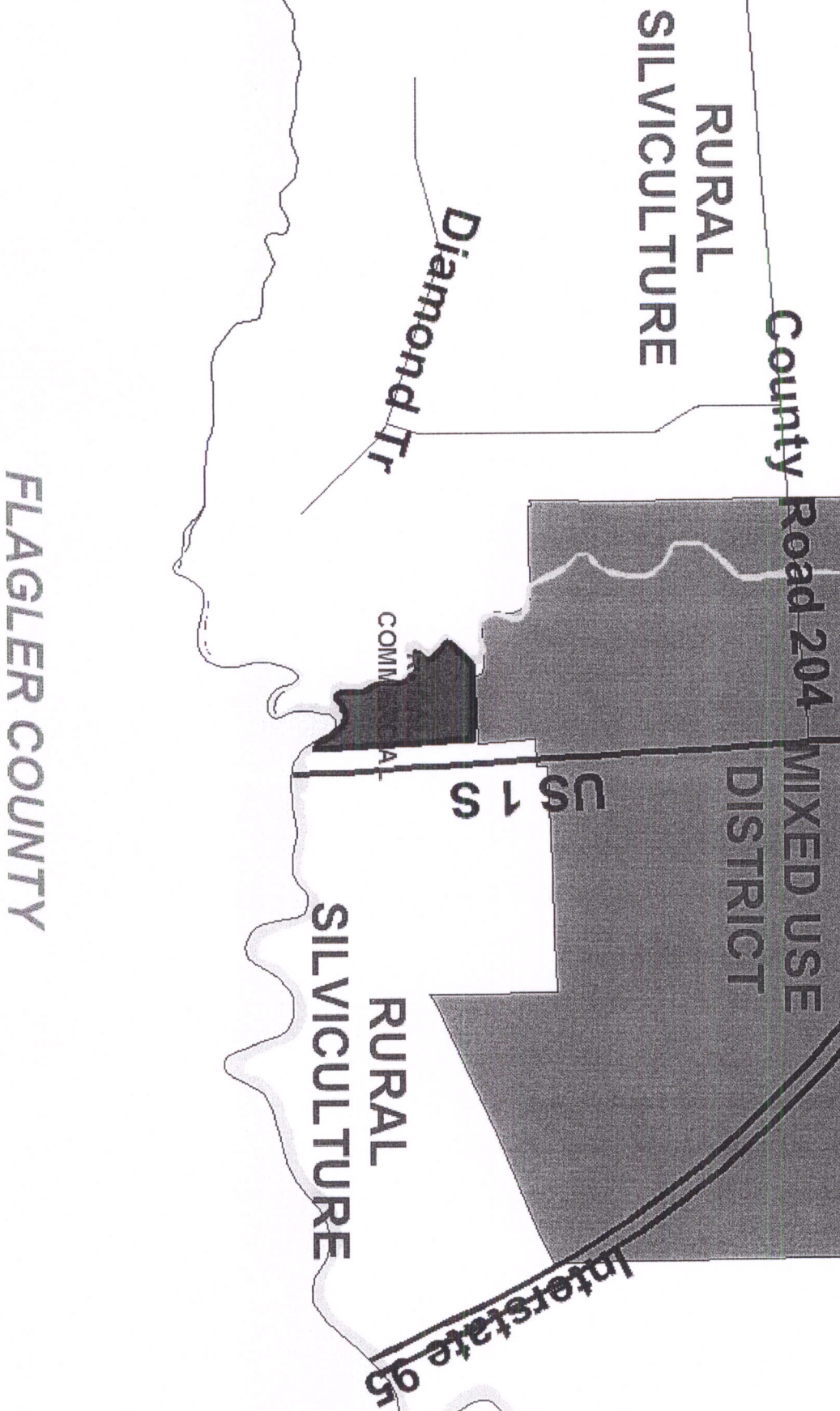


EXHIBIT B

Legal Description Pellicer Creek Campground

Being a part of Government Lot 2, Section 9, Township 10 South, Range 30 East, and more particularly described as follows:

BEGINNING at the original Northeast Corner of the said Government Lot 2, as a point of reference and running thence South 88 degrees 16 minutes 24 seconds West, along the North line of the said Government Lot 2, a distance of 1299.32 feet, to an intersection with the Westerly boundary of the 200 foot right of way of U.S. Highway No. 1; thence South 04 degrees 43 minutes 26 seconds East, along said Westerly right of way boundary, a distance of 300.0 feet, to the POINT OF BEGINNING of this description; thence South 88 degrees 16 minutes 24 seconds West, a distance of 300.0 feet; thence South 88 degrees 06 minutes 24 seconds West, a distance of approximately 225.0 feet, to an intersection with the centerline of Cracker Branch; thence running Southerly along the centerline of Cracker Branch, to the Northerly edge of Pellicer Creek; thence running Easterly along the Northerly edge of Pellicer Creek, a distance of approximately 300.0 feet, to the Westerly right of way line of U.S. Highway No. 1; thence running North 04 degrees 43 minutes 26 seconds West, along the said Westerly right of way line, a distance of approximately 880.0 feet, to the POINT OF BEGINNING of this description. Bearings are referred to the Magnetic Meridian with no variation offset.

SUBJECT TO COVENANTS, RESTRICTIONS, EASEMENTS and RESERVATIONS of record, if any; However, this reference does not operate to reimpose same; SUBJECT TO Zoning Ordinances that may affect subject property; SUBJECT TO Taxes for the year 2007 and Subsequent Years.

THE ST. AUGUSTINE RECORD

SJC GROWTH MANAGEMENT
4040 LEWIS SPEEDWAY
SAINT AUGUSTINE FL 32084

Ref.#: L196-10
P.O.#: PELLICERCK

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **ULINDA E. VERSTRAATE**

who on oath says that he/she is an Employee of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement being a **NOTICE OF HEARING**

In the matter of **CPA(SS) 2008-01 - PELLICER CREEK CAMPGROUND**

was published in said newspaper on **01/18/2010**

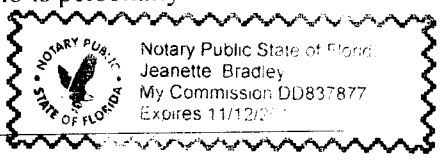
Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this 19th day of Jan 2010

by Ulinda E Verstraate who is personally known to me
or who has produced as identification

Jeanette Bradley

(Signature of Notary Public)



(Seal)

NOTICE OF PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED SMALL SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE ST. JOHNS COUNTY 2015 COMPREHENSIVE PLAN.

NOTICE IS HEREBY GIVEN that the St. Johns County Board of County Commissioners Meeting on Tuesday, February 2, 2010 at 9:00 a.m. will hold a public hearing to issue a decision on

AN ORDINANCE OF THE COUNTY OF ST. JOHNS, STATE OF FLORIDA, AMENDING THE 2015 COMPREHENSIVE PLAN, ORDINANCE NO. 2000-34, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FROM RURAL SILVICULTURE (RS) TO RURAL COMMERCIAL (RC), FOR THE PROPERTY LOCATED SOUTH OF US 1 APPROXIMATELY THREE FOURTHS OF A MILE SOUTH OF THE INTERSECTION OF US 1 AND I-95, CONTAINING APPROXIMATELY 6.3 ACRES; PROVIDING FOR FINDINGS OF FACT; FINDINGS OF CONSISTENCY; SEVERABILITY; AND AN EFFECTIVE DATE.

Said hearing will be held in the County Auditorium, County Administration Building, 500 San Sebastian View, St. Augustine, Florida. All interested parties may appear at the public hearing to be heard regarding the proposed amendment.

The subject property is 6.3 acres and is located 10255 Highway US 1 South, within St. Johns County. A complete description is available in the St. Johns County Planning and Zoning Office.



The amendment proposes to change the Future Land Use Map Designation from Rural Silviculture to Rural Commercial.

The proposed amendment is known as File Number CPA(SS) 2008-01 Pellicer Creek Campground, and is available for review at the local County Planning and Zoning Office and Libraries and may be examined by interested parties prior to said public hearing. Items not heard by 6 pm shall automatically be continued until 9 am the following day, unless otherwise directed by the Board.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made with respect to any matter considered at the meetings or hearings, he/she will need a record of the proceedings and for such purpose may need to ensure that verbatim records of the proceedings are made, which records include the testimony and evidence upon which appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact the ADA Coordinator at (904)209-0450 of the County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084. For hearing impaired individuals, Telecommunications Device for the Deaf (TDD), call Florida Relay Service at 1-800-955-8770, no later than 5 days prior to the date of the hearings.

**BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
RON SANCHEZ, CHAIR
FILE NUMBER: CPA(SS) 2008-01
PELLICER CREEK CAMPGROUND
L196-10 Jan 18, 2010**



FLORIDA DEPARTMENT *of* STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

KURT S. BROWNING
Secretary of State

February 9, 2010

Ms. Cheryl Strickland
Clerk of the Circuit Court
St. Johns County
4010 Lewis Speedway
St. Augustine, Florida 32084-8637

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated February 8, 2010 and certified copies of St. Johns County Ordinance Nos. 2010-2 through 2010-5, which were filed in this office on February 9, 2010.

Sincerely,

A handwritten signature in black ink that reads "Liz Cloud".

Liz Cloud
Program Administrator

LC/srd

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

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2010 FEB 16 AM 10:47
CLERK COURT COMMISSION
ST. JOHNS COUNTY FL

FILED



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

February 25, 2010

RECEIVED

Ms. Teresa Bishop, AICP
Director of Long Range Planning
St. Johns County Growth Management Department
4040 Lewis Speedway
Saint Augustine, Florida 32084

MAR 2 2010

ST. JOHNS COUNTY
GROWTH MANAGEMENT

Dear Ms. Bishop:

Thank you for submitting copies of the St. Johns County Small Scale Development Plan Amendment, adopted by Ordinance No(s) 2010-3 on February 2, 2010, for our records. The reference number for this amendment package is 10S01.

The Department **will not** conduct a compliance review or issue a Notice of Intent regarding the adopted small scale development plan amendment in accordance with procedures contained in Section 163.3187(3)(a), Florida Statutes.

If you have any questions, please contact Terri Stoutamire at (850) 922-1804.

Sincerely,

D. Ray Eubanks
Plan Review & Processing Administrator

DRE/ts

cc: Brian D. Teeple, Chief Executive Officer
Northeast Florida RPC